

**CITY OF INDEPENDENCE  
REGULAR COUNCIL MEETING MINUTES  
DECEMBER 11, 2007 7:00 P.M.  
COUNCIL CHAMBERS**

**CAUCUS:**

Councilman Blaze called the meeting to order at 5:45 p.m. Present were Council Members Cichocki, Crooks, Grendel, Klepacz, Kurtz (arrived 6:09 p.m.) and Wisnieski. Also present were Finance Director Veres, Law Director O'Brien, Community Services Director Buc, Engineer Elewski and Executive Assistant White, Councilman Elect Togliatti, Councilman Elect Narduzzi and Beth Fulton from TranSystems.

Councilman Blaze stated, on Second Reading is Ordinance 2007-32, the rental occupancy permit. Vice Mayor Kurtz has some comments on that and asks that we hold off discussing that as well as Resolution 2007-162 regarding the Marycrest property until he arrives.

On First Reading is Ordinance 2007-58, amended annual appropriation ordinance.

Finance Director Veres stated, there is one change. Carol Stokar and I reviewed everything again after some additional changes and more information from RITA. The one change is bumping up the estimated cost of the administrative costs of collecting the money, so I'm adding \$18,800 to bring that to \$800,000. It's the additional cost of collecting \$2 million additional revenue. That line also includes the refund to Linde. It's a gross cost, not a net cost. The net is always after our June retainer refund.

Councilman Grendel asked, Linde met their quota?

Finance Director Veres replied, yes. Linde met their quota. We might be able to get some or most of it back.

Law Director O'Brien replied, we're looking for most of that.

Finance Director Veres added, based upon some changes.

Law Director O'Brien stated, they're really not technically in default until March 31<sup>st</sup>. That's when they make their final cut of employees. We're going to have to wait until March 31<sup>st</sup>.

Finance Director Veres stated, most of the other changes were advance repayments and increases in estimated resources and a little bump up in Rec trusts and police pensions to cover those costs. They are all explained in the memo attached to the ordinance.

There is no increase in total.

Chairman Blaze commented, so like quite a few of our last appropriations you are shifting things around but nothing changes in total.

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Finance Director Veres replied, correct.

Councilman Blaze stated, Ordinance 2007-59, rezoning property at West Creek and Rockside.

Law Director O'Brien stated, a public hearing is required under the Charter. We would recommend that Council not take any action tonight. Get Go first presented to the Planning Commission last week with some conceptual drawings and ideas. The Planning Commission is going to meet with them (inaudible) feedback. We envision that once the City works everything out with Get Go, we'll enter into a development agreement and then rezone the project.

Councilman Blaze asked, leave it on First Reading and it will expire at the end of the year? We'd have to reintroduce it in 2008?

Law Director O'Brien replied, yes. We'll comply with the Charter and have our public hearing. If this is like any of the other commercial property along Rockside, it's usually not that contentious where people come in, but we do have to satisfy that.

Councilman Grendel asked, the rezoning is just for that parcel?

Law Director O'Brien replied, a half acre that the City was going to sell and then another close to an acre that Mark Carrabine (inaudible).

Councilman Blaze stated, next is Ordinance 2007-60, renewing the contract with New Heights from February 1, 2008 through January 31, 2009. I see the purchasing coordinator is recommending this.

Councilman Elect Riley asked, is there any chance we can put this off until January. I think I'd like to amend the tree ordinance and bring up some ideas.

Councilman Grendel commented, I don't know if there is anything pending on this this year or not.

Councilman Blaze replied, this would be a 2008 issue. It seems like there is a few of these where we're approving expenditures for 2008 when we haven't even set the 2008 budget yet. I'd be more comfortable leaving it on First Reading. Are there any objections?

Councilman Grendel asked, should we just remove Ordinance 2007-60?

There were no objections noted to removing Ordinance 2007-60 from the agenda.

Councilman Blaze stated, next is Resolution 2007-159, for Elewski & Associates. Is this similar to some of the others we've been asked to pass over the last couple of months?

Finance Director Veres replied, similar as to where the work was performed before it was approved, yes.

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Councilman Crooks asked, so the work has been done?

Finance Director Veres replied, yes.

Councilman Blaze asked, is there a total on this?

Finance Director Veres replied, no.

Councilman Blaze asked, so your argument is this is work that was done but was not authorized?

Finance Director Veres replied, it wasn't preapproved, correct.

Councilman Blaze asked Finance Director Veres, do you have anything to say about that?

Councilwoman Wisnieski asked, where did the original amount come from then if it wasn't preapproved?

Finance Director Veres replied, once you get to a certain point, that's why we have budgets in place, you're not supposed to continue working without approval.

Councilman Grendel asked, so the original amount was approved?

Finance Director Veres replied, yes.

Councilman Grendel asked, so we're just looking to approve the difference?

Finance Director Veres replied yes.

Councilwoman Wisnieski commented, I understand that part, but when you said it wasn't preapproved I was thinking the entire project.

Finance Director Veres replied, no.

Engineer Elewski commented, right now the City owes us around \$66,000.

Finance Director Veres replied, that has nothing to do with this resolution.

Councilman Blaze asked, so there are even more outstanding issues than these?

Finance Director Veres replied, what we had talked about, yes.

Councilman Crooks asked Engineer Elewski, so when this original amount is approved and you perform the work and then there is a revised amount, how much time is there typically in between the original amount being approved and you coming to Council for the revised amount? Does it depend on each job?

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Engineer Elewski replied right, and the work continues. It doesn't stop.

Councilman Crooks asked, how can we be so far off to originally budget \$45,000 and then have it almost double?

Engineer Elewski replied, some of the invoices get resubmitted. You keep back some work we did in July, August, September and October.

Councilman Blaze stated, Job E11, that's the big one that is over, Miscellaneous Storm Sewer. Is that a compilation of many projects?

Engineer Elewski replied, yes.

Councilman Blaze commented, for me it's one thing to approve one of these other three minor ones, but when you add them up in total, Councilman Cichocki and I are coming up with over \$76,000 in changes. One, we have a budgetary issue and I don't know if we have a legal issue paying for work that wasn't authorized. Does this override that?

Law Director O'Brien replied, (inaudible).

Councilman Blaze asked Finance Director Veres, what is the budgetary impact if we pass this?

Finance Director Veres replied, there is no budgetary impact, meaning I don't need to come back to you in the next two weeks with another amendment, but that's not the point. We've discussed the whole issue many times.

Councilman Blaze asked, what is Council's pleasure?

Councilman Grendel asked, has Don been paid up to the original amount, but over and above that hasn't been paid yet?

Finance Director Veres replied, correct, because we can't.

Councilman Grendel stated, Don says (inaudible).

Finance Director Veres replied, there are some in between amounts. There isn't enough room for the in between amounts. In the Miscellaneous Storm there may be some in between amounts. I'm rather tired of wasting my time on the issues, so this is short and simple. If you want to approve it, approve it and if you don't, don't.

Councilman Grendel commented, if it's owing, we should approve it. I don't know if any of this has been negotiated.

Finance Director Veres stated, those issues aren't even on here.

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Councilman Elect Riley commented, it seems like this issue pops up every month. Are you doing anything to address this or is this a goal for the new Council?

Finance Director Veres replied, we've had a few meetings to try and address this. We're working toward a solution on the open items.

Councilman Blaze stated, we'll put it on the Council floor and vote it up or down.

Councilman Crooks asked Engineer Elewski, if we approve this, is it never going to happen again?

Engineer Elewski replied, I don't know what you mean by never happen again.

Councilman Klepacz replied, the issue as it has been explained to us is that the engineer's office has continued to do work on projects after they have reached the budgeted amount, with out prior approval.

Engineer Elewski replied, a lot of the projects are continuing. If we stop working on them, then the project stops. I'm sure Council doesn't want some of these projects to stop. Our charges are based on monitoring and doing the engineering and construction management on a lot of these projects. If you want me to stop every time, then we have to stop the people who are working on these projects. You should iron that out somehow.

Finance Director Veres replied, there are no projects on this resolution. This is all miscellaneous work. It's not project related. It's going into someone's backyard and checking on a water problem. It's not project related.

Engineer Elewski replied, we get calls from the Mayor and Council to go out and check this job or that job. It's all part of the whole picture. We're not doing this intentionally. We're trying to run an engineering company and (inaudible) the City in all this stuff and then we (inaudible) pay for it.

Someone asked, how much time elapsed from when you hit your original amount to when we get the revised amount? What is that timeframe? Can you say that when you hit (inaudible) \$10,000 left and (inaudible) approve some more I have seven months to go?

Engineer Elewski replied, we tried that already. We tried asking for more than we anticipate, or trying to ask for money that we anticipate and sometimes it's crossed out and changed. We try to anticipate some of these costs. We submit to the Mayor or the finance department and they cross out the amount that we ask for and put in a different one. Then when we exceed that amount, we have to come back to Council.

Finance Director Veres commented, when the Mayor or the finance department crosses it out, reduces it, it's because they don't want to spend that much money on the project, but you ignore that directive and just do what you want to do. That's what it boils down to.

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Councilman Blaze stated, we'll vote on it and hopefully it's dealt with come January.

Next is Resolution 2007-160, approving transfers and advances. I don't recall seeing one like this before.

Finance Director Veres replied, it was on the agenda last year, and I think the year before. It's only once per year. It boils down to mainly school systems where their board is elected the same time our elections are held, but their year is mid-year, so they're already halfway through their year when transfers and advances have taken place, so it was really instituted mainly for school systems to educate those new members on what has happened so far in the half year that they've missed. But they made it government wide, if you will.

I tried to explain this to the auditors. Even though our amendment has changes to our advances and shows you what we're advancing every time we do something, they still want to see a year end summary of our transfers and advances and the purpose for each, so that's why it's here.

Councilman Blaze asked, so this is more of a memorialization of actions taken this past year, not anything new?

Finance Director Veres replied, correct.

There were no objections noted to passing Resolution 2007-160.

Councilman Blaze stated, Resolution 2007-161, the 2007 Planned Capital Purchase Program.

Finance Director Veres replied, it's the same type of explanation memorializing our Planned Capital. Since it was unique, we had to convince the auditors that with this program we're going to have purchase orders open for a number of years. They wanted to see it legislated and summarized every year.

Councilman Elect Riley asked, if money was set aside in this fund for a fire truck, for example, and something, an emergency, came up and we needed to buy something else, can we take the money from there and use it?

Finance Director Veres replied, you could cancel all these purchase orders if you wanted in an emergency.

There were no objections noted to passing Resolution 2007-161.

Councilman Blaze stated, we'll be discussing Resolution 2007-162 when the Vice Mayor gets here or in Executive Session, whichever is more appropriate.

Resolution 2007-163, the hiring of Mary Dolansky for 2008. I don't have any problem with her. She's been doing it awhile. As was mentioned earlier, this is a 2008 expenditure that we're being asked to approve. Unless there are any contract issues with her starting on January 1<sup>st</sup>, I'm not sure when her contract runs.

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Director Buc answered December 31<sup>st</sup>.

Councilman Blaze responded, so if we didn't do this one? When does the next Spotlight come out?

Director Buc replied, January's is already done. We'll be working on March in January.

Councilman Grendel commented, this is so minor.

Councilwoman Wisnieski asked, is she getting a raise?

Councilman Grendel replied, no, last year I think.

Finance Director Veres added, she didn't spend it all last year.

Councilman Grendel added, she never reaches her maximum approved.

Several people speaking at once.

Director Buc commented, at the Finance meeting I had asked to do professional marketing literature (inaudible).

Finance Director Veres replied, whatever you want.

Several people speaking at once.

Law Director O'Brien stated, for the City in general.

There were no objections noted to passing Resolution 2007-163.

Councilman Blaze stated, next is Resolution 2007-164, an agreement with True North Energy. I assume this is something to settle our longstanding, ongoing situation at the Shell station?

Law Director O'Brien replied, we have some contamination issues that we've been dealing with since the Rockside Road widening. (Inaudible) wells are coming to monitor. They're putting them in at their cost for the EPA to determine the origin of the contamination.

Councilman Blaze asked, do they have an estimated time on how long those structures will be there?

Law Director O'Brien replied, approximately 18 months I believe. We have an indemnification. They're very small holes by the way. They're not these big wells. These are underground.

Councilman Cichocki asked, is this our property?

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Law Director O'Brien replied, these wells are going into the roadway. They're inches in diameter. They're flat with the street.

Engineer Elewski commented, they're starting Saturday.

Councilman Cichocki asked, but the property they're monitoring, is that our property?

Law Director O'Brien replied, we're not monitoring anything.

Councilman Cichocki asked, why do they need our approval?

Law Director O'Brien replied, we're giving them a license to go under our street.

There were no objections noted to passing Resolution 2007-164.

Councilman Blaze stated, Resolution 2007-165, an amended agreement.

Councilman Grendel commented, this was discussed in the Safety Committee meeting. The Cleveland Clinic is only contributing \$10,000 toward the program. It's less than what we anticipated, so what we're doing is the City has to bump up their contribution by \$3,500. We're going to increase what the resident has to pay from \$5.00 to \$7.50 a month. In this way it's sharing the expense with the resident. It has been \$5.00 since the inception so we thought now is a good time to increase it. We're not sure after this contract expires, if the Clinic doesn't participate at all, we may have to bump it up again to \$10 per month for the resident.

Councilman Elect Riley asked, how many people have these?

Councilman Grendel replied, this is approved for up to 150. I think we're close to that amount right now.

Ron White added, over 130.

Councilman Grendel stated, participation has been increasing lately.

There were no objections noted to passing resolution 2007-165.

Councilman Blaze stated, Resolution 2007-166, the City participation in the FEMA Pre-Disaster Mitigation Program. This is being introduced by the Mayor. Is there something behind this?

Ron White replied, we've introduced applications for grants on this project. The City committed to the \$650,000 to assist in the project. This is just an application that you're approving. You're not approving an acceptance of an award or anything like that.

I received word from Senator Voinovich's office today that we did receive confirmation on an award from one of the grants, the City By Way Grant, a federal grant. That may be \$200,000 to \$300,000 toward this \$650,000, so we're already down to few hundred thousands.

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Finance Director Veres replied, good job.

Councilman Grendel asked, is that due in March?

Finance Director Veres replied, March 1<sup>st</sup>.

Ron White stated, so depending on when this award comes in, it may be a quick offset to the \$650,000.

Councilman Crooks asked, and there is a match on this as well?

Ron White replied, any matching so far is still under our participations. There is no additional cash or monies the City would have to appropriate to match these grant requirements at this point in time.

There were no objections noted to passing Resolution 2007-166.

Councilman Blaze stated, next is Resolution 2007-167, Cuyahoga County Department of Development grant program.

Ron White replied, it's the same thing, another grant opportunity. The actual amount of this one might be in the \$70,000 range, but every little bit helps.

We've had one of the grants so far that we didn't qualify for, so the more we can do, the higher the ratio of opportunity to succeed. That's all this is.

Councilman Crooks asked, do you answer the questions?

Ron White replied, with the help of West Creek and the Trust for Public Lands people, who have been very cooperative and collaborative to help put these together.

There were no objections noted to passing Resolution 2007-167.

Councilman Blaze stated, next is Resolution 2007-168 regarding TranSystems. Beth Fulton is here tonight. We're basically done. I assume this is for some of those minor punch list items that have to be completed?

Beth Fulton replied, everything is done in the field. We still have people working to close things out, the contractor and ODOT.

Councilman Blaze stated, Finance Director Veres' explanation says extending the contract past December 31<sup>st</sup>. There is money left, so TranSystems is under what we had budgeted for 2007? By extending the contract we'll still be under? You won't have re-appropriate anything?

Finance Director Veres replied, correct.

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Councilman Elect Riley asked, who has the as-builts?

Beth Fulton's responded, I'm burning the CD right now.

Several people speaking at once.

Beth Fulton stated, you'll get a hard copy which I would imagine you would put onto your server.

Law Director O'Brien asked, there's no problem burning two, is there – one to the building department and one of the engineer?

Beth Fulton replied, no problem.

There were no objections noted to passing Resolution 2007-168.

Councilman Blaze stated, we'll now talk about Ordinance 2007-32, the rental occupancy permit.

Vice Mayor Kurtz stated, the building department was going to weigh in and the police department was going to weigh in. I talked to both of them.

Vice Mayor Kurtz asked Chief Nicastro to weigh in on it.

Chief Nicastro stated, in looking at it, I didn't think there were any police related or safety issues impacted.

Vice Mayor Kurtz stated, I think the issue came up that relates to identifying who is in a house. This could be a tool to keep your department better informed on who is in any house.

Chief Nicastro replied, if the people renting registered I don't know how we would access that information. We're not going to actively investigate. If there were problems or incidents occurred, I know people had concerns about the one individual who was a sexual offender and moved too close to the school. That's normally taken care of by the Sheriff's Department. They made an error because they did not show that the school had been built. We made them aware of that and handled it. Other than that, historically, we've never had any incidents or problems.

Vice Mayor Kurtz commented, from my perspective I don't know if we need a law. I'd like to take a shot at seeing how effective we can be in this next year. If we still need something next year and we haven't been able to produce enough evidence that we don't need a law, then obviously we can always do something next year.

Councilman Blaze asked, take a shot at it administratively?

Vice Mayor Kurtz replied, yes. I talked to the Chief Nicastro. I talked to the building commissioner and they gave me the impression that the building department, if anything, he may

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need someone to help better enforce the existing code. Other than that, he believes he can manage that. From a safety perspective I asked the chief to explain to us any benefit to him.

Councilman Klepacz commented, the point of this is that we, as a City, are interested in inventorying and keeping our assets up to date. For example, the Public Lands & Buildings Chairman is getting an assessment of all our public buildings, which is reasonable. We need to know what's here. We have absolutely no idea how many rental properties we have in the City, who owns them and who lives in them. I think it's pretty important for the City to know what is happening in our town. Suddenly there is a for rent sign on a house that has been for sale. The point is that we need to what our housing (inaudible).

To follow the safety issue that I'm very concerned about, and I'm not too concerned about who lives in the house. I'm assuming we have reasonable people that are renting in the City. Most of us started out as renters, but the point is, as a member of the CERT program, how do we reach these people in the case of an emergency? Do we have all rental properties? All of us who own in the City are in the Swift Reach database. Are renters in the Swift Reach database?

Chief Nicastro replied, I believe the database is geographic, so unless somebody has an unlisted number, when that phone number is issued it should be included in the calls that go out. We've advertised that people who have an unlisted number and want to be included, we ask them to call and give us that information. I would have to assume that whoever is living here and has a number issued, Swift Reach works off of published numbers in whatever area we specify. I would think that would reach both people.

Councilman Klepacz stated, I would prefer to pass this and amend it if it doesn't work out. At the last Council meeting some people made a statement that because the county requiring registration that is enough. I make the argument that do we want a third party to keep track of our rentals? The fact is that they have twelve rentals listed out of the several hundred in Independence. I'd rather adopt this legislation and amend it if necessary.

Vice Mayor Kurtz asked, would you consider adopting it without the fee?

Councilman Klepacz asked, how much is the fee?

Vice Mayor Kurtz replied, \$25.

Councilman Klepacz replied, this is really not a moneymaker. Yes, I'd be happy to waive the fee if we adopted this, or maybe make it \$1.00, whatever makes it legal. Do we need a fee?

Law Director O'Brien replied, no.

Councilman Blaze commented, either you're law abiding or not. If not, everybody who has rentals here in Independence has registered with the county. Then what is to say that we're going to have anymore enforcement mechanism to make sure people register?

Councilman Klepacz replied, there are provisions in here. It's a minor misdemeanor.

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Councilman Blaze asked, so our policemen are going to drive around knocking on doors and ask if they're an owner or a tenant. If they say they're a tenant, they're going to look at a list to see if they're registered or not? We're having trouble enforcing the current code let alone something like this.

Councilman Klepacz replied, I find (inaudible) didn't enforce our own ordinances that are in place. That is the function of the administration to make sure our ordinances are enforced.

Several people speaking at once.

Councilman Klepacz stated, I'm not going to tell the administration how they're going to enforce ordinances.

Councilman Blaze responded, if we're the legislative body and we're going to pass something, we should pass something that has a reasonable chance of being enforced. How would you enforce?

Councilman Klepacz replied, I'd check at the rental sign I saw on Pleasant Valley and ask if they've registered. How hard is that?

Councilman Blaze replied, it's hard if there's nobody in there yet.

Councilman Klepacz responded, again, how hard is that? We already know it's a rental.

Vice Mayor Kurtz responded, I don't know about it at this point. Maybe a year from now I'll reassess the situation, but (coughing) you want to (coughing).

Councilwoman Wisnieski asked, when this was first introduced I'd asked whether this was going to assist the building department do a better job. It was indicated that it would, but it turned out that it will not assist them to do a better job. As a matter of fact, administratively they feel it that it will be a nightmare, so I will no longer support this because of that. I want a tool that is going to help them do their job more effectively.

Councilman Klepacz commented, I was appalled at the last meeting to have a member of the building department telling me that they couldn't do their job. I was appalled to hear that. However, the building commissioner assured me that that person was not speaking for the building department.

Councilwoman Wisnieski asked, did he say he couldn't do his job or they felt they couldn't expand what they were doing?

Councilman Klepacz replied, his opinion was that they had to hire more people because they couldn't (inaudible).

Councilman Crooks commented, I have no doubt of your passion for this issue. Correct me if I'm wrong, I thought the initial spirit behind this was to somehow monitor or maintain the

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property upkeep but it seems to have shifted, particularly with your argument tonight that the spirit might be to take inventory like the Public Lands & Buildings Committee has suggested we do, even though we're inventorying public assets, these are very private assets in my opinion. I'm not so sure that the City has any business inventorying rental properties in this fashion. Has the spirit of your suggestion, or your legislation here, changed?

Councilman Klepacz replied, no, in fact, if you have listened to what I said in the last five months now, my main concern is the safety issue. That's my main concern. We don't know who lives here. It's for our protection and their protection. That's my main concern. Yes, we would also help keep up the housing stock. We don't want to get to the point as in University Heights, for example. This past week there was an article that they had to pass legislation regarding their rental property that had to do with the number of nuisance calls the police receive. We don't want to get to that point.

Several people speaking at once.

Councilman Klepacz stated, we have heard from several people here that we want to be proactive. Let's be proactive. Right now it's not a significant issue. If, as we speak to our constituents as we went door to door, how many of them said, I came from Garfield, I came from Maple? We saw the significant deterioration of our city with the increase in rental property.

What do we see in our City now? We see an increase in rental property – because of the housing market we have houses that are for sale for months. Certainly the homeowner is not going to have expenses ongoing. A rational decision by that homeowner is to rent it. Another rational decision is if you know you're going to be replacing (inaudible). You're not going to be replacing all sorts of things. That's the reason for this – to keep up our housing stock and for safety.

Councilman Crooks replied, I understand it. I have listened to the works that you've said. Now I'm also listening to the police chief saying that there might not be a significant impact on making us more safe by knowing this information in this fashion.

Councilman Klepacz replied, I was talking about the safety of the renters in the City. However, I'm going to call the question. We can either vote no or vote yes.

Councilman Blaze asked, do you want it voted up or down. It looks like here you don't have four votes.

Councilman Klepacz replied, I want to call the question and people have a right to vote no.

Tom Narduzzi asked, what are we going to do about enforcing what we have in place now as far as the building department goes? If we have to add another person for that, will we be adding another person next year? Does that have to go into the budget? We do have to monitor the outside of the properties. I see George's point in some respect. I see where he wants to go with this and I don't know if I agree with the safety issue or not. I'm concerned about upkeep of at least the outside of the houses.

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Vice Mayor Kurtz replied, I think the evidence indicated that we didn't know where the concern was. The building department told us 160 complaints or enforcements and four of them were rentals. In my door to door campaign it's not just a rental issue. I think your point is that it's a community issue. I think it's going to be up to the administration to enforce our code and educate the people as to our code, what our expectation level is and we're going to enforce it and let people know. We'll have several different vehicles that we'll try to employ. I'm not sure how much manpower is going to be required. It's really something you start putting together now and in the spring you start seeing what is going on. We'll give information to Council as to the status or what is going on.

Councilwoman Wisnieski commented, it's not only an enforcement issue, it's an education issue. I think if you let them know what the standards are, then someone will think twice and maybe upgrade a little bit or help the situation from becoming an enforcement issue.

Vice Mayor Kurtz replied, that's what we're going to try to do, send a letter out to educate people area by area and then eventually enforce. If we have to send a container to a house, or there are extenuating circumstances, then we can talk about it, how we help.

Councilman Elect Narduzzi commented, it's not letting it go by the wayside and forgetting about it.

There were no further questions or comments regarding Ordinance 2007-32.

Councilman Blaze stated, Resolution 2007-162, Marycrest. Should we talk about it here or should we go into Executive Session?

**Moved by Grendel, seconded by Kurtz, to recess the Council Caucus for an Executive Session to discuss property acquisition. Council polled: 7 yes/0 no; motion carried.**

The Council Caucus was recessed at 6:14 p.m.

The Executive Session was convened at 6:15 p.m. Present were Council Members Blaze, Cichocki, Crooks, Grendel, Klepacz, Kurtz and Wisnieski. Also present were Law Director O'Brien, Councilmen Elect Togliatti and Narduzzi.

**Moved by Kurtz, seconded by Blaze, to adjourn the Executive Session and reconvene the Council Caucus. Council polled: 7 yes/0 no; motion carried.**

The Executive Session was adjourned at 6:50 p.m.

The Council Caucus was reconvened at 6:51 p.m.

**Moved by Crooks, seconded by Grendel, to adjourn the Council Caucus. Council polled: 7 yes/0 no; motion carried.**

Council Caucus was adjourned at 6:52 p.m.

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**COUNCIL MEETING:**

Mayor Fred Ramos called the meeting to order at 7:14 p.m. Present were Council Members Blaze, Cichocki, Crooks, Grendel, Klepacz, Kurtz and Wisniewski. Also present were Law Director O'Brien, Engineer Elewski, Community Services Director Buc, Service Director Snyderburn, Building Commissioner Opatrny, Fire Chief Nelson and Police Chief Nicasro. Absent were Finance Director Veres, Recreation Director Ed Kostyack and Technical Services Director Avsec.

Reverend Donna Barrett from Rockside Church said the prayer.

The Pledge of Allegiance followed.

**AUDIENCE PARTICIPATION:**

Mayor Ramos called John Nicasro, Sr. forward to speak.

John Nicasro stated, thanks for having me back. I want to remind everybody that we're going to readdress ourselves on the issue of adult development housing next year. There is no denying that the procedure we have used leaves much to be desired. In fact, some consider it to be a disaster. If you recall, we initially attempted to place the issue on the ballot November 7<sup>th</sup>. Then we made commitments to have it placed on the ballot in March, and now we have to wait until November of next year. I'm not going to cover the details that led up to that, only to say that the agreements, the commitments, the promises made between Council, the Planning Commission and the Coalition were not fulfilled, which caused us a delay until November of 2008. Many seniors, their families and friends have been patient, compromising, tolerant and restrained, but mostly they are frustrated. But we have resolved to press on because we feel that our cause is just, fair, reasonable and legitimate and recognized by all levels of government. We again reach out to you, our elected officials, and we respectfully request that we make some honest efforts to address whatever concerns there are without any hidden agendas. We have ten months to go, so let's hit the ground running in the next few months with a team of willing and talented people who will dedicate themselves to making this a reality. Have them establish a timetable and action guidelines so that we will be ready for November 2008. Let's not squander the time. The Coalition is ready to join the team.

In closing, we want to thank all of you up here for your service, especially those who will be leaving us. Lot's of good luck to you folks. May you, your family and friends have a great holiday season.

Mayor Ramos called Jane Saloka forward to speak.

Jane Saloka did not use the microphone.

Jane stated, (inaudible) I help my dad quite often in his backyard. He's in ill health and I'm constantly in the backyard at the back of their property. It does affect me as well. I'm not against the sport of deer hunting, but (inaudible) ordinance and I want to make sure that there are

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some regulations in place. (Inaudible) Nicastro on the phone and (inaudible) and I got on the internet to do a little research and found an intriguing article dated 1989 (inaudible). I'm not against deer hunting. I am a registered nurse and (inaudible) my own safety, my parents' safety. I have a niece and nephew who go in their backyard to play in the woods. (Inaudible). I want to know that my parents are safe in their backyard and that someone is not going to be wandering around with an arrow, with a gun, that shouldn't be there. (Inaudible) I don't know if you're going to have (inaudible) questions. I'm hoping that you might be able to answer them (inaudible). I want to know if the citizens will be notified in writing each season (inaudible) hunting season – the beginning dates and the ending dates, or is it up to the residents or the citizens to find out the dates on their own? I want to know who will be policing these hunters. Is it the city's responsibility? Is it the state's responsibility, the Ohio Department of Natural Resources, or is it a combination? Information is important. People need to be notified then they don't get excited about it. Whose job is it to regulate for the City? Is it the police chief's, or does the state come in and do spot checks? Do you have anything in place where you're going to be going out into the woods (inaudible) to find out if these people are (inaudible)? I was under the impression they have to be registered and (inaudible). (Inaudible) go in their yard that they're safe. Another question I have is, will be residents be notified of where the tree stands exist? At this point I don't think anybody really knows if they really don't know where the tree stand is (inaudible). (Inaudible) you're going to not tell the residents or is this something that you will share?

I am concerned about the safety. (Inaudible) I see people walking back there all the time and you would be too. (Inaudible) and so people who want to get out of there (inaudible). I'm not against deer hunting, but it's really (inaudible). I would like to give you this article. You might find it intriguing. It's about a woman that is the mother of twins and 37 years old. She was shot. I know that it's bow hunting here in Independence. She was shot and killed. I believe the (inaudible) was I think she was five feet from her property line and they determined that she had white gloves in her coat pocket and the hunter apparently mistook the white gloves for a deer tail. She was killed. This happened in Maine, which is a real big deer hunting place. I'm just giving you the story. Anything can happen. We can't protect against reckless error in judgment. We can't do that, but I think (inaudible) something in place to make sure the residents feel safe and that you are doing something to make sure that people aren't just going back there with arrows, or somebody might take a gun back there. (Inaudible) this ordinance is passed I see some of the people walking around. Are all of the people (inaudible) or registered with the City, or are they walking around? Who knows. That's my concern. I don't have enough articles for everybody but it's a very intriguing article. Some people were for the hunter and some people were against saying the woman should have never been outside. I think she was flagging the hunters, what are you doing back here, and she was killed. (Inaudible) I thought this was really powerful. It shows you that it can happen.

Since you're on Council I guess it's your job to make sure that your citizens are safe. I'm just asking you what are your safety regulations? What are your precautions? What are you going to do? Are you going to have somebody go back there (inaudible). How are we going to know that you're doing what you're supposed to be doing?

Did you propose anything for the residents like maybe a no deer hunting sign in their backyard? Will the City provide those signs to the residents so that people know not to go near their

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property, or will the City provide that as it comes to mind? I don't know any of this. I know there are a lot of people that (inaudible).

**APPROVAL OF MINUTES:**

**Moved by Blaze, seconded by Crooks, to approve the minutes of November 13, 2007 Public Hearing. Council polled: 7 yes/0 no; motion carried.**

**Moved by Grendel, seconded by Crooks, to approve the minutes of the November 13, 2007 Regular Council Meeting. Council polled: 7 yes/0 no; motion carried.**

**MAYOR'S REPORT:**

I wish everyone a Very, Very Merry Christmas and a Happy, Healthy New Year. May God bless you with everything that you wish for. I mean that from the bottom of my heart, as well as from my family.

Over the past week I've been thinking about what kind of comments I should make at my last concluding Council Meeting. I was going to cover quite a bit. I was going to try to review the past 22 years, but I don't think we have enough time. But I do want to say several things in closing.

First of all, to all my colleagues here, thank you very much. It has been a pleasure. It has been a pleasure serving with you.

I wish Greg the very, very best. You and I have worked 18 years total. I worked as a councilman for 14 years with you, 10 years as vice mayor with you, a couple times with you as mayor and on council. I wish you all the best. I know you're going to take care of the City. We've had our differences but I know that you love the City as much, if not more, than I do. I know you're going to take care of it. I know we're going to be okay.

To all my colleagues up here I wish you the best. Thank you from the bottom of my heart for your help. We dealt with some very controversial issues at times. Sometimes we weren't all on the same page, sometimes we were, but I don't think there was ever a time that people didn't think that they were looking out for the best for the City. That's what this is all about.

People have to realize that at the end of the meetings the people up here don't all pickup and go back home to Fairview Park, Wickliffe, or wherever. The decisions that they made affect them, as well as their families and friends. I can't imagine any one of these people doing anything to hurt their own family, friends and the City that they love.

I know people sometime wonder about politicians. It's a tough job sometimes. We can't keep everyone happy, and I know that politicians get a bad name. That's unfortunate because the people I have served with, and I'm going back to when John Nicastro, Sr., Eddie Jarzen and Pete Wisnieski, Dan Todd, many people served and now the people here that really cared about the

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City. I know that we disagree. I know we have differences, but I cannot stress too much the fact of the care and concern and the love that these people have for the City and also for the residents. When you're in this type of position you end up appreciating a lot of things that we have. You appreciate the people that came before you and you appreciate the people that come after you.

I want to thank my colleagues here for supporting the schools. I want to thank them for supporting Rockside Road. I want to thank them for supporting some of the road projects, some of the programs we've had for our senior citizens as well as our young people. You have certainly improved the quality of life in Independence. We appreciate that in the sense of the position that you've taken.

I know that these are my colleagues, but I would also like to think of them as my friends. You can't work together for so long and not think that. Thank you very much from my family, as well as myself.

To my staff, to my employees, to the directors – the team, I didn't want to use the word employees. I want to use the word team. I am forever grateful for everything that you've done. We have a tremendous, tremendous group of people that work for us. I know that we're not all perfect. Sometimes we have our shortcomings and sometimes we miss it, but you know what, Independence has been very, very blessed and I need to tell you that. We have been very blessed by the dedication and the commitment that these people have given.

I have never been a boss before. I have a small office and I have one other attorney and a secretary. That was my "employer" thing. All of a sudden I found myself in this position where I had 250 full and part-time employees that I was supposed to manage. What a great group of people. I placed my trust and confidence in them and they never let me down. I'm not saying that everything was perfect, but you know what, they tried like heck and did everything that they could to make the City of Independence look good. For that, I'm very, very appreciative.

I need to talk about two things. Why I need to talk about these things I don't know. Maybe it's because this is maybe my last time on this soapbox.

I can't stress how important it is that we all support education, schools and that we all support our families. One of the things that you realize, and maybe I'm starting to get a little bit older and you appreciate what is important, we have all in the past been very, very supportive of the schools and education and we value that. We really need to prepare our children. We've been very blessed with an excellent school board and administration, but we cannot, as a society, lower the bar. We have to raise the bar. We can't just settle for mediocrity. We have to make sure that our children are prepared for the future. It's a very exciting time for them. I would sometimes shake my head in Mayor's Court. The child is sitting there and the mom or dad is sitting there and I would ask them, how much do you study? How much homework do you have? They would reply ten minutes, fifteen minutes, twenty minutes. I'd sit there and look at the parents and I'd say that I brush my teeth longer than that sometimes. What are we thinking about here? How are we preparing our children? Mom and dad, we need to step up to the plate. I don't mean to lecture and I know it's tough sometimes, but we have to raise the bar as far as urging and encouraging our children because it's tough out there. We need to prepare them for

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it. But we also need to take care of them. We need to hold onto them. We need to love them because the greatest thing in the world is children and their families, so take the time. I know we get involved in many other things – other interests, our career, jobs, hobbies and everything else but please take the time with them.

The other thing I wanted to talk about is the idea of regionalism. I know that there is a lot of talk about it, and I know that people are afraid of it because they don't want to give up what they have. It's a question of whether or not we're going to maintain our services. Can we keep up our services that people in Independence have grown accustomed to?

One of the things I would encourage the City to look into is regionalism for economic development. I think we need to step forward. We need to join our neighbors and make something happen in Northeast Ohio. We need to work together and sell this area to the rest of the world because we have so much going for us. We have so much happening here. I think it's important that we don't just look at our own little corner as a City or our own little corner of the area because it's really challenging in Northeast Ohio. It's tough. The area is changing. Our manufacturing jobs are leaving. We depend a lot upon medical but I think we need to meet the challenge. It's going to take some good leaders. We need leaders to step forward. We don't need a bunch of followers. We need people to step up to the plate. Whether that be with the mayor of Independence or with the council of Independence, we need you folks to step forward. You have to be creative, think outside the box. Don't be afraid. We can't do things the same way just because we've done them for the past 20 years. Some of these problems are going to take some very creative resolutions. Don't be afraid to fail. I'm not saying that some of the things we try won't work, but I can't think of anything worse than not trying at all. So I challenge the mayor as well as the new council to be creative, think outside the box. Don't be afraid of taking on some of these challenges.

To the new council members, Anthony, Tommy and Jim, you know you have a lot to offer. Be your own person. Care about the City. Love the City as much as these people do, and I think you'll be fine. Don't be afraid to ask questions. Ask the tough questions. Don't be afraid to come up with some good suggestions. We need you. We need your input. We need a different perspective. I wish all of you the very, very best.

Finally, to the people of Independence, I want to thank you very, very, very much. It has been an honor and privilege to serve you. It has been fun. I can honestly say that I have probably enjoyed this job 98% of the time. You meet many different kinds of people and I can honestly say that I've made a lot of friends, people who will always be my friends no matter what. I thank you for the trust and confidence that you have shown in me and in allowing me to be in this position, and now I will leave it. Thank you.

God bless you and may God keep you safe.

**OFFICIALS' REPORTS:**

**ENGINEER:**

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Engineer Elewski stated the Dalebrook sanitary connections are done. The Dalebrook storm trunk still needs to be graded and seeded. Some of that probably won't take place until the spring.

The gas line and electrical cable still needs to be installed as well as some fine grading and seeding in Twin Creeks.

We've been installing gas line installations in a number of areas in Independence. Saturday morning they'll start digging the test holes at the Shell station to check for contaminated soil.

I'd like to wish Chuck Cichocki and Patti Wisnieski the best of luck in the future. It has been a pleasure working with both of you. Good luck Mayor in all of your future endeavors. I'm sure we're going to see you again.

**FINANCE DIRECTOR:**

No report.

**SERVICE DIRECTOR:**

Director Snyderburn reported, we are still picking up leaves. We will pick them up until they are completely gone off of your treelawn.

Tree Lighting went very well. There weren't quite as many lights up but we continue to install them after Tree Lighting. The City looks nice.

I too, would like wish good luck to Chuck and Patti.

Patti was Chairwoman of the Utilities Committee and I know she had a tough time during the flooding in 2006. You did a good job communicating with the residents. It was a stressful time for many. It was a pleasure working with you.

Chuck, it was a pleasure working with you also and I wish you a lot of luck.

I look forward to working with the incoming administration.

Bob Collins is here tonight. He will be retiring tomorrow. He was in the tree business for 51 years and knows every tree in Independence. Bob Collins is a true gentleman and wonderful to work with over the years. I hate to see him retire.

**COMMUNITY SERVICES DIRECTOR:**

Director Buc reported that Holiday Fest was a very successful event. We changed the layout this year and everyone seem to like it. I want to thank all those who attended, those who volunteered and all the departments who helped out and specifically the recreation staff and community services staff.

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The next event is Tropical Beach Blast which will be held on February 24<sup>th</sup>.

Our January/February Spotlight will show some new trips. We've having some family fun trips to Disney on Ice, Cavs games and the Lake Erie Monsters games. Registration for those trips will be January 5<sup>th</sup> at 9 a.m. at the Civic Center.

We will hold registration for adults and seniors on January 3<sup>rd</sup> at 8 a.m. Registration for youth programs will be held on January 7<sup>th</sup> at 9 a.m.

Merry Christmas to everyone.

**RECREATION DIRECTOR:**

No report.

**TECHNICAL SERVICES DIRECTOR:**

No report.

**BUILDING COMMISSIONER:**

Commissioner Opatrny reported that the dialysis center construction is continuing. The roof is now complete and they're getting ready to pour the floor inside the building.

They are doing some drilling at Brecksville Road and Rockside at True North. It will take approximately three days to complete.

There is one new home being planned at Lake Charles.

I would like to wish the best of luck to Patti, Chuck and the Mayor in the future.

**FIRE CHIEF:**

Chief Nelson reported, there have recently been a number of deaths with many of them being children in the Northeast Ohio area due to home fires. A lot of home fires are started this time of the year because of the misuse of space heater, or portable heaters. I encourage all residents who do use these types of devices to make sure that they are UL listed and keep combustibles away from those heating units. If you leave the room, shut them off.

On behalf of the all firefighters I'd like to thank Mayor Ramos, Councilman Cichocki and Councilwoman Wisnieski for their support in letting us meet our mission over the last years and we look forward to working with the new administration.

**POLICE CHIEF:**

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Chief Nicastro reported that the City continues to make improvements to some of the traffic flow devices. Brookside Road and Route 21 is currently under construction. New mast arms and signals are being installed there. The emergency pre-emption system from Stone Road to Chestnut will begin soon and hopefully be completed in January.

The holiday season brings out a lot of opportunists. I would like to remind everyone that when you're out shopping don't leave items visible in your car. There are quite a number of thefts which oftentimes are electrical devices. Don't leave your GPS on your dashboard. Don't leave laptops on your car seat. If you're shopping, put packages in your truck.

I would like to thank the outgoing members of Council and Mayor Ramos. It has been a pleasure working with them. As members of the Safety Committee I worked with you more closely than some of the other council members. I want to thank you and let you know that I appreciated your support.

Welcome back to previously retired Mayor Kurtz. I look forward to working with you and the new members of Council – Tom Narduzzi, Jim Riley and Anthony Togliatti.

**LAW DIRECTOR:**

Law Director O'Brien stated, I would like to wish the best of luck to Councilwoman Wisnieski. I'm sure we will see her back or she will be as involved with the City as she has always been.

I want to say best of luck to Chuck Cichocki who I had the privilege of sitting next to. He was always in my ear with a quick joke. I remember a year ago Chuck leaned over during the January meeting and said he wanted a resolution to have more fun this year. I hope he had a lot of fun this year and will have more fun in 2008 and beyond. I wish you and your family the best of luck.

**STANDING COMMITTEE REPORTS:**

**FINANCE COMMITTEE – (BLAZE):**

Chairman Blaze stated, the Finance Committee has a number of pieces of legislation on the agenda tonight, most of which are relatively self-explanatory. The Committee did meet today as well as Tuesday, December 4<sup>th</sup> to begin 2008 budget hearing. We will be meeting once again on December 18<sup>th</sup> to facilitate that process. The goal is to have the 2008 budget voted on by Council at the January 2<sup>nd</sup> Organizational meeting.

I didn't know about Bob Collins' retirement until Dave Snyderburn mentioned it. I commend, congratulate and wish you the best. You have served the City well and I have received nothing but compliments over the years on the service that you provided the City. With people like you working for the City, it makes our jobs a lot easier. Thank you and best of luck.

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Mayor, you and I have worked up here almost 16 years now, with Chuck it will be six years and with Patti eight years now. I wish all three of you the best of luck in your future endeavors. It was good serving and working with all three of you.

**RULES AND ORDINANCES COMMITTEE – (KLEPACZ):**

Councilman Klepacz stated, I'm starting off on a sad note. The reason Pam Lemke is acting as Clerk of Council is because Sue Kurshuk's mother, Dorothy Stott, died last Friday. She is at the funeral home at this moment. Many of us paid our respects prior to the Council Meeting. Our condolences go out to her.

Congratulations to all the employees in the Service, Technical Service, Community Services and Recreation Departments as well as our safety forces for another successful Tree Lighting. For those of you who haven't checked out the Cultural Council's display in the window of the old C&B Garage (next to Nick's Barber Shop), make sure you take a look at it. The Cultural Council got together with the Joint Vocational School and built a mechanized Polar Express with moving train wheels and moving figures. Christie Klubnik is the one who really went out of her way to see this project to conclusion. It reminds me of the Cleveland downtown department store windows from years ago just like in the movie *The Christmas Story*.

Congratulations to Mr. Gunlicks and the high school music department for another spectacular Madrigal Dinner. Ken, it takes a real man to wear tights in front of several hundred people.

The Quad City Program graduated another group of trained volunteers this past month. Kudos to Independence residents, Tom Boyle, Rick Kuczmariski and Sharon Vairetta, who are now full fledged CERT members. The next CERT training class will be in the spring.

As a trained CERT person this past Friday I put my training into affect when I discovered a fire and called 911. I got to see how an adjoining community handles a fire.

For the fifth consecutive month I urge my colleagues to pass the rental occupancy permit legislation in order to help maintain the housing stock of Independence and to assure the safety of all the residents of our City.

This is the last Council Meeting for my colleagues, Chuck Cichocki and Patricia Wisnieski. Thank you very much for your service to the community. It has been a pleasure working with both of you. I wish both of you well as you pursue other interests. I know that Chuck is going to have his hands full with his new job, his youngest son picking out colleges and adapting to life with a new wife.

Finally, I would like to thank Mayor Ramos for his accomplishments over the past eight years. Our City is quite a different place from what it was eight years ago. I have a few thoughts from my perspective on some of those changes.

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We rebuilt several neighborhoods, including where I live, the Dora/Elmarge/Archwood/Filip area. We went from being the “slum” of Independence to an area of envy. People tell me, “Oh, the bricks are so nice and we love your street lights.”

We also have a new Elmwood Park which is the envy of our surrounding communities. I remember my first Kiwanis Chicken BBQ in the old pavilion when we had to bring in a sink with its own water so we could clean up and we had to set up our dessert booth in the surrounding mud.

In our new activity pool even the dogs got to swim this year.

Our new field house is also the envy of our surrounding communities. I hear nothing but positive remarks while working volleyball and Karate tournaments.

Remember when visitors to the City were greeted by the abandoned gas station at the corner of Rockside and Brecksville Road? Now you can buy a gourmet hamburger at Red Robin after you pass the welcome sign. At rush hour it used to take 45 minutes to get from Valley View to the freeway. Now I have to be careful not to get a speeding ticket on the newly reconstructed Rockside Road.

We implemented a rational development plan for the area north of Rockside Road and the Cavaliers brought their basketballs, LeBron and their giant payroll to fill our income tax coffers. Last year we collected the largest amount of income tax ever and this year we’re almost \$2 million over that record.

Fred, you’ve inspired us with your open door policy, your willingness to have a free exchange of ideas and your sense of fair play. I’m honored to have been a part of the accomplishments of the last eight years and I feel sure you will be very successful in your future endeavors. Mayor, you will be a hard act to follow.

**PUBLIC LANDS AND BUILDINGS – (CROOKS):**

Chairman Crooks stated, reporting from the Public Lands & Buildings Committee, on Friday, November 30, 2007, we hosted the annual public buildings tour suggested by Councilman Cichocki. We had a meeting and invited council members, council members elect and City Hall. With the Technical Services Director we were able to take a look at some of our public buildings and what requirements they will need in 2008 in terms of upgrades or improvements. We were able to visit City Hall, the Old Rec building, Historic Hall, the Service garage parking lot and the Civic Center. I think it dovetailed nicely into the following Tuesday when we had our first round of budget hearings. Technical Services Director Avsec attended and demonstrated in line item form for next year’s budget some of the upgrades we saw were needed – windows at Historic Hall, windows at the Old Rec building, improvements in the pavement at the service garage and some future items for the Civic Center.

I’d like to thank everyone who was able to participate. Hopefully this is something that we can continue by way of being proactive in the future.

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Reporting from the Zoning Board of Appeals, we had a quiet month. It was at this time last year where I reintroduced the members of the Zoning Board and I'd like to do so now – Chairman Mark Moreal, John Klingshirn, Carol Fortlage and Bob Gordon.

On Saturday, December 1<sup>st</sup> the incoming City Council Elect participated in a planning session for the upcoming year. Last year we attempted this planning session and some members participated. We also did it on December 1<sup>st</sup> of this year. I think it was a very positive work session. I want to thank Councilman Blaze for putting it together. We invited Sue Kurshuk and John Veres to come and explain some of the nuances to the incoming council members. We also had an outside speaker. I would also like to thank the people who participated, because without them, we wouldn't have been able to successfully plan for 2008. I think it was a good idea. It's my understanding that we're going to try to and meet again to measure some of the goals discussed that Saturday morning. I hope that we're able to follow through with that as well.

Finally, I didn't know that Mr. Collins was retiring. I would like to say that you worked with my father for a long, long time in Cuyahoga Heights. I'm sorry to hear that you're retiring but hope you have a good retirement. My mother said that you were the nicest man that she's ever met, and she said that often. Best of luck.

Councilperson Wisnieski, thank you for your service. I remember in a conversation I had with you, you said that you respect the people who were able to stand firm on their convictions. I recall some dissents that were 6-1 where you were the only dissenter. I appreciate your willingness and courage to take a stand. Best of luck to you in the future.

Councilman Cichocki, I wish you the best of luck as well. I recall him leaning over toward me almost three years ago and saying there is something to say about spontaneity. It's times like these where we're able to deliver council reports off the cuff like Chuck was able to do so many times. Also, he said to me on election day a few years ago that if you're going to continue going door to door, you better buy rubber soled shoes. I had worn holes in my leather soled shoes. Again, best of luck to you.

Mayor Ramos, you have always been a very nice and upstanding gentleman to me. I would like to state into the record that you took the time to speak with me when I decided to run for council two years ago. I appreciate you doing that. I don't know if you remember, but in 2000 you actually helped me with an undergraduate political science project. I interviewed you and I believe I received an "A" on it. Best of luck to you Mayor.

Merry Christmas to the residents of Independence.

**COMMUNITY SERVICES – (CICHOCKI):**

Councilman Cichocki stated, as Vern reminded me at the beginning of this meeting, last month I reserved my remarks time for this month. Excuse me if I go on a little longer tonight.

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As most of you know, this is the first time in the last 18 years that my name did not appear on the municipal ballot. I'm going to touch upon that a little bit and touch upon the last 18 years in the City and some of the things that I've seen change.

I've seen the completion of the Civic Center. I saw construction of the new fire station. I saw the renovation of the old fire station and the City Hall Annex. I saw the improvement of Brecksville Road with the pavers and the trees. I've seen the completion of the Rockside Road project. I've seen the demise of the gas station that George talked about at the corner of Brecksville and Rockside Roads – the eyesore that was there for so many years. I've seen the construction of Liberty Playground. I've seen the renovation of the ball fields, the whole park and the outdoor pool. I've seen the construction of the new high school and field house. I've seen a lot of improvements in our City over the past 18 years in which I've been a part of this City. So many of these things have been accomplished.

There are some matters that I leave unresolved and I kind of wish that I could have more influence on the future, in particular, the Hemlock Road Hike & Bike Trail. We've begun that project. It has come a long way and I hope to see it come to fruition in the future.

I'd also like to see the next administration and next group of councilpersons continue to address necessary changes in our building code to encourage and spark residential growth. We started on preparation of an inventory of all public properties in the City with an eye toward changing some of the requirements as far as steep slopes and just general density of housing. I would like to see that pursued further. I would like to see housing on smaller lots, closer together but no greater density in the whole development, which could be accomplished by scenic easements. I think that is the future of our City residential development, not what we've seen in the past – large 200 x 100 foot lots. I encourage you to continue forward with that.

All of the things I've seen done could not have been done here without the help of a lot of good people. I'd like to touch on some of those people tonight. Hopefully, the people I don't mention don't feel slighted by their omission.

We have Don Elewski the City Engineer. Don was here long before I started and he's going to be here after I leave. Don is responsible for engineering many of the improvements here in town – roads, streets and overseeing subdivision developments. Without Don and his contributions, this City would not be what it is today.

John Veres could not be here tonight AKA John Veres CPA, EFA and whatever other letters follow his name. John has been one heck of a Finance Director. He kept us fully informed. He provided more financial information than I can possibly digest. He was responsible for bringing TIF funding to this town and we'll reap the benefits of capturing some of the money that would have gone to the Cuyahoga County. John has done one heck of a job.

Dave Snyderburn is Johnny on the Spot. I don't know that he ever sleeps at night or if he ever goes home. He's always around the City. You see him everywhere. Dave has done a wonderful job of keeping the town looking good, the streets maintained, the services up, the recycling program. Dave is everything to everybody. I don't think there is a person in town who has a bad

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word to say about Dave. If you have a problem, Dave will come out and look at it. Maybe he won't resolve the problem, but he'll certainly tell you why and do his best to help you. Dave, you're a great person.

Tom Avsec isn't here tonight. He's our Technical Services Director. I went on one of the public buildings tours with Jim Crooks on the Public Buildings & Lands Committee. There is a lot more to the City mechanically than you find in your average household. There are huge boilers, pumps, HVAC systems and massive roofs. There are lots of things that require technical knowledge. You know Tom is doing well if all these things are up and running and never down. Tom has done a really good job as Technical Services Director.

Natalie Buc keeps everyone's social life full. She's constantly planning and working on the next party gathering or social affair. She keeps the Civic Center hopping.

I can't mention Community Services without tipping my hat to Kathleen Kapusta, who does a wonderful job as Senior Coordinator. She is a very knowledgeable, intelligent woman who has a lot of enthusiasm and makes our seniors comfortable.

Ed Kostyack, when he's not moonlighting as the Cavs timekeeper has does a wonderful job. Like Don Elewski, he was here before me and will be here after me. He's overseeing all the expansions of our parks, services, programs. The job he had when he started here was pretty much sitting over at the Old Rec building and waiting for something to come up. There is so much to plan for every season and keeping our children involved in activities.

Carl Opatrny has done a wonderful job in our Building Department and like Don Elewski has made sure that our City evolved and improved in a good fashion.

Pete Nelson, as Fire Chief, has brought many innovative programs to our City. He keeps on top of the different disaster programs, CERT, as well as a host of other fire related techniques. He has done a great job.

John Nicastro, Jr. – I was very pleased to see him become Chief of Police. I think it was long overdue. I remember when I met John around 1989 or 1990. John was still going to college. He had some psychology courses and wanted to interview me. I was a bit suspicious being a public defender having someone in that position wanting to interview me and pick my brain, but I think that was the beginning of a great relationship between John and myself. I look forward to continuing our relationship in the future.

There is also Ron White. I always smile at the State of the Cities speeches when the Mayors take potshots at each other. I think Randy Westfall decided we were the Emerald City, Fred was the Wizard of Oz and who was opening up the doors but Ron White. Ron is very knowledgeable. Ron also spends countless hours here in the City. He's a large part of what we are today due to his moving, planning and filling in when the Mayor couldn't be everywhere. Ron, you've done a great job.

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Sue Kurshuk couldn't be with us tonight because her mother passed away but Sue is amazing in her ability to manage all the different people you see sitting up here and doing it in a fair and honest way without violating any confidences of any one individual here. The number of minutes the City keeps from meetings has become phenomenal and multi-fold from when I started here. Sue does an excellent job of that. You'd be well served to keep Sue here for a long, long time because she really knows what she's doing here.

Last, but certainly not least, Mayor Fred Ramos. Fred beat me for mayor in 1999 by 190 votes at the time. He beat me by over 1,000 votes in 2001. He also presided over my marriage in March. I can't tell you how much respect I have for the man. Even though he beat me twice, he's done a wonderful job as mayor. As George indicated, Fred has always been fair, honest, open door, never tried to restrict any of our access to department heads. Fred's only concern was getting the job done, not who got credit for it. He is an honest and honorable man. He has served our City very well. It's probably a good thing that he beat me twice for mayor.

There are two people here tonight to share my final meeting of this tenure on Council. They're out in the audience tonight. One is my brother, Bruce. He is the one who is responsible for me even serving on City Council here. In 1999 we were planning on how to merge our law practices together. Vern Blaze came to the door and knocked. Bruce was at my house and he said to me, it's an election year. Why don't you take petitions out and get your name out there? It will be good for business and I said okay. I took petitions out and then I realized that it's my name on the line out there. I'm not going to lose, so I campaigned really hard. I think I lost by 66 votes in 1989. Bruce has always been there. He helped manage my campaigns for mayor and which I lost twice. I appreciate all of Bruce's help and love him a lot.

To Bruce's left is my new wife. As much as Bruce had to do with me getting into politics, I probably shouldn't say this, but she has a little bit to do with me stepping aside at this point in time. Paola and I got married in March and it has been a very positive change in my life and a very big change.

I've seen a lot of changes go on the past 18 years. To some degree I feel like I've come full circle here. When I started in 1989 I was newly married and a couple of my children were born and one more was on the way. As you know, my first wife passed away and it was a time that made me very proud to live here in Independence. I believe that it takes a whole village to raise a child. This City helped me to raise my three children. There are many people out there who looked out for my kids, took care of my kids, housed my kids, fed my kids, educated my kids and you're probably asking what did I do? I was there for them, but I have the utmost appreciation, respect and thanks for the residents in town who looked out for my kids and helped me to raise them. At this point they're 22, 21 and 17. I couldn't have done it without all of you people here.

As far as not running again, I mentioned that there have been a lot of changes in my life recently. Aside from being married in March, I took a new position out in Lake County. I'm assistant prosecutor in the felony division. It's a job I enjoy very much. I'm having fun doing it, and I look forward to continuing to do that, but the job is out in Painesville. I leave here early in the morning and I get home late in the evening. As anybody on City Council knows, a lot of our

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meetings are conducted during the daytime. In fact, my wife asked if anyone on Council has a real job. The combination of the time consumed by my job, my inaccessibility, wanting to spend more time with my wife and with my family has led me to at this point take some time off from the elected office. I don't preclude the possibility of coming back in the future, but for now, I've set my sights on some new priorities. Life is about change and adapting to change and so I think I've reinvented myself here in the last year and that does not include being on City Council next year.

I would like to thank all the public employees I've identified and all the people who work for the City. This is a great town.

By the way, everyone said they noticed I wasn't running for Council and they heard I was moving out of town. I have no plans to move. My house is not up for sale. You'll be seeing me. Don can open his blinds from across the street and I'm right there. I'll be around. I'll continue to be involved and keep abreast with what is going on in City Hall and make my voice heard if I don't agree or also chime in if I do agree.

In closing, I feel very privileged to have served on Council for 12 years. It has been a privilege to be acting judge in Garfield Heights Court for seven years. It was a privilege to serve the residents of Lake County as a public defender for seven years, and I will continue my public service for now as the assistant county prosecutor.

I would like to close by thanking all the residents for supporting me at the ballot. You supported me and my family and who I will continue to support, love and appreciate in the future.

**STREETS AND SIDEWALKS COMMITTEE – (KURTZ):**

Vice Mayor Kurtz stated, I would like to acknowledge the one Bruce Cichocki, the councilman in Brooklyn Heights who has been very helpful and assisted us over the years with the I-480 project and I look forward to continuing that relationship.

I would be remiss if I didn't thank Bob Collins for his years of service to our community. He's been a fixture in our City. Best of luck to you.

From the Planning Commission, the Planning Commission reviewed a proposed seven lot expansion of the Meadows Subdivision off Pleasant Valley Road near I-77. We were able to talk about drain water concessions and how the proposed development will impact surface drain water to neighboring residents. Further meetings were scheduled about the project and proposal expansion.

We also discussed with the Perrico property owner a request for a lot consolidation. We requested a meeting with the neighboring residents to address any concerns or questions they may have. No meeting has been scheduled at this time.

Finally, there is legislation on the agenda tonight regarding rezoning for a proposed Get Go service station at West Creek and Rockside Road. It should be noted that if the developer does

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not complete the purchase of this land, the property will revert back to its current U5(HR) zoning (which the City purchased in the mid 1990's).

As this is the last meeting of the year, I want to thank my colleagues for their dedication to the community. I know serving on Council is far more than just showing up for meetings. Every member puts in countless hours behind the scenes, often missing time that could be spent with family and friends.

Chuck Cichocki and Patti Wisnieski will not be on Council in 2008. I personally, and on behalf of the community thank you for your years of service on Council and for your commitment to making Independence a better place to live.

I recall what Chuck told me when we started this term. He said the window of opportunity to serve and make a difference is getting smaller and smaller. We should work together and get things done. I think we've done that and I appreciate our relationship. I remember that conversation and those words, which help keep me focused on making our City a better place. Thank you.

And finally Fred, Mayor Ramos, you have generously served this community for over 20 years. The entire community owes you a debt of gratitude. You and I have had the unique experience of both serving as mayor while the other served as vice mayor. I'm not sure many other elected officials can lay claim to that unique situation. On behalf of myself, my family, Council and the entire community we all wish you and your family well with your new plans and travels for 2008 and beyond. God Bless you and your family.

**SAFETY COMMITTEE – (GRENDDEL):**

Chairman Grendel reported, the Safety Committee held a meeting on November 14<sup>th</sup>, right after our last Council Meeting. We discussed the Cleveland Clinic's reduced participation in the Health Watch Program. They decreased their participation to \$10,000 per year. As a result of that, the City has increased its participation to \$31,500, which is reflected in tonight's legislation, Resolution 2007-165. As part of that, the residents that participate in that program will be paying a monthly fee of \$7.50. It's a wonderful and very needed program for our seniors who are living in their homes by themselves. It provides a sense of relief to their families that if there is an emergency they will be able to get help.

We also discussed the traffic issues on lower Brookside. Chief Nicastro has provided the Committee with some statistics. He had patrol officers in the area to report the number of cars and their average speed. We're gathering information for the next few weeks or so. We'll then hold another Safety Committee meeting to analyze that information and see if there is anything to be concerned about or whether we should focus on anything else regarding that issue based on the research data provided. We will be further looking into that situation and taking care of it based on the research.

Thanks to Vern Blaze for the workshop on December 1<sup>st</sup>. Everyone attended, including the new council elect. I think it's a very good program. I enjoyed the session that we had and looking at

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issues and other things to focus on in the coming year and beyond. Thanks for putting that together.

The high school winter sports have begun. The girls have gotten off to an excellent start with only one loss so far. The boys have gotten off to a 1-2 start, but this is a very young team. I think they will only improve as the season goes on. There was a record broken in the first game by Matt Grendel with 46 points. I was really proud. As a father, you dream about those things happening. Being able to hold a school records is a real accomplishment.

There is going to be a really fantastic wrestling tournament at the field house this weekend. We have schools coming from a number of states. At least 24 schools will be attending from all regions of the country. I think the championships are going to take place in the competition gym on Saturday evening. The people involved will probably be staying in some of our hotels.

Best wishes to Bob Collins. Many of the residents through the years have talked about the tremendous services his company provided. I wish you good luck in your retirement. Thank you again for providing a quality company here in town.

Condolences to Sue Kurshuk and her family on the passing of her mom.

Regarding my fellow council members who are temporarily retiring or leaving, Chuck and Patti, it has been a pleasure serving with you. Your dedication to the City is obvious. I think one of the best parts of serving up here are the individuals that we serve with. We may not agree on every issue, but we appreciate the time, effort and dedication. Both of you have been fantastic public servants. I hate the word politician. I like the word servant because you have served this community admirably. I served eight years with Patti and four years with Chuck. I appreciate the good work and the expertise you provided in your areas.

Last but not least, I remember playing little league with a new resident here back in the 60's when my brother was a coach. We had a pitcher that came in and he hurt his arm early on in the season he had to play first base. Fred, you were a great kid back then. I have an even greater appreciation now of your leadership. I won't repeat all of your accomplishments of the last eight years but it goes beyond that. It goes from the 80's to 90's when you were part of the people who left their mark on the City. You were not only a caretaker, but an innovator. I think many people have you to thank for the leadership you provided. It wasn't a twist your arm dictatorship. Leadership comes from many sources and I think that the leadership that you provided is appreciated very much. Over the last 20 years you can see that the City has thrived very well because of the people we've had up here. I'm glad to be a resident of this community and appreciate your dedication and what you've done for the City.

Merry Christmas to the residents.

We should appreciate all the good things we have. If you listen to the media, they stress the bad things in this country and this area but I think the emphasis should be placed on all the positive things that are provided for each other and for this country.

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**UTILITIES COMMITTEE – (WISNIESKI):**

Councilwoman Wisnieski stated, my condolences go out to our Clerk of Council, Sue Kurshuk, on the death of her mother. Sue holds a very special place in all of our hearts up here. She takes care of us. She's really like family to us and our condolences go out to her in this sad time.

At the close of my ten years of service as councilperson to the City of Independence, I want to say thank you to all of our residents who have always been so gracious and responsive to me during my service.

I have loved serving on Council. I have been involved with many varied projects and worked with some very good people both on Council and in the Administration. This is a bittersweet time for me. I am sad to see it end, but very excited also for the extended time I will have with my family. My kids were 18 months and two years old when I first started serving on Council. Now they're both teenagers. I am really looking forward to spending more time with them. They need me now more than ever, so while I'm grateful for the opportunity, I'm equally grateful to spend more time with my family.

This is a special time too because my husband came to this meeting. Other than the Swearing-In, I think this is his first Council Meeting since I've been on Council. Thank you for coming.

**LEGISLATION:**

Mayor Ramos stated, under second reading we have some additional ordinances added to the agenda – Ordinance 2007-31 and Ordinances 2007-49 through 54.

**Moved by Blaze, seconded by Grendel, to amend the Council Meeting agenda of December 11, 2007 by adding Ordinances 2007-31 and Ordinance 2007-49 through 54. Council polled: 7 yes/0 no; motion carried.**

**SECOND READING**

**ORDINANCE 2007-31** AN ORDINANCE AMENDING CHAPTER 1377 OF THE CODIFIED ORDINANCES OF THE CITY OF INDEPENDENCE REGARDING FLOOD DAMAGE REDUCTION AND EROSION HAZARD CONTROL AND DECLARING AN EMERGENCY

**Moved by Grendel, seconded by Crooks, to read by title only. Council polled: 7 yes/0 no; motion carried.**

**Moved by Grendel, seconded by Klepacz, to adopt. Council polled: 7 yes/0 no; motion carried.**

**ORDINANCE 2007-32** AN ORDINANCE ENACTING NEW CHAPTER 1366 OF THE CODIFIED ORDINANCES OF THE CITY OF

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INDEPENDENCE CREATING A RENTAL OCCUPANCY PERMIT AND DECLARING AN EMERGENCY

**Moved by Klepacz, seconded by Grendel, to read by title only. Council polled: 7 yes/0 no; motion carried.**

**Moved by Klepacz, seconded by Cichocki, to adopt. Council polled: 3 yes/4 no (Blaze, Crooks, Kurtz, Wisnieski); motion failed.**

**ORDINANCE 2007-49** AN ORDINANCE AMENDING SECTION 1354.03(B) OF THE CODIFIED ORDINANCES OF THE CITY OF INDEPENDENCE RELATING TO INTENT AND DECLARING AN EMERGENCY

**Moved by Blaze, seconded by Grendel, to read by title only. Council polled: 7 yes/0 no; motion carried.**

**Moved by Grendel, seconded by Wisnieski, to adopt.**

Discussion: Law Director O'Brien stated, I'll explain them all at one time. Many years ago the federal and state governments got together and implemented unfunded requirements of local municipalities relating to storm water, riparian setbacks and what have you, Codified Ordinances, to formulate changes to assist in flooding and water quality and erosion control. Over the past year Ron White, Dave Snyderburn along with the Law Department and members of the Soil and Water Conservation District have been working to prepare these ordinances and integrate those into the City's Codified Ordinances. It essentially sets up the standard framework for all municipalities. In fact, all municipalities are mandated to pass these changes by the end of this year for Phase 2 of multi-phase changes in federal and state law.

**Council polled: 7 yes/0 no; motion carried.**

**ORDINANCE 2007-50** AN ORDINANCE AMENDING SECTION 1354.08(F) OF THE CODIFIED ORDINANCES OF THE CITY OF INDEPENDENCE RELATING TO ESTABLISHMENT OF DESIGNATED WATERCOURSE AND RIPARIAN SETBACKS AND DECLARING AN EMERGENCY

**Moved by Cichocki, seconded by Blaze, to read by title only. Council polled: 7 yes/0 no; motion carried.**

**Moved by Grendel, seconded by Crooks, to adopt. Council polled: 7 yes/0 no; motion carried.**

**ORDINANCE 2007-51** AN ORDINANCE REPEALING CODIFIED ORDINANCE CHAPTER 1352 RELATING TO STORM WATER

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MANAGEMENT AND SEDIMENT POLLUTION CONTROL  
AND DECLARING AN EMERGENCY

Moved by Blaze, seconded by Cichocki, to read by title only. Council polled: 7 yes/0 no; motion carried.

Moved by Blaze, seconded by Grendel, to adopt. Council polled: 7 yes/0 no; motion carried.

**ORDINANCE 2007-52** AN ORDINANCE ENACTING NEW CHAPTER 1380 OF THE CODIFIED ORDINANCES OF THE CITY OF INDEPENDENCE REGARDING CONTROLLING CONSTRUCTION SITE SOIL EROSION SEDIMENT, AND OTHER WASTES AND STORM WATER RUNOFF AND DECLARING AN EMERGENCY

Moved by Grendel, seconded by Crooks, to read by title only. Council polled: 7 yes/0 no; motion carried.

Moved by Blaze, seconded by Crooks, to adopt. Council polled: 7 yes/0 no; motion carried.

**ORDINANCE 2007-53** AN ORDINANCE ENACTING NEW CHAPTER 1381 OF THE CODIFIED ORDINANCES OF THE CITY OF INDEPENDENCE REGARDING CONTROLLING POST-CONSTRUCTION WATER QUALITY RUNOFF AND DECLARING AN EMERGENCY

Moved by Crooks, seconded by Blaze, to read by title only. Council polled: 7 yes/0 no; motion carried.

Moved by Crooks, seconded by Grendel, to adopt. Council polled: 7 yes/0 no; motion carried.

**ORDINANCE 2007-54** AN ORDINANCE ENACTING NEW CHAPTER 1382 OF THE CODIFIED ORDINANCES FOR THE CITY OF INDEPENDENCE REGARDING ILLICIT DISCHARGE AND ILLEGAL CONNECTION CONTROL AND DECLARING AN EMERGENCY

Moved by Crooks, seconded by Blaze, to read by title only. Council polled: 7 yes/0 no; motion carried.

Moved by Grendel, seconded Crooks, to adopt.

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Discussion: Law Director O'Brien stated, Carl Opatrny was also very instrumental in these ordinances. It falls upon his department to enforce them.

**Council polled: 7 yes/0 no; motion carried.**

**FIRST READING**

**ORDINANCE 2007-58** 2007 AMENDED ANNUAL APPROPRIATION ORDINANCE AND DECLARING AN EMERGENCY

**Moved by Crooks, seconded by Blaze, to read by title only. Council polled: 7 yes/0 no; motion carried.**

**Moved by Grendel, seconded by Blaze, to suspend the rule requiring two separate readings. Council polled: 7 yes/0 no; motion carried.**

**Moved by Grendel, seconded by Blaze, to adopt. Council polled: 7 yes/0 no; motion carried.**

**ORDINANCE 2007-59** AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF INDEPENDENCE PROVIDING FOR THE REZONING OF CERTAIN PROPERTY LOCATED AT ROCKSIDE ROAD AND WEST CREEK ROAD FROM U-5 (HR) OFFICE BUILDING HIGH-RISE TO U-4 RETAIL BUSINESS AND DECLARING AN EMERGENCY

**Moved by Grendel, seconded by Crooks, to read by title only. Council polled: 7 yes/0 no; motion carried.**

**Ordinance 2007-59 was placed on First Reading without objection.**

**ORDINANCE 2007-60** AN ORDINANCE RENEWING THE CONTRACT WITH NEW HEIGHTS TREE SERVICE, LLC FOR THE TREE TRIMMING, REMOVAL, DISPOSAL AND RELATED LABOR AND EQUIPMENT FOR THE RESIDENTIAL TREE TRIMMING AND REMOVAL PROGRAM AS SET FORTH IN CODIFIED ORDINANCE §909.06 AND DECLARING AN EMERGENCY

**Ordinance 2007-60 was removed from the agenda without objection.**

**RESOLUTION 2007-159** A RESOLUTION AUTHORIZING THE RETENTION OF ELEWSKI & ASSOCIATES, INC. FOR VARIOUS ADDITIONAL PROFESSIONAL ENGINEERING SERVICES AND DECLARING AN EMERGENCY

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Moved by Cichocki, seconded by Crooks, to read by title only. Council polled: 7 yes/0 no; motion carried.

Moved by Cichocki, seconded by Grendel, to suspend the rule requiring two separate readings. Council polled: 7 yes/0 no; motion carried.

Moved by Cichocki, seconded by Grendel, to adopt. Council polled: 5 yes/2 no (Blaze, Crooks); motion carried.

**RESOLUTION 2007-160** A RESOLUTION APPROVING THE 2007 TRANSFERS AND ADVANCES AND DECLARING AN EMERGENCY

Moved by Crooks, seconded by Grendel, to read by title only. Council polled: 7 yes/0 no; motion carried.

Moved by Cichocki, seconded by Grendel, to suspend the rule requiring two separate readings. Council polled: 7 yes/0 no; motion carried.

Moved by Cichocki, seconded by Crooks, to adopt. Council polled: 7 yes/0 no; motion carried.

**RESOLUTION 2007-161** A RESOLUTION SUMMARIZING THE 2007 PLANNED CAPITAL PURCHASE PROGRAM AND DECLARING AN EMERGENCY

Moved by Grendel, seconded by Blaze, to read by title only. Council polled: 7 yes/0 no; motion carried.

Moved by Crooks, seconded by Blaze, to suspend the rule requiring two separate readings. Council polled: 7 yes/0 no; motion carried.

Moved by Grendel, seconded by Crooks, to adopt. Council polled: 7 yes/0 no; motion carried.

**RESOLUTION 2007-162** A RESOLUTION OF INTENT TO APPROPRIATE IN FEE 9.32 ACRES OF THE PROPERTY OWNED BY THE SISTERS OF GOOD SHEPARD LOCATED AT 7800 BROOKSIDE ROAD (PPN 564-12-025) AND DECLARING AN EMERGENCY

Moved by Crooks, seconded by Blaze, to read by title only. Council polled: 7 yes/0 no; motion carried.

Moved by Grendel, seconded by Crooks, to suspend the rule requiring two separate readings. Council polled: 6 yes/1 no (Cichocki); motion carried.

Moved by Blaze, seconded by Crooks, to adopt.

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Discussion: Mayor Ramos stated, I will not be signing this resolution.

**Council polled: 6 yes/1 no (Cichocki); motion carried.**

**RESOLUTION 2007-163** A RESOLUTION AUTHORIZING THE HIRING OF MARY DOLANSKY AS AN INDEPENDENT CONTRACTOR ON AN AS NEEDED BASIS FOR PROFESSIONAL DESIGN, LAYOUT, GRAPHICS AND COMPOSITION OF THE COMMUNITY SPOTLIGHT AND PROMOTIONAL LITERATURE IN CONJUNCTION WITH THE COMMUNITY SERVICES DEPARTMENT FOR 2008 AND DECLARING AN EMERGENCY

**Moved by Crooks, seconded by Blaze, to read by title only. Council polled: 7 yes/0 no; motion carried.**

**Moved by Cichocki, seconded by Crooks, to suspend the rule requiring two separate readings. Council polled: 7 yes/0 no; motion carried.**

**Moved by Cichocki, seconded by Grendel, to adopt. Council polled: 7 yes/0 no; motion carried.**

**RESOLUTION 2007-164** A RESOLUTION RATIFYING AN ENVIRONMENTAL ACCESS AGREEMENT WITH TRUE NORTH ENERGY, LLC AND DECLARING AN EMERGENCY

**Moved by Grendel, seconded by Crooks, to read by title only. Council polled: 7 yes/0 no; motion carried.**

**Moved by Grendel, seconded by Crooks, to suspend the rule requiring two separate readings. Council polled: 7 yes/0 no; motion carried.**

**Moved by Cichocki, seconded by Grendel, to adopt. Council polled: 7 yes/0 no; motion carried.**

**RESOLUTION 2007-165** A RESOLUTION AMENDING THE AGREEMENT BETWEEN THE CITY, PHILIPS LIFELINE, INC. AND THE CLEVELAND CLINIC FOUNDATION FOR EMERGENCY RESPONSE SYSTEMS AND MONITORY SERVICES AND DECLARING AN EMERGENCY

**Moved by Crooks, seconded by Cichocki, to read by title only. Council polled: 7 yes/0 no; motion carried.**

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Moved by Crooks, seconded by Grendel, to suspend the rule requiring two separate readings. Council polled: 7 yes/0 no; motion carried.

Moved by Grendel, seconded by Cichocki, to adopt. Council polled: 7 yes/0 no; motion carried.

**RESOLUTION 2007-166** A RESOLUTION AUTHORIZING THE CITY'S PARTICIPATION IN THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) PRE-DISASTER MITIGATION PROGRAM AND DECLARING AN EMERGENCY

Moved by Crooks, seconded by Cichocki, to read by title only. Council polled: 7 yes/0 no; motion carried.

Moved by Grendel, seconded by Crooks, to suspend the rule requiring two separate readings. Council polled: 7 yes/0 no; motion carried.

Moved by Blaze, seconded by Crooks, to adopt. Council polled: 7 yes/0 no; motion carried.

**RESOLUTION 2007-167** A RESOLUTION AUTHORIZING THE CITY'S PARTICIPATION IN THE CUYAHOGA COUNTY DEPARTMENT OF DEVELOPMENT COMPETITIVE MUNICIPAL GRANT PROGRAM AND DECLARING AN EMERGENCY

Moved by Grendel, seconded by Crooks, to read by title only. Council polled: 7 yes/0 no; motion carried.

Moved by Cichocki, seconded by Crooks, to suspend the rule requiring two separate readings. Council polled: 7 yes/0 no; motion carried.

Moved by Cichocki, seconded by Crooks, to adopt. Council polled: 7 yes/0 no; motion carried.

**RESOLUTION 2007-168** A RESOLUTION EXTENDING THE AGREEMENT WITH TRANSYSTEMS CORPORATION FOR PROFESSIONAL PROGRAM MANAGEMENT AND ADMINISTRATIVE SERVICES FOR THE ROCKSIDE ROAD WIDENING PROJECT AND DECLARING AN EMERGENCY

Moved by Crooks, seconded by Grendel, to read by title only. Council polled: 7 yes/0 no; motion carried.

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**Moved by Grendel, seconded by Crooks, to suspend the rule requiring two separate readings. Council polled: 7 yes/0 no; motion carried.**

**Moved by Grendel, seconded by Crooks, to adopt. Council polled: 7 yes/0 no; motion carried.**

**Moved by Cichocki, seconded by Grendel, to adjourn the Regular Council Meeting. Council polled: 7 yes/0 no; motion carried.**

There being no further business to discuss, the Regular Council Meeting was adjourned at 8:55 p.m.

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Susan E. Kurshuk, Clerk of Council

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