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Shaker Heights Voter 2006

March/April

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The League of Women Voters, a nonpartisan political organization, encourages the informed and active participation of citizens in government and influences public policy through education and advocacy. Any person of voting age, male or female, may become a League member.

For corrections, please contact the editor.

Spring is here (we can hope) and the annual membership meeting is almost upon us. I want to take this opportunity to express my heartfelt thanks to the many dedicated volunteers who work diligently to bring League ideals to life. Here are just a few.

The School Levy Committee: John Lalley, chair; Lucille Mayne, Jeanne Shatten, Kathy Dise, Cynthia Carroll. Their report was presented at the March 17, 2006 Board Meeting. The Board adopted the recommendations contained in the report. Read the full text of the report in this issue or on our web site.

The Recreation Study Committee: Patty Roberts, chair; Patty Clair, Pat Cone, Cynthia Green, Sarah Hirsch, Kurt Miller, Ellen Roberts, Tina Tallman, and Jennifer Wright. The Committee presented its report and recommendations at the March 17, 2006 Board Meeting (yes, it was a long and exciting meeting). The discussion will continue at the annual membership meeting, Monday night May 1. Come and join in!

Budget Committee: Kathy Dise, chair; Dorothy Greenslade, Patty Roberts, Kathy Jones. The recommended budget is contained in the annual meeting booklet which you should have received by now. If you haven't received your copy, call Anne Williams at 751-7911.

Nominating Committee: Jean Koznarek, chair; Mary Mulligan, Jennifer Wright, Jane Finley, Ilene Steiner. The proposed slate is contained in the annual meeting booklet.

Sunshine Forum Committee: Anne Williams, coordinator; Helen Sheehan, Kurt Miller and Jennifer Wright. The forum held March 16, 2006, was well attended. The panelists provided information on national, state and local sunshine law issues and answered a range of questions from the audience. If you would like a copy of the CD containing sunshine law information, please call Anne Williams 751-7911.

Thank you to all the members who have helped raise funds for the League including the large number of members who contributed during the annual membership drive or enrolled in the Heinens program. Thank you to those who gave during the finance drive and the LWVO phonathon.

In addition, thanks are due to those members who participated in the annual counting of the Cleveland Teachers Union Election ballots. We receive \$50.00 for each member who counts ballots (and tells jokes). We always have a good time and hope you'll join us next year. This year Kathy Jones, Kate Guess, Sarah Ratner, Jean Koznarek, Linda Lalley, Linda Taylor, Helen Sheehan, Anne Williams and Cynthia Carroll participated. Finally, thank you to Cynthia Carroll, chairman; Kathy Jones, Linda Lalley, Jean Koznarek and Rosie Craig for making those Ohio LWV Phonathon calls. We don't have a final total of the amount raised but we enjoyed reaching out to our membership.

Thank you all. The League works because of you! Anne Williams

VOTING ON MAY 2, 2006

- Did you know that the hanging chad is a thing of the past?
- Did you know that pregnancy only happens in living things now?
- Did you know that we will have new electronic voting machines for the May 2, 2006 election?

Learn how to use the new voting machines.

April 20 - Thursday - 6:00 p.m. - 9:00 p.m.
Shaker Heights Main Library - First Floor

The staff of the Cuyahoga County Board of Elections will demonstrate the new voting machines, answer questions and instruct voters on their use.

Call Jean Koznarek with questions at 216-371-1205

**LWV – SHAKER HEIGHTS
MAY 2006 SCHOOL DISTRICT OPERATING LEVY
Committee Report – March 17, 2006**

Summary: The Shaker Heights City School District (the “District”) has placed a 9.9 mill operating levy on the May ballot. This Committee recommends LWV-SH *support* the levy.

Description of the Committee: The Committee was chaired by John Lalley. Committee members included: Cynthia Carroll, Kathy Dise, Lucille Mayne and Jeanne Shatten. Brief description of the Committee members’ backgrounds is attached as Appendix A to this report.

Review Process: The process undertaken by the Committee is described in Appendix B to this report.

Relevant LWV-SH position on the School System: LWV-SH supports study and evaluation of educational priorities within the school system as they relate to maintaining a high quality educational program with adequate budgetary control and long term financial planning; and LWV-SH supports adequate financing of the school system.

Key Findings:

1. The costs of providing the traditional “Shaker schools” education program continue to increase. Some of these increases, including items such as the cost of providing medical insurance to employees, the cost of providing Special Education services to students, and the cost of utilities, are not entirely within the control of the District. Others are set by contracts such as the union contracts with the teachers and service employees. Cost increases in the current and prior year have exceeded the “cost containment caps” adopted by the Board of Education (the “Board”) in the 1990’s. However, the Committee does *not* believe this is indicative of a lack of budgetary control or abandonment of cost containment efforts. Recent cost reduction initiatives and the oversight of the

Board’s Finance and Audit Committee are evidence the Board and the District are conscious of costs and controls.

2. The major revenue sources for the schools are not increasing. As is well known in Shaker, HB 920 prevents property taxes from increasing without additional levies, and recent developments at the state level have increased uncertainty about the amount of support the schools can rely on receiving from Columbus.
3. The combination of increasing costs and flat revenue mean the District will likely operate at a deficit (expenditures will exceed revenues) in FY06. The FY06 deficit will be absorbed by the District’s General Fund Balance, but future deficits could eliminate the General Fund Balance and with it any cushion the District has for unexpected changes in revenue or expenses.
4. To maintain current programs and expenditures (including contractually required raises and benefits) and not operate at a deficit in FY07, the District would likely have had to request a levy of 14-15 mills in 2006. Rather than do so, the District has initiated cost saving efforts with targets of \$4.5 million in FY07 and \$5.8 in FY08 and requested the 9.9 mill levy. As part of the cost-saving efforts, salaries and wages were frozen for all non-union personnel (including the administration), controls on overtime were tightened and spending on custodial and maintenance operations and purchased materials and services were limited.
5. Failure of the levy would likely result in cost reductions that will have a noticeable impact on school programs, probably including layoffs.
6. Statistics obtained from local realtors do not support the perception that the housing market in Shaker has suffered, at least to date, because of the relatively high property tax rate in the city.
7. Efforts by the City to improve the District’s property tax base are welcome and important, but benefits from these will not likely occur in time to generate sufficient revenue to avoid the near-term need for a levy.

Recommendations: After considering our findings and the LWV-SH position on the public schools, the Committee recommends that:

1. LWV-SH support the levy;
2. the Board of LWV-SH consider whether the League should use its strong and unique position in the community to encourage and perhaps facilitate an improved dialogue between the community and the District, especially as the current state funding situation evolves;
3. LWV-SH suggest the Board attempt to achieve a higher proportion of qualified non-school affili-

ated people on the F & A Committee, perhaps to the point of a majority, although this should not be at the sacrifice of necessary knowledge, experience and expertise; and

4. LWV-SH work with the LWV-O to monitor, and if possible to influence, school funding on behalf of the Shaker community, as the impacts of HB 66 become clear and tax reimbursements and funding choices by the state come up for renewal in the biennial budget cycle.

Discussion: The District operates a substantial enterprise. Annual expenditures for the unrestricted general fund were approximately \$77 million in the fiscal year ended June 2005. The District employed 820 full-time equivalent (FTE) employees to teach a total enrollment of approximately 5,700 students in Pre-K through grade 12. Approximately \$63 million (81%) of total expenses were payroll and employee benefits. Expenditures per pupil exceeded \$13,000 for the first time in FY05. 66% of the expenditures per pupil paid for instruction or education support functions, with 34% of the expenditures funding building operations and administration.

Virtually since its inception, the District has offered academic opportunities well in excess of state-mandated minimum requirements. Foreign exchange programs, a broad range of fine arts classes taught by highly-educated specialists, numerous Advanced Placement classes, intensive efforts to close the “achievement gap”, transportation to any student living more than one mile from school: these are all examples of offerings that make the Shaker schools “special” both in the eyes of residents and as occasionally celebrated in national media. The District has success with its students, as evidenced not only by the high number of National Merit scholars, but in more broad statistics such as the average SAT scores for the entire graduating classes and the high proportion of graduates admitted to college. Ninety percent (90%) of the 2005 class was accepted into college, even though 21% of the students in the District are “economically disadvantaged” as defined by the Ohio Department of Education.

In recent years, one of the areas with the highest rate of growth in spending is the area of “special education”. Total District expenditures for special education, including the costs of services to Shaker students that are provided out of the District, have increased 129% in the last ten years, from \$5.8 million in FY95 to \$13.3 million in FY05. State and federal funds pay a portion of these costs. When the federal government mandated that public schools provide special education services, the federal government also pledged to fund 40% of the cost of those services. Actual federal funding, however, has not kept up with this promise, and in FY05 federal funding contributed only 8.6% of special education costs. As a result, local funding of special education costs made up over 11% of the District’s expenditures in FY05. The District’s expenditures for these costs increased 13% FY 05 vs. FY04 and increased 25% since the last levy in FY03.

The District has historically been funded mainly by local real property taxes. In the case of Shaker Heights, because

of the relatively high residence-to-commercial property ratio, the funding burden has been borne by homeowners within the District. In FY05, real property taxes provided approximately 68% of the District’s general fund revenues, and state reimbursements for such property tax exemptions as the Homestead exemption, rollback and public utility property bring the total District revenues based on property tax levels closer to 80%.

School levies are often required in Ohio, especially in older inner ring suburbs such as Shaker Heights, largely due to the effect of HB 920. This legislation, passed in 1976, mandated that property tax dollars paid by a property owner at the time of the legislation would not change as the property’s value changed. Thus, even though HB 920 passed thirty years ago, even as property values in Shaker Heights increased over that period, in the absence of any levies the total dollars of property tax collected would be essentially the same today as they were in 1976. Because Shaker was substantially built by 1976, new property building has not provided significant new revenue as it has in neighboring areas such as Beachwood or Solon. For example, because more of its property is commercial and more has been built since 1976, the Beachwood School District property value per student (\$516,000 in 2003) is 3.3 times the Shaker District property value per pupil (\$158,000 in 2003).

Because of HB 920, in order for a taxing body to increase property tax revenue, that body has to request a special increase in the property tax rate through a levy. Since HB 920 passed, the District has requested Shaker voters approve thirteen (13) operating levies; Shaker voters have agreed eleven (11) times. The two times an operating levy request was defeated, in 1983 and 1994, the District renewed its request at the next election date three months later and each time the operating levy was approved.

The current levy request, 9.9 mills, would increase annual property taxes by \$303 per each one hundred thousand (\$100,000) of the assessed value of the property. The assessed value is generally set at 35% of a property’s estimated market value. The District’s share of the property tax currently is 159.2 mills, already above the millage of the neighboring CH-UH district (129.6) and well above the rates for Beachwood, Chagrin Falls, Solon and others, none of which have rates in excess of 100 mills. However, the gross rate of 159.2 mills is not very meaningful to homeowners because of the effect of HB 920. The limitations imposed by that law reduce the effective millage, the actual dollars collected compared to the assessed property value, to 65.93 mills. This translates to a tax rate of just under 3% of the estimated market value of the property value in the tax base, and that tax rate has been fairly constant.

The Committee believes that, among some Shaker residents, there is a perception that the tax rates of Shaker have adversely impacted housing values and lengthened the time to sell housing in Shaker Heights. To determine whether Shaker’s housing market was worse than nearby communities, the Committee surveyed realtors about statistics such as “days on the market” and “change in selling price” for Shaker and nearby communities for the last several years. The result of that informal survey, summarized on Appendix C to this report, do not appear to support such a percep-

tion. While “days on the market” for Shaker has increased by over 25% in the 2000 to 2005 period, similar or greater changes were noted for several suburbs, including Beachwood and Chagrin Falls. Similarly Shaker’s average selling price has increased 15% over the same time period. While that change is less than the improvement experienced in Chagrin Falls, Orange and Solon, that change is comparable to the increases noted in Beachwood and Cleveland Heights, among others.

The second largest source of income to the District is state funding, either through Foundation (unrestricted) grants or other programs. In FY05, state funding of \$14.9 million provided almost 19% of the District’s general revenues, and the numbers are not expected to change very much in FY06. In the late 1990’s, as a result of legislative efforts to address the issues raised by the DeRolphs legislation, Ohio changed its funding allocation and Shaker benefited from this change. State funding to the District increased from just under \$6 million in FY97 to just over \$14 million in FY02. This increase no doubt assisted the District in stretching out its levy requests during that period. The District only made one operating levy request between 1995 and 2003. However state funding has increased only slightly the last three years, and recent tax law changes raise questions about whether even the current level can or will be sustained.

Over the last several years, Ohio has made several changes in its tax structure to become more “business-friendly”. This process started with the deregulation of electricity and natural gas supplies in the late 1990’s, continued with the elimination of the inventory portion of the personal property tax in 1999 and culminated with the passage of a major tax reform package in 2005, HB 66. Each of these legislative changes had the effect of reducing property taxes, and HB 66 also reduced business franchise and personal income taxes. To replace the state revenue lost from the personal property, franchise and personal income tax reductions, Ohio enacted a Commercial Activity Tax (“CAT”). Although HB 66 was designed to provide the same total revenue to the state, whether the CAT revenues will in fact fully replace the reduced personal property, franchise and income tax revenues is uncertain. Even if the revenues are the same in total, it is not assured the state spending for schools would be the same. The property taxes had historically been earmarked for school funding, but the way the proceeds of the CAT will be spent is not clear. Although the state has provided certain reimbursement guarantees and revenue replacement measures for the property tax revenue lost by the schools, these measures are scheduled to phase out in the next several years.

The net impact of these changes is to make state funding to Shaker Heights less likely to increase and more susceptible to decrease in the next several years. In its five year projection, the District has assumed that funding from the state will be constant throughout the period, neither increasing nor decreasing. Even if state funding is maintained at its current level of dollars, the burden of funding

the District (that is, the proportion of District revenue provided by local taxes compared to the state) will have to shift toward local taxpayers.

As part of its economic development program, the City of Shaker Heights has undertaken or supported a number of initiatives that may well increase the District’s property tax base in the future. These include the redevelopment of the Shaker Town Centre commercial area, and the housing developments Sussex Courts, South Park Row and Avalon Station. Successful enhancement of the Van Aken-Chagrin area would also provide a source for increased property tax revenue. The benefits from such developments can be difficult to predict and sustain, as shown by the loss of the Office Max headquarters and the ups and downs at Shaker Square (which is part of the District). In any event, these improvements take time to have an impact on the property tax revenue.

The current levy request, similar to the prior operating levy in 2003 and the bond issue levy in 2004, was reviewed and supported by the Finance and Audit Committee (“F & A Committee”) of the Board. This entity was created in October 2002, and consists of two Board members plus seven residents of the District. The members of the F & A Committee are selected for their expertise in accounting, public and/or private finance, economics, law and education. In addition to reviewing levy requests, the F & A Committee provides a separate regular review of financial practices and controls of the District.

In analyzing this levy request, the F & A Committee reviewed the District’s five-year projections of revenues and expenditures to determine if the underlying assumptions were reasonable. The F & A Committee concluded the assumptions were, in fact, reasonable. The F & A Committee performed extensive analyses to determine whether the District’s expenditures were comparable with nearby peers such as Orange, Solon, Chagrin Falls, Beachwood and CH-UH. The analyses not only reviewed expenditures in total but also by type (salaries, benefits, supplies, etc.) and by function (instruction, building operations, administration, etc.). In most cases, Shaker’s statistics were at or near the middle of the group, and in no case did the F & A Committee find a significant disparity between Shaker’s spending and that of nearby communities.

In the report of the LWV-SH Committee that reviewed the 2003 operating levy, that Committee recommended the F & A Committee be made more representative of the community as a whole rather than almost exclusively including individuals with children in or other ties to the District. Members of the F & A Committee are appointed by the Board for three year terms. Competence, experience and training are the key factors considered in appointment, according to Jim Rebitzer, chair of the F & A Committee. There has been turnover of the F & A Committee over the last several years, and the Board has appointed members with no children in the schools. Currently at least four of the seven non-Board members have or had children in the District schools.

Conclusion: The cost of providing a “Shaker education” continues to increase. Union contract raises, medical costs and special education requirements are among the largest drivers of these costs in the short term. The District

has already begun cost-saving initiatives that, if successful, will reduce expenditures by over 5% from projected FY07 levels, but these measures will not eliminate the gap between revenues and expenses that already exists. The current state funding situation is unlikely to provide any meaningful increase in revenue to the District from that source, absent an unexpected substantial improvement in Ohio's economy or an equally unexpected change in the school funding situation in the Ohio legislature.

The burden of paying for a "Shaker education" thus will fall on the local taxpayer for the foreseeable future. Failure to pass the requested levy would likely lead to immediate, possibly drastic, changes in the programs that the District currently provides. Beyond that, however, the question of what kind of education Shaker taxpayers will fund may become even more urgent as limited revenues directly conflict with program costs. The Board and the District are operating with the belief that Shaker taxpayers want to maintain the high quality and broad range of programs that have historically been provided. The Committee believes it is very important that an open, continuing dialogue between the District and its citizens confirm whether that belief is true. In the current situation, this communication cannot be a periodic effort at levy time; instead it must be an ongoing dialogue about what does the community want, what is happening at the state level, what that all means for school revenues and costs. As indicated by the first point in its position on the Shaker public school system, LWV-SH may well be uniquely qualified to facilitate that dialogue.

Respectfully submitted, John Lalley, Chair, Cynthia Carroll, Kathy Dise, Lucille Mayne, Jeanne Shatten (for biographical information about the committee members, please see our website: SHAKERLWV.NHLINK.NET)

Appendix A.

The Committee met with a number of people and groups, including

- Jim Rebitzer, Chairman of the Finance and Audit Committee of the Board of Education;

- Freda Levenson, President of the Board of Education;
- Members of the District Administration, including Mark Freeman, Superintendent; Bryan Christman, Treasurer; David Puffer, Business Administrator and Peggy Caldwell, Director of Communications

The Committee had substantial financial and other information available for its review, including

- The District's Comprehensive Annual Financial Report for the year ended June 30, 2005;
- The Finance & Audit Committee Report dated December 2005;
- The District's Five-Year Forecast for the Projected Years Ending June 30, 2006 through June 30, 2010, in accordance with HB 412;
- The Board of Education's letter to residents concerning the levy dated February 2006;
- The District's Levy Fact Sheet mailed to residents February 2006;
- The District's report to the Honorable Stephanie Tubbs Jones entitled Special Education Funding Issues, dated February 1, 2006;
- The District's Finance Facts 2006 slide presentation; and
- 2006 Community Attitude Survey Regarding the Shaker Heights Schools conducted by Triad Research Group, Inc.

In addition to the interviews and materials described above, the Committee discussed the levy campaign with Meryl Simon, Co-Chair of the levy campaign committee. The Committee also attended a PTO meeting where Mark Freeman presented information about the levy to Fernway parents, and answered questions about the levy and District finances. Finally, the Committee also obtained and reviewed certain statistics about Shaker Heights' and comparable real estate markets and property tax rates from various realtors.

Appendix B

Community		% Change in Average Sale Price, 2000 to 2005	% Change in # of Days on the Market, 2000 to 2005	
Lyndhurst	8.463%	4.762%	wood	
South Euclid	14.409%	33.929%	Chagrin Falls	27.665% 56.604%
Shaker	15.448%	25.806%	Orange	37.524% -4.494%
Cleveland Heights	18.963%	53.704%	Solon	38.774% -6.173%
Beach-	19.069%	42.593%		

Source: NORMLS made available to us by Elizabeth Stover Starrett at Smythe Cramer and Liz Nuechterlein at Realty One

LIBRARY BOARD MEETING

Feb. 13, 2006

Present: Emma Benning; David Bergholz; Mimi Karon; Ken McGovern, chair; Tom Schorgl; Donna Whyte; **also present:** Luren Dickinson, executive director; Isaac Pulver, asst. director; David Piskac, clerk-treasurer; Loraine Lamont, technical services manager

Chairman McGovern called the meeting to order at the Main Library at 6:30 pm. The minutes of both the organizational and the regular meeting of Jan. 9 were approved. Mr. McGovern recommended that the previously discussed board retreat take place on a Saturday morning in May, after the two new board members have been appointed by the Board of Education. Two school board members are currently screening those who have applied and narrowing down the list. Mr. McGovern was pleased to report that 12 people have applied. Because of spring vacation, the board decided to postpone the April meeting to April 17.

Presenting his treasurer's report, Mr. Piskac pointed out that the monthly state income tax revenue (\$137,254) is the same as last year's, which interest on investments (\$4,138) is twice as high as last year's, and that two months' rent from the cellular tower was \$2,566. Revenue for the month totaled \$731,559, while expenditures totaled \$553,801. The financial statements were approved. Mr. Piskac also presented statistics showing the potential impact of the Secretary of State's Tax Expenditure Limitation Proposal (the TEL Amendment), which will appear on the November ballot. It would generally impose annual budget-increase ceilings of 3 1/2%, and the impact would be enormous.

Technical services manager Loraine Lamont presented an overview of her department of eight employees. The department orders, catalogs, labels and makes available all materials to library patrons. Last year 49,399 items were ordered, including 25,198 books, 7,581 videos, 2,390 audio books and 1,798 music CDs.

Summarizing the month's highlights, Mr. Dickinson reported on the "Go Live" training event designed to familiarize the public with the Library's expanded downloadable audio-book services, the well-attended Ben Franklin "Healthy, Wealthy and Wise" programs, and the MLK event during which 182 prizes were awarded. The warm January weather enabled good progress to be made on the Library roof, and a late April-early May completion date is anticipated. The Board approved the draft of the proposed technology plan and accepted gifts totaling \$75. The meeting adjourned at 8 p.m.
Evelyn Krent, 991-0802

COMMUNITY HEALTH AND LIFE COMMITTEE

Feb. 15, 2006, Special Meeting

Present: Council members Earl Leiken (chair), Earl Williams, Rob Zimmerman; citizen members Donna Alexander, George George, Binnie Eiger
Also Present: J. Rawson, Mayor; Pam Quinn, Comm. Life

Dir.; Jeri Chaikin, CAO; Joyce Braverman, Dir. Planning & Dev.; Consultants Lee Behnke, Landscape Arch., and Scot Hunsaker of Councilman, Hunsaker.

A special meeting of the Community Life and Health Committee was held immediately preceding the Thornton Park/pool public forum to preview the Thornton Park and pool proposals with committee members. Consultant Lee Behnke presented the overall plan for Thornton Park. The main points include pulling the parking lot out from the center of the park towards Warrensville Center Road and creating a single entry and exit to the park. Parking would increase from the 255 current spaces to 300 in the main lot and an additional 40 spaces in an auxiliary lot located near Farnsleigh Road. The pool would remain in the same shell. The ice rink would remain as is and a building would be added to the main ice rink building to house show-ers/changing room and mechanical facilities. The rest of the park elements would be pulled toward the center of the Park and away from the perimeter. More green space would be added as a buffer around the perimeter.

The plans showed a number of recreational elements that could be added to the park: play area, skate park, basketball court, gravel path system, picnic pavilion. The locations of the elements are interchangeable and flexible. Five tennis courts would be removed and the two remaining courts and proposed picnic pavilion would serve to hold space for adding a second sheet of ice.

Consultant Hunsaker addressed the three pool proposals. Hunsaker described the design experience of his company. Locally they have designed the pools at Splash Lorraine, Hathaway Brown, Hawken and Middleburg Heights. At Thornton Park the challenge was to balance the competition, wellness and recreation needs. All three elements were stressed at the previous public meetings.

In each of the proposals, the shell of the pool would remain. The ramp would be removed and replaced by a portable lift. The ramp does not meet ADA (Americans with Disabilities Act) requirements due to its steep grade. The life of the pool would be extended 15 years by replacing the gutters, surface piping, filtration and chemical systems and installing new heat exchanges. The cost of these basic and necessary repairs is \$1.2 million. Each of the three proposals assumes these repairs would be completed and the \$1.2 million cost is included in the total cost.

Option A: Repair pool, build new family pool. Cost: \$3.3 million.

The current pool would be repaired and would contain eight 50-meter lanes. No program changes are anticipated, so the 50-meter lanes would continue to be used from 6 a.m. to 9 a.m., at which time the lane lines would shift to the 25-yard length. A portable lift would be used instead of the ramp (which would be removed) allowing the eighth 50-meter lane to be added. The new family pool would include a grand staircase, fountain, adjacent tot pool, current channel, vortex and underwater bench seating. Option A would add 6,000 square feet, which could accommodate an additional 340 people. The current pool is 13,000 square feet.

Option B: Repair pool and add amenities; add tot splash area/pool. Cost: \$2.3 million

The current pool would be repaired and the shell would remain the same. The pool would hold five 50-meter training lanes and eight 25-yard deep-water lanes in the diving well. The diving boards would remain where they are and would have to be closed during lap swim. The plans add a current channel, vortex, two waterslides with a catchment area and an underwater bench to the pool. The adjacent tot spray ground could contain a tot pool, fountains and other splash toys.

Option C: Repair pool and add tot splash area/pool. Cost: \$1.5 million

Same repairs to main pool as in Option A, but instead of adding the second family pool, a tot spray ground with a tot pool and fountains would be added.

After the presentations, the consultants addressed questions. The plans could be phased in over time. For example, Phase One could include repairing the pool, adding decking and moving the parking lot to the Warrensville Center side. The cost of moving the parking lot would be approximately \$800,000. For the pool, Option C is a natural first phase, extending the life and providing dedicated equipment for the tot pool, as required by code. Features could be added later to the pool as in Option B, but that plan is not recommended. A better concept would be to go from Option C to Option A. A key element of either plan is to add a dedicated mechanical system to the tot pool/splash area. Option C could be completed for \$1.5 million and the City could move to Option A at a later date. There are no additional costs to plan for Option A in the future.

Mr. Leiken noted that Option C seems to fit financially and had the advantage of providing eight 50-meter lanes. The consultant further explained that the design of a spray ground is only limited by money and imagination. The tot pool and spray ground could be built together or separate and could be designed to hold water, as in a tot pool, or just a spray/play area.

A committee member questioned how seniors can get into the pool without the ramp. The ADA requires two means of access and the current ramp does not satisfy either because of the grade. Stairs would serve those who are unsteady but physically able and the lift would serve those swimmers who are not physically able. The family pool in Option A has a grand staircase that satisfies ADA requirements (a zero-depth entry does not).

Questioning the design of Option B, Councilman Zimmerman asked about the width of the 50 meter lanes (8 feet instead of the current 9 feet) and the potential disruption of the lap lanes when there is activity and waves from the slides, vortex and current channel. The pumps could be turned off, but the consultant acknowledged that there could be some disruption from the activity in the pool.

The tot spray ground could be limited by age (5 years and under) or by height (46" or 48" maximum). The anticipated lifespan of the spray ground could be 30 years, while the anticipated life of the pool after renovation would be 15 years – the lifespan guarantee of the new pool surface. There are two options to renew the surface of the pool. The concrete surface could be sandblasted to bare concrete and painted. It would need to be repainted in approximately eight years. The other option is to put in a PVC liner, which would cost the same as painting, address all leaks and be

guaranteed for 15 years.

Pam Quinn was questioned regarding attendance at the pool. She said 874 passes were sold in 2005 and generated \$183,000 in income. Income in 2004 was \$166,000. Income projections for the proposed pool designs are not complete, but Ms. Quinn stated that after Rocky River added a leisure pool to the L-shaped pool, attendance rose from 25,000 to 76,000.

Mr. Leiken expressed concern about construction costs rising after the plans are accepted. Mr. Hunsaker stated that they have bid four projects in Ohio this year and the cost models have held. Ms. Braverman stated that from a city standpoint, the cost estimates seem realistic and conservative.

Mr. Behnke explained that the Thornton Park master plan is a work in progress. There is room to add more features or change features, if necessary. For example, the City could add more than one basketball court or move the play area or the skateboard park. Thornton Park will be discussed again at these meetings: Feb. 21, 7:30 a.m., Finance Committee; Feb. 23, 7:30 p.m., special meeting of City Planning Commission, Community Life and Health Committee and City Council; Feb. 27, City Council – Thornton Park is on the agenda and the topic will be open for public comment; March 13, City Council – consideration and possible approval of Thornton Park plan.

Anne Williams, 751-7911

RECREATION

Thornton Park Plan Public Forum

Feb. 15, 2006

The City held a public forum on Feb. 15 so that citizens could hear about several proposals to improve Thornton Park and the pool. About 200 people attended. The public forum began with welcoming remarks by Earl Leiken, chair of the City's Community Life Committee. Joyce Braverman, the City's Planning Director, then gave a brief overview of the City's Strategic Investment Plan. She noted that Thornton Park is adjacent to a proposed redevelopment area. Ms. Braverman also reviewed the City's Recreation and Leisure Task Force, which had identified three priorities: improving fields, improving the pool at Thornton Park, and adding/linking trails.

Ms. Braverman noted that improvements have been made to the fields by both the city and the schools. In addition, the city is exploring a partnership for development of the median strip (across from the Middle School) for additional field space.

Mr. Scot Hunsaker, of the firm Councilman Hunsaker, spoke of the three priorities for the pool project: maintain 50-meter lanes, provide a variety of amenities for all, beautify the park. Then he presented three options for Thornton Park; all three assume that the pool, whether simply repaired or repaired and reconfigured, will remain in its current footprint, and all three options retain at least some 50-meter lanes. (Observer's note: a detailed account of the consultant's presentation is available on the city's website: www.shakeronline.com. Click on "See the draft Master Plan for Thornton Park.") The three options below are for

the pool and do not include the rest of the park.

Option A: Retain current eight 50-meter lanes, six 25-meter lanes; current kiddie pool would be replaced with 6,800-sq.-ft. family pool, which would include a tot pool, a channel with a current, a vortex, and underwater benches. Approximate total cost: \$3.3 million

Option B: Five 50-meter lanes, eight 25-meter lanes moved to current diving area, installation of a bulkhead; family amenities (as described in option A) installed in the main pool; replacement of the current kiddie pool with a sprayground. Approximate cost: \$2.3 million

Option C: Retain current eight 50-meter lanes, six 25-meter lanes, a sprayground and tot pool (replacing the current kiddie pool) geared to ages 5 and under. Approximate cost: \$1.5 million

The consultants also presented a preview of a Thornton Park landscape plan and site plan. This master plan was prepared with both the pool(s) and the rink(s) in mind, as well as the surrounding usages, such as parking and shade areas. The proposed cost of this master plan is \$4.5 million, exclusive of any pool or rink renovations. This plan included items such as reconfigured parking, signage, and a possible expansion of the existing rink/locker room building.

Those attending the meeting were asked to split into small groups. Facilitators for these groups asked three questions: What do you like (about the proposed plans)? What do you dislike? What have we forgotten? The groups spent 15 minutes discussing each question. Notes were taken, and paper was distributed for participants to write down questions for the consultants. After 45 minutes of discussion, the groups reconvened in one room for a question and answer period.

At one point, Mayor Rawson told the public that the administration is recommending \$3 million be allocated for the Thornton Park renovation and other recreation priorities. The money would come from the \$12 million estate tax windfall of 2003. (Observer's note: At the Feb. 21 city finance committee meeting, questions were raised about the additional \$1 million for recreation, since it had previously been stated that \$2 million would be available for recreation and accompanying amenities. The additional \$1 million will be coming from excess in the capital fund.)

On Feb. 27 Council will take public comments regarding the Thornton Park development plan. The Mayor has stated that she would like a final decision on the development by mid-March so that the proposed construction schedule can be met.

Patricia Roberts, 752-3480

ECONOMIC DEVELOPMENT ADVISORY BOARD

Feb. 21, 2006

Present: Council Members: E. Leiken, N. Moore, B. Parker, R. Zimmerman, E. Williams, Chair; J. Rawson, Mayor; Citizen Members: D. Burnside, K. Hexter, R. Minter Smyers, B. Owendoff

Also Present: P. Campbell, Director of Economic Development,

and P. McNamara, Economic Development Specialist; Russell Lamb, Principal, Crescendo Properties, and Tim Mulle, Architect

After the Oct. 19, 2005, minutes were approved, a presentation was made by Crescendo Properties on the proposed redevelopment project for the south side of Chagrin at Lee.

Mr. Lamb, who is a Shaker resident, outlined the context of the project, which is to redevelop seven properties on the south side of Chagrin that the city purchased last year. These properties are located immediately west of the new firehouse. The project would include demolishing one vacant building that is in disrepair but would not include those properties whose owners refused to sell to the city.

The development team would include Crescendo, which has done work at Kingston Commons in North Olmsted and a Stow retail center, and has consulted on the St. Michael's redevelopment with the city of Cleveland; architect Tim Mulle, who has worked on numerous redevelopment properties; and PSF Management, which would oversee construction.

The strategy is to attract restaurants, hospitality retail, boutiques and cutting-edge businesses to complement the new streetscape, the new design of Shaker Towne Centre and the developing Avalon Station. Six of the seven properties are structurally worthwhile and have architectural detail and charm that will be preserved and highlighted. Painted brick will be exposed, wood trim restored and storefronts replaced in fitting with the building character and surrounding Shaker-style buildings. Paint on buildings in the rear will be removed and some landscaping added. The city owns the parking in the rear, will renovate it, and has no plans to sell it.

Assuming recommendation by this committee and approval by City Council, planning would move forward with due diligence, redevelopment of a leasing plan, and continued architectural design. Construction would start in the summer of 2006.

The developers and architect then took questions from the committee. These included: What type of retail is expected? Would the development seem like patchwork since not all properties are owned by the city? Will vintage floor plans be attractive to new tenants? What will be the accessibility to storefronts with rear parking? Will there be strict signage rules? What is the expected length of property ownership by the developers?

The developers and architect replied: There will be a retail and office mix, with the offices intended for second-floor spaces. The developers cannot name potential renters at this time but feel there is great value in retaining some of the existing businesses. They would like to see other restaurants, coffee shops or boutiques leasing that would complement Shaker Towne Centre offerings (there is no interest in attracting fast-food establishments).

The developers can only renovate what the city owns at this time. The hope is that the renovation will build momentum for the other owners and tenants to renovate. The floor plans and depth of the interiors are not standard to new construction. Rent models and space alterations to interiors will have to reflect the needs of today's retailers. Parking and store access will be similar to that at Shaker

Square, with limited front parking and more rear parking. Pedestrians will be “channeled” through the arched walkway to reach the front of the stores from the rear parking.

The developers will work with the leasing agents to ensure that signage on buildings is consistent and make sure there is a strong presence to keep temporary signage posted on the inside of stores to a minimum. The philosophy of Crescendo is to hold properties for the long term.

Then the presenters took questions and comments from the floor. These questions included: What is the proposed rent? Proposed sale price? Crescendo did not want to comment yet on the proposed rent but mentioned it would be market responsive. The sale price is \$560,000.

A couple of citizens expressed their concern that the proposal, to redevelop only part of the strip, is a short-term solution to a long-term problem – that to transfer the property now would not do the city justice – that the other owners did not sell because it was more valuable to them to continue to operate than to sell their real estate; that dynamic might not change when the other parts of the strip are redeveloped. The city would lose its leverage to undertake this project without the whole piece. Two representatives from Friends of Shaker Towne Centre disagreed with this view. They expressed the view that it is time to do something with this area and it will be more attractive to the new residents at Avalon Station.

The meeting adjourned at 8:10 p.m. to go into executive session and this observer was unable to stay for the reconvening.

Jennifer Wright, 295-2398

FINANCE COMMITTEE

Regular Meeting, Feb. 21, 2006

Present: Council members Earl Leiken (sitting as chair for Brian Parker) and Nancy Moore; citizen members Linda Lalley, Martin Kolb, Ted Campell, Matt Cenedella

Also present: J. Rawson, Mayor; Jeri Chaikin, CAO; L.Grodin, Dir. Comm. & Outreach Dept., F. Brichacek, Dir. of Finance

Meeting was called to order at 7:40 a.m. Minutes of the Dec. 12, 2005, meeting were approved after correction of a typo.

Ms. Grodin, Director of the Communications & Outreach Department, presented a proposal regarding The Fund for the Future of Shaker Heights. The Fund is a not-for-profit organization created in 1985 to enhance racial diversity. The Fund provides grants and other funding for home improvements in designated neighborhoods. The Fund recently hired a part-time executive director, Gail Gibson, who will handle duties previously handled by the City. The current proposal changes the relationship between the City and the Fund to reflect the new organization. The City will be the fiscal agent to the Fund and will provide space in City offices for a nominal fee. The cost of acting as a part-time fiscal agent has not been calculated but would only involve a slight increase in time, according to Brichacek. The Finance Committee voted to approve the proposal.

The Finance Committee next discussed funding options for the city’s long-term needs. J. Chaikin, Chief Administrative Officer, and F. Brichacek, Director of Finance, explained that as the City focuses on its goals as stated in 2005 and follows its four reinvestment plans, the City’s funding needs and options must be reviewed.

The goals are:

- Increase Shaker’s tax base
- Attract and retain residents committed to Shaker’s vision and standards of excellence
- Enhance the quality of life for all residents

The four reinvestment plans are:

- Strategic Investment Plan
- Housing Preservation Plan
- Horseshoe Lake Park Master Plan
- Recreation and Leisure Assessment Framework

Council must look at the approximate shortfall between the financing needed for projects the City would like to undertake and the actual available resources. Then Council must decide whether to consider financing some of the shortfall and, if so, how much and in what way.

Mr. Brichacek gave a brief overview and explanation of debt issued by the City. Most debt is subject to state limitations and is either voted debt (funding of debt service approved by voters) or unvoted debt (Council approves resources for debt service). The City is not close to the legal limit for debt service but is close to the practical limit. The practical limit is \$1.2 million per year, which represents approximately 40% of capital income. The current capital funding, primarily from estate tax collection, is composed of two parts: the one-time extraordinary estate tax and annual or ongoing revenue. Over the past five years, the average annual ongoing estate tax revenue has been \$3 million. The money is unrestricted and may be used for any purpose. In addition, the sewer usage fee, which is restricted for sewer maintenance (including improvement and replacement projects) is also part of the capital fund. The sewer fee is based on water consumption at a rate of \$10.50 per million cubic feet (mcf) of water consumed. The budgeted revenue from the sewer fund was \$1.4 million in 2006.

Current capital funding needs included stated routine needs, such as police, fire and public works expenses (equipment, vehicles); community life (facilities repairs, equipment); and information technology (hardware and software). In addition, there are infrastructure improvement needs, most notably for roads and underlying waterlines. Current routine capital needs total \$2.6 million annually, plus an estimated additional \$1 million for roads and debt service of \$1.2 million per year. The approximate \$4.5 million needed annually is more than the average annual capital income.

A potential capital funding option could be a new water usage fee comparable to the sewer fee. The income generated would be restricted to water system maintenance and improvements. A possible fee of \$6.50 per mcf could generate \$850,000 annually for the City. The actual amount

might depend on Council's decision on the timing and structure of a road improvement plan. Water system improvements are tied with road repairs because water lines run under the roads.

Other options for capital funding include debt used to finance capital assets that have a high value and long life. Debt used to finance current operations is a sign of fiscal distress. Existing debt totals \$29.8 million as of Dec. 31, 2005. Projects funded with debt include ambulance, fire truck, waterlines, firehouse and road reconstruction. The current debt service payment of \$1.2 million for 2006 will decline annually, going from \$900,000 in 2007 to \$540,000 in 2015.

As far as the timing for making the decision, Ms. Chaikin explained that a decision would be needed by mid-March if the City planned spending more than the \$3 million dollars allocated for recreation for the Thornton Park proposal. Road repairs will also be considered in March and could go out to bid sometime in 2007. If Council decides to go forward with the water service charge, the City could borrow against the projected income increase. A recommendation for water line assessment could be made at the March meeting.

Citizen members expressed concern that the water fee will be perceived as a tax, not a service fee. Even though the City is responsible for the capital structure of the water system, citizens still might not recognize the need for the fee. The exact or average cost of the water fee to homeowners was not provided, although the amount could be calculated by using the water consumption figure contained on a water bill. The fee would appear on the water bill, similar to the current sewage fee. Members feared that adding an additional burden on homeowners, especially in light of the upcoming school levy, would not be well received. Without specific examples of the cost to average homeowners, the Committee was not ready to approve the fee.

Ms. Lalley questioned the source of the \$1 million of increased funding for recreation as announced at the Thornton Park meeting. The Finance Committee has not discussed or reviewed it. The money will come from the capital fund, she was told. Ms. Lalley expressed her concern with the decision. She said she's not sure it's in the city's best interest to move another \$1 million to recreation, given the large amount of capital expenses anticipated over the next five years.

Mr. Leiken stated that the huge expense of the pool (minimum \$1.5 million) leaves only \$500,000 for all other recreation needs, including parks, trails and fields. Since it is not possible to accomplish these goals with only \$500,000, it is necessary to increase the recreation money. He noted that it is a serious matter to increase recreation money by 50%.

Ms. Moore noted that the changing demographics in the City dictate changes in priorities. The committee must consider what constitutes essential services – new dump truck or pool – and suggested the committee should enlarge the discussion to philosophical considerations of whether our definition of essential services has changed. The two prime targets for debt financing are road repairs and recreation. Ms. Moore suggested that Thornton Park should not be financed by debt (voted or unvoted) and that only public

safety projects or other projects that serve the entire community should be debt-financed.

Ms. Lalley stated that when the demographics are diverse, it makes sense to increase fees to pay for higher-end services. In Shaker there is a strong contingent of residents who want big facilities and they're willing to pay for them. Perhaps the City should offer high-end facilities and allow those who want them to pay for them.

Mr. Leiken concluded that the Committee was not comfortable going beyond the current level of unvoted debt at this meeting and was not prepared to discuss roads or additional fees today. Ms. Moore added that there should be no more unvoted debt unless it's in anticipation of a dedicated water line assessment. The committee members also said they would not recommend pursuing a voted debt option at this time given the other ballot issues impacting homeowners.

Before the meeting concluded, Ms. Lalley asked Mayor Rawson for her vision of the Finance Committee. Mayor Rawson sees the Committee as a fiscal policy strategist. She envisions the committee talking about the big picture and acting as an oversight body to ensure the procedural process is followed. She does not expect the Committee to review the financial statements, although the financial statements will be provided prior to each meeting.

The meeting adjourned at approximately 9:00 am.

Anne Williams, 751-7911

JOINT MEETING OF CITY COUNCIL, COMMUNITY LIFE AND HEALTH COMMITTEE AND CITY PLANNING COMMISSION

Feb. 23, 2006-7:00 p.m., Council Chambers

Present: Ann Pylkas, Pam Quinn, Joyce Braverman, Earl Leiken, Judy Rawson, Donna Alexander, George George, Binnie Eiger, Laura Holmes, Jeri Chaiken, Rob Zimmerman, David Bergholz and Dave Hartt

The meeting started at 7:05 p.m. with a review of the Thornton Park plan and pool options presented at the Feb. 15, 2006, public forum. (Proposed plan and pool options may be accessed through the city website www.shakeronline.com.)

Mayor Rawson asked the committees which option made sense.

- There was a general consensus that plan B was not a viable option at this point.
- After much discussion regarding the various amenities of each pool plan, the committees asked staff to configure a package to benefit as many citizens as possible.

The committees then debated the issue of removing the existing parking lot (most parking spaces would be moved toward Warrensville Center Road, with an overflow lot off Farnsleigh).

- Removing the current parking lot would cost \$608,000.
- Removal would allow for more green space, a basketball court, skateboard park and an overall improvement of appearance for the park landscaping.

Given the budgetary restrictions, the committees wanted

a basic plan implemented with a possibility of community fundraising to fulfill a more ambitious park plan.

Thornton Park is on the agenda for the Feb. 27 Council meeting, 7:30 p.m. in Council Chambers. Public comments will be heard at that time.

Kathy Jones, 295-0681

SHAKER HEIGHTS CITY COUNCIL

Regular Council Meeting

Feb. 27, 2006, Council Chambers

Present: Council members L. Ruffner, B. Williams, B. Parker, B. Gleisser, N. Moore, and R. Zimmerman; M. Cannon, law director; and J. Chaikin, CAO. Several dozen residents were in attendance, along with many students.

The meeting was brought to order by Mayor Judy Rawson at 7:30 p.m.

Mayor Rawson opened the meeting by reviewing the process the community and city officials have gone through to get to this point in the plan for Thornton Park.

The Mayor stated that Council was leaning toward Pool Option C, but had asked Planning Director J. Braverman's staff to make minor modifications to the plan to allow for more amenities. Option C will repair and maintain the existing pool, add a spray playground and replace the tot pool. In keeping with the overall Master Plan for Thornton Park, the parking lot will be moved to bring activities to the center of the park, to add green space and to reconfigure the park's entrance. Further amenities will be added in the future as funds become available. The mayor is encouraging community involvement in fundraising for recreation.

Ms. Braverman presented the Thornton Park plan and pool options, which may also be viewed on the city's website, www.shakeronline.com.

Even though there are no final budget numbers, Council is hoping to vote on the plan at the special Council meeting and work session on March 13 at 7 p.m. in Council Chambers. Council is expecting construction to start this August.

Public Comment on Thornton Park Plan and Pool Options

(Council was taking public comments, not answering questions)

- A student and lifeguard at Thornton pool expressed delight at the new parking plan, as he felt the existing parking is "ugly." He also expressed concern that many people coming to the pool do not pay; he asked if a better system could be put into place to remedy a situation that was reducing income for the park.
- A resident of the Thornton neighborhood wanted to impress upon Council the need for adequate sound buffering for the surrounding area.
- A student expressed concern over the integrity of the sledding hill. Ms. Braverman explained that a sledding hill would be maintained.

- A student requested that the park be greener and have better parking.
- A resident asked how Council increased the budget for the project from \$1.5 million to \$3 million. Mayor Rawson stated that Council had not yet approved a budget and said that would be done March 13.
- A student expressed concern for small children in the parking lot and asked for safe access from the parking lot to the pool area.

Mayor Rawson asked for public comment on remaining agenda items. There was none.

Approval of Minutes

The minutes of the special meeting of Jan. 9, the regular meeting of Jan. 23 and the special meeting of Feb. 13 were approved without changes or corrections.

Providing Administrative Support (Asset Management)

I. B. Gleisser presented an ordinance, now on third reading, requesting \$339,000 from the General Capital Fund to construct a picnic shelter at Horseshoe Lake Park and declaring an emergency.

Discussion:

- N. Moore wanted to see the budget for Thornton Park and pool before voting on the shelter.
- B. Parker moved for a vote and said he felt something needed to be done.

All council members agreed on the importance of the shelter. There was a motion and a second. Ayes were Ruffner, Williams, Parker, and Gleisser. Nays were Moore and Zimmerman.

II. Police Chief Walter Ugrinic requested a sole-source contract without competitive bidding for a tactical vehicle for the police department and declaring an emergency.

Discussion:

- Chief Ugrinic stated the current tactical vehicle is becoming unreliable and costly to maintain and that the new vehicle will replace two vehicles in service now.

Ordinance was passed unanimously.

III. The director of Communications and Outreach, Leslie Grodin, requested authorizing a fiscal agency and office space lease agreement for City-owned property with the Fund for the Future of Shaker Heights, and declaring an emergency.

Summary:

The Fund for the Future is a non-profit organization created in 1985 to provide secondary mortgage financing and grants for home improvements to homebuyers in designated neighborhoods for the enhancement of racial diversity in those neighborhoods. The Fund's board has hired an executive director to handle functions previously handled by City staff. The Fund's board will no longer include the Mayor and all Council members as trustees; instead, two trustees will be appointed by City officials, one by the Mayor and one by Council. This item was approved by the Finance Committee.

Ordinance was passed unanimously.

IV. An ordinance was introduced appointing Leslie Grodin as the City's representative to the board of the Fund for the Future.

Ordinance was passed unanimously.

V. Request for an ordinance by Ms. Braverman appointing Jan Devereaux as the City's representative to the board of trustees of the non-profit Cleveland Restoration Society.

Summary:

CRS works in partnership with the city of Shaker, one of the Heritage Partner Cities, to encourage the restoration and protection of properties in Shaker. Because Shaker has a financial relationship with CRS and Ms. Devereaux is also a candidate for appointment to the City's Landmark Commission, Ohio ethics law permits her to serve in both capacities only if Council appoints her to the CRS board of trustees as the City's representative.

Discussion:

N. Moore asked that Ms. Devereaux abstain from voting if a conflict of interest should arise.

Ordinance was passed unanimously.

VI. Ms. Braverman presented a resolution to refer all applications for permits for exterior work at the Marshall Mansion to the Landmark Commission for review during the designation process.

Summary:

The Landmark Commission adopted a resolution on Feb. 22, 2006, recommending that the Marshall Mansion be designated a Landmark, pending further investigation. This item was approved by the Landmark Commission.

Discussion:

Mr. Williams and Mr. Gleisser asked for future updates on progress at the Marshall Mansion. This item was also approved by the Fair Housing Review Board.

Ordinance passed unanimously.

VII. Mr. W. Gruber, Fair Housing Administrator and Chief Counsel, presented an amendment to the City's Fair Housing laws relative to the protection of people on the basis of sexual orientation.

Summary:

This item was approved by the Fair Housing Review Board.

Ordinance passed unanimously.

VIII. Mr. Gruber proposed an ordinance adopting a plan of operation and governance for a natural gas aggregation program for the City and declaring an emergency.

Summary:

In 2003 Shaker voters authorized the City to create a municipal opt-out natural gas aggregation program. The city has been unable to secure a gas price for the City that would provide savings. Dominion has also applied to the PUCO for permission to completely stop supplying natural gas, and to become a delivery and service company.

Ordinance was passed unanimously.

Building Shaker's Tax Base (Growth)

The Mayor asked for public comment on the next item, the sale of City-owned commercial properties on Chagrin Blvd.

Resident Scott Garson expressed concern that the city was selling property bought in 2003 for \$1.9 million for only \$560,000 and that the RFP (Request for Proposals) for this property was only issued in September 2005. He asked that the city reconsider and wait for a more appropriate offer.

IX. Economic Development Director Patrick Campbell presented an ordinance executing a development agreement with Shaker Common Property for the redevelopment of City-owned parcels as part of the City's economic development program, authorizing the disposition of City-owned property **without competitive bidding**, and declaring an emergency. This item was approved by the Economic Development Advisory Committee.

Summary:

- Sell the property to Shaker Commons Property LP for \$560,000, upon condition that proposed renovation and re-leasing takes place.
- The City will provide the seller financing of the purchase price for approximately two years during the renovation and re-leasing period.
- The City will reimburse 50% of the cost to renovate building storefronts in compliance with the City's design guidelines, up to \$25,000 per building front façade and \$10,000 per rear façade, or a maximum total of \$245,000.
- Assuming all storefront improvements are made, the net cash proceeds to the City will be \$315,000, plus interest.
- The City will collaborate with the developer on parking lot upgrades with available TIF (tax increment financing) funds (to be submitted for City Council approval at a later date).
- The seven properties will not be severable (saleable individually) without City approval for a period of 10 years.
- The City has right of first refusal and the right of first offer on the property.
- 75-day due diligence period
- Expected closing date not later than Aug. 31, 2006
- Expected completion of improvement, August 2007

Discussion: Mr. Gleisser stated that he will vote no. He wanted more-aggressive improvement. N. Moore stated that she would like to move and begin now; she fears that standing still will allow the area to deteriorate.

A motion was made and seconded. There was one n— Mr. Gleisser.

The mayor invited public comment on other items. A resident in the Huntington Road area encouraged police and other neighbors to stay vigilant in fighting crime.

X. Mr. Gruber presented an application for a liquor license for Fresh Market Inc. allowing beer, wine and prepackaged mixed drinks in sealed containers.

The council had no objections. The meeting was adjourned

around 9:30 p.m.

Kathy Jones, 295-0681

BOARD OF ZONING APPEALS AND CITY PLANNING COMMISSION

March 7, 2006

Present: D. Feinstein, Planner; W. Gruber, Asst. Dir of Law; J. Rawson, Mayor; N. Moore, City Council; D. Bergholz, citizen member.

Absent: J. Braverman, Dir. Planning & Dev.; citizen members D. Hartt and K. Madison.

Also present: Don Gest and Gordon Priemer, Heartland Developers LLC.

The meeting was called to order by Mayor Rawson at 7:30 p.m.

Board of Zoning Appeals (BZA)

The single request before the BZA was made by Don Gest on behalf of Heartland Developers for a variance to construction sign regulations. He proposed a screen/display wall with two construction signs to be located in front of the sales trailer on the site adjacent to the Avalon Station condominium loft building. Variances are needed for the size and height of the signs. The screen wall is designed to hide the large sales trailer from eastbound Van Aken Blvd. traffic. The north-facing sign is to be 35 sq. feet; the west-facing sign, 132 sq. feet. Code allows two 32-sq.-foot signs. Both signs are to be approximately 24 feet tall, as opposed to the 8 feet allowed by code. The screen wall is to consist of a rendering of the condominium loft building.

In his presentation, Mr. Gest explained that the development company had worked carefully with Planning staff and the Architectural Review Board (ARB) to achieve an attractive result. The ARB suggested that the base of the trailer be surrounded by a lattice and landscaping.

No resident appeared at the public hearing, but there was detailed discussion between the BZA and Messrs. Gest and Priemer about the request. The variance was granted based on the unique screening wall and the large scale of the project. The approval was conditioned on staff having final approval of the landscape plan. Also, it is limited to a maximum of two years (per the initial May 2004 project approval), and the sign may be erected no more than 60 days prior to the installation of the sales/construction trailer. The meeting was adjourned at 8 p.m.

Lucille Mayne, 491-9161

LIBRARY BOARD MEETING

March 13, 2006

Present: E. Benning; D. Bergholz; K. McGovern, chair; D. Whyte

Absent: M. Karon, E. Parsons, T. Schorgl

Also present: L. Dickinson, executive director; I. Pulver, asst. director; D. Piskac, clerk-treasurer; L. Miller, manager of Bertram Woods

Mr. McGovern called the meeting to order at Bertram Woods at 6:30 p.m. He announced that the Board retreat

would probably be held from 9 a.m. to noon on May 20 at Corporate College East, by which time the two new board members will have been appointed by the Board of Education. There were 12 applicants to fill the vacancies.

Following the approval of the February minutes, Mr. Piskac presented the Feb. 28 financial statements. Revenues showed an increase of 6% over this time last year, while expenditures also showed a slight increase, primarily as a result of salaries and employee benefits and workers compensation charges. The Library's cash position indicated a \$53,000 increase over this time last year. The 2006 final appropriation is \$6,711,750. In terms of anticipated capital outlay, the Library's main "furniture and equipment" expenditures will be for computers and printers (\$50,230); building improvements include the replacement of the first-floor carpet at Main (estimated at \$155,000). The Board approved the financial statements and the final 2006 appropriation, together with several fund transfers.

Mr. Piskac informed the Board that the problems relating to the incompatibility of the software and server can be worked out, that a new truck will soon be purchased to enable the Library to do its own snow plowing, and that by April 1 credit-card machines will be available for the payment of fines and other charges, such as the cost of replacing lost or damaged materials. In addition to Star Ohio and Fifth Third Bank, Mr. Piskac recommended that the Library also use Charter Bank, which provides opportunities for very short-term investments not available from the others. The Board approved.

In his report to the Board, Mr. Dickinson indicated that we have seen a decline in the circulation of videotapes and books on tape. A policy revision was adopted making parents financially responsible for videos checked out by minors. The Board also approved a magnetic "checkpoint security system" for audiovisual materials, which will allow all DVDs to be displayed in the open. Mr. Dickinson reported that two young people had to be suspended from using the Library because of extreme disorderly conduct. He recently met with school staff to make possible joint programming with Bertram Woods's staff for Middle School students.

Finally, the Board revised its policy (the first time in 10 years) regarding maximum expenditures for staff to attend conferences, workshops and the like. The Board accepted one memorial gift and a gift to provide for this year's MLK award. Resolutions of commendation were passed honoring three staff members with many years of service. The meeting adjourned at 8 p.m.

Evelyn Krent, 991-0802
