

RESOLUTION NO. 1995-137

**AUTHORIZING AN APPLICATION TO THE OHIO DEPARTMENT OF  
TRANSPORTATION FOR AN OHIO ELDERLY AND DISABLED TRANSIT  
FARE ASSISTANCE GRANT**

WHEREAS, the State of Ohio, through the SFY 1996 Ohio Elderly and Disabled Transit Fare Assistance Program, will make funds available to assist public transportation systems in reducing fares for the elderly and disabled; and

WHEREAS, the Greater Cleveland Regional Transit Authority is the transit operator in Cuyahoga County and adjacent portions of Lake, Lorain and Medina counties; and

WHEREAS, regional transit authorities and municipalities not within Cuyahoga County but serviced by the Greater Cleveland Regional Transit Authority may grant permission to the Greater Cleveland Regional Transit Authority to include the population from within their respective jurisdictions as part of the funding criteria for the program.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of the Greater Cleveland Regional Transit Authority, Cuyahoga County, Ohio:

Section 1. That the General Manager of the Greater Cleveland Regional Transit Authority is hereby authorized to execute and file a grant application with the Ohio Department of Transportation to aid in the financing of reduced fare privileges for the elderly and disabled and to obtain permission from those governmental entities outside Cuyahoga County but serviced by the Greater Cleveland Regional Transit Authority to include their respective populations in said application.

Section 2. That the Greater Cleveland Regional Transit Authority and Laketran will split tract population based on the number of trips each operates in the same Lake County service area.

Section 3. That the Greater Cleveland Regional Transit Authority does not object to any application submitted by other governmental entities outside Cuyahoga County but serviced by the Greater Cleveland Regional Transit Authority.

Section 4. That the General Manager of the Greater Cleveland Regional Transit Authority is authorized to furnish such additional information, assurance or other documentation as the Ohio Department of Transportation may require in connection with this application for grant funds.

Section 5. That the General Manager of the Greater Cleveland Regional Transit Authority is authorized to sign and execute the Ohio Department of Transportation Elderly and Disabled Transit Fare Assistance grant contract.

Section 6. That the General Manager of the Greater Cleveland Regional Transit Authority is authorized to accept the funds resulting from said Elderly and Disabled Transit Fare Assistance Grant.

Section 7. That the General Manager of the Greater Cleveland Regional Transit Authority is hereby authorized to forward \$3,013 of the funds received from said Elderly and Disabled Transit Fare Assistance Grant to the Lorain County Transit Board.

Section 8. That the General Manager of the Greater Cleveland Regional Transit Authority is authorized to forward \$4,643 of the funds received from said Elderly and Disabled Transit Fare Assistance to the City of Brunswick.

Section 9. That, in the absence of the General Manager, the Acting General Manager of the Greater Cleveland Regional Transit Authority is hereby authorized to perform any and all of the above-described functions.

Section 10. That this Resolution shall become effective immediately upon its adoption.

Adopted: September 19, 1995

  
Vice President

Attest:

  
Secretary-Treasurer

## Minutes

RTA Board of Trustees  
9:05 A.M., August 15, 1995

President Dixon called to order the meeting of the Board of Trustees of the Greater Cleveland Regional Transit Authority at 9:05 A.M., Tuesday, August 15, 1995, in the Board Room of the Authority, 615 Superior Avenue, West, Cleveland, Ohio.

The Secretary called the roll and reported that the following Trustees were present: Anderson, Coyne, Dickard, Dixon, Dubyak, Kavalec, Molina, Rollins, Ruzic and Trupo. Also present were: Allen, Bailey, Bakr, Billings, Bowman, Conway, Covington, DeVenanzio, Francioli, Hollis, Howson (League of Women Voters), Johnson, LaPorte, Luteran, Mazenec, Raidl, Roche, Rogers, Shubait, Stanford, Szmagala, Tober, Weeks, Wiesenberger and Yannitello.

The Secretary reported that notice of this meeting of the Board of Trustees had been posted more than twenty-four hours in advance of the meeting, that the usual notification had been given the news media and other interested persons and that all requirements of the Ohio Revised Code and the Rules and Bylaws of the Board regarding notice of meeting had been complied with.

The adoption of the minutes of the Board meetings of July 11 and July 18, 1995 was moved by Mr. Molina, seconded by Mr. Trupo and approved by unanimous vote.

### Finance Committee

No report.

### Legal Committee

No report.

### Marketing & Communications Committee

No report.

### Operations Committee

No report.

### Human Resources Committee

No report.

### Citizens Advisory Committee

Mr. Wiesenberger reported that the Committee met on August 9, 1995, at which time Messrs. Freilich and Nelson gave a presentation on the Fare Policy. The Committee made some suggestions and comments. Also, a young lady representing a contractor working for the City of Cleveland and the Growth Association in

connection with a downtown map was in attendance. Some suggestions were made and samples of maps which were made a long time ago were submitted by Committee members.

The Board then considered the following resolutions:

- A. 1995-116 - AUTHORIZING A CONTRACT WITH ERIE SHORES COMPUTER, INC. FOR THE FURNISHING OF THIRTEEN (13) PERSONAL COMPUTERS AND PERIPHERAL EQUIPMENT THROUGH THE STATE OF OHIO COOPERATIVE PURCHASING PROGRAM (IN AN AMOUNT NOT TO EXCEED \$42,810.00 - RTA CAPITAL FUND) INFORMATION SYSTEMS DEPARTMENT BUDGET, the adoption of which was moved by Mr. Dickard, seconded by Miss Kavalec and approved by unanimous vote.
- B. 1995-117 - AUTHORIZING CONTRACT NO. 94064A WITH WILLIAM M. MERCER, INC. FOR THE PROVISION OF TOTAL QUALITY COMMUNICATIONS CONSULTING SERVICES (IN AN AMOUNT NOT TO EXCEED \$115,000.00) GENERAL FUND - MARKETING DEPARTMENT BUDGET, the adoption of which was moved by Mr. Molina, seconded by Mrs. Rollins and approved by unanimous vote.
- C. 1995-118 - AUTHORIZING A CONTRACT WITH O'BRIEN-KREITZBERG, INC. FOR CLAIMS ANALYSIS SERVICES FOR PROJECT 32 - THE WATERFRONT TRANSIT LINE (\$240,000.00 CAPITAL IMPROVEMENT FUND - 100% LOCAL FUNDS), the adoption of which was moved by Mr. Dickard, seconded by Mr. Molina and approved by unanimous vote.
- D. 1995-119 - AUTHORIZING A CONTRACT WITH DICK ENTERPRISES FOR PROJECT 20 (B/C) CONSTRUCTION SERVICES FOR THE REHABILITATION OF BRIDGES OVER NORFOLK SOUTHERN RAILROAD AND EAST 37TH STREET \$3,648,435.00 - CAPITAL GRANT OH-03-0144, \$1,962,671.00 AND CAPITAL GRANT OH-23-9013, \$1,685,764.00 (\$3,003,035.00 IN FEDERAL FUNDS WHICH REPRESENTS APPROXIMATELY 82% OF THE COST, the adoption of which was moved by Mrs. Rollins, seconded by Mr. Dickard and approved by unanimous vote.
- E. 1995-120 - AUTHORIZING THE GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY TO EXPEND \$66,703.00 PURSUANT TO AN AGREEMENT WITH THE NORFOLK AND WESTERN RAILROAD COMPANY FOR PROJECT 20 (B/C) - REHABILITATION OF BRIDGES OVER NORFOLK SOUTHERN RAILROAD AND EAST 37TH STREET OH-03-0144 (\$53,362.40 IN FEDERAL FUNDS WHICH REPRESENTS 80% OF THE TOTAL), the adoption of which was moved by Mr. Dickard, seconded by Miss Kavalec and approved by unanimous vote.
- F. 1995-121 - AUTHORIZING A CHANGE ORDER TO CONTRACT NO. 91147 WITH WHITLEY/BAKER ASSOCIATED FOR PROJECTS 24E AND 24F - ARCHITECTURAL/ENGINEERING SERVICES FOR THE DESIGN OF THE REHABILITATION OF WEST 117TH AND MADISON AND WEST 98TH AND DETROIT RAPID STATIONS IN THE AMOUNT OF \$122,502.00 CAPITAL GRANT OH-03-0104 (\$91,876.50 IN FEDERAL FUNDS WHICH REPRESENTS 75% OF THE TOTAL COST), the adoption of which was moved by Mrs. Rollins, seconded by Mr. Anderson and approved by unanimous vote.

- G. 1995-122 - AMENDING RESOLUTION NO. 1994-228 TO PROVIDE FOR AN APPROPRIATION IN THE LAW ENFORCEMENT FUND IN THE AMOUNT OF \$86,211.20, the adoption of which was moved by Mr. Ruzic, seconded by Mr. Trupo and approved by unanimous vote.
- H. 1995-123 - DESIGNATING DEPOSITORIES FOR ACTIVE AND INTERIM PUBLIC MONEYS DURING THE TWO-YEAR PERIOD COMMENCING SEPTEMBER 5, 1995, the adoption of which was moved by Mr. Dickard, seconded by Mr. Trupo and approved by unanimous vote.
- I. 1995-124 - EXPRESSING THE GREAT SORROW OF THE BOARD OF TRUSTEES AND STAFF OF THE GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY AT THE PASSING OF MAGDALENE LISY AND EXTENDING THEIR CONDOLENCES TO THE FAMILY, the adoption of which was moved by Mr. Dickard, seconded by Mr. Ruzic and approved by unanimous vote.

#### General Manager's/Secretary-Treasurer's Report

Mr. Tober distributed the revenue report which was not previously included in the package, giving information on the current status of revenues versus 1994 actuals and versus the budget year-to-date for the month of July. He said he would have some comments on the current financial situation during the meeting of the Committee of the Whole Board immediately following the Board meeting.

#### President's Report

Mr. Dixon reported that he emceed the groundbreaking ceremony at the Windermere station, noting that the Secretary of Transportation, Federico Pena, was also present. Congressman Stokes and other dignitaries also attended.

#### Old Business

Mr. Dixon announced that Resolution No. 1995-106 was again being removed from the agenda at the request of staff.

Mr. Wiesenberger said that sometimes improvements are created as they are perceived by the public. There is a tremendous problem with ridership, particularly on the Red Line east. He suggested that when the westbound trains pull out of Windermere, it be announced that the train only stops at Superior and University-Cedar. He noted that it is not a question of how many minutes will be saved, but it is the perception of how much time they are saving by not having the train slow down and open and close doors. Mr. Wiesenberger suggested that eastbound rush-hour trains do the same thing.

As far as the west side was concerned, he said he was not really that sure about ridership at rush hour from the various stations, other than West 65th Street which would be good to skip. Mr. Wiesenberger said he believed that we could really sell the public on skipping these stops on the east side.

The Chair called for public comment and Councilman Ken Johnson stated that some of his constituents were present to address the Board regarding the issue of the Shaker Square Coffee Shop lease.

Mr. Gregory Shubait, 2993 Ripley Road, Shaker Heights, Ohio, introduced himself as a Friend of Shaker Square (FOSS) and explained that he was acting in place of their President and Director of staff. FOSS requests that GCRTA take no action on the response received to the Request for Proposals procedure initiated on October 25, 1994, for leasing the Shaker Square station building. They asked that the Authority work with them to develop a revised RFP which excludes fast food restaurants from consideration. FOSS pledged to assume a more active role in the recruiting of quality respondents to a revised RFP, from businesses which are complementary to their unique, historic neighborhood and commercial district. They have already received a set of petitions from the residents of Shaker Courts condominiums and he left them with a member of staff.

Ms. Linda Bowman, a shopowner on Larchmere who has spent a lot of time on Shaker Square, addressed the Board. She understands that GCRTA needs to have a viable business on the Square, many of the residents would like to see something they think better fits in with Shaker Square. They have a community of small businesses and are passionate about the area. They do not believe that a fast food organization will share the vision they have about Shaker Square. It used to be an area of carriage trade and is a bit different now because they have a mixed community, but the residents are very passionate about it.

Mr. Mark Francioli, a resident of Shaker Square, addressed the Board. He stated that he had 1,400 names of residents of Cuyahoga County who request that RTA consider retaining the diner concept at the Rapid station, in lieu of a fast food enterprise. The first reason is the convenience RTA riders now have with the diner concept. The early morning and late-night hours allow people to purchase their newspapers and snacks which they can take onto the Rapid. He thought this would not be possible with a fast food operation. Mr. Francioli also stated that many of the area's elderly residents depend upon the home-cooked meals and homey atmosphere of the diner. Even though it is not an issue, he thought that the Authority was always sensitive to the concerns of the elderly. Many of these people would not even be able to stand in a fast-food line.

Mr. Francioli pointed out that the diner has been operating continuously since 1929, as sort of a "dying breed", but at the same time a "classic" and very special in Shaker Square and Cleveland. Since Cleveland is a "comeback" city, we should be interested in the things that make it unique and should remain so. He asked that the Trustees read the petitions. Mr. Dixon requested that Mr. Francioli give the petitions to Judy Allen of Media Relations.

Ms. Ursula Weeks, 3149 Van Aken Boulevard, Shaker Heights, Ohio, said that she loved Shaker Square. She could not imagine how McDonald's could possibly discourage or not seek take-out business, with the attendant trash problem. The Square does not have enough parking as it is; therefore, it would not be able to accommodate the volume of cars which would undoubtedly come. Ms. Weeks also believed that there are enough food places on the Square, with three restaurants currently in business. She thought that small business entrepreneurs should be encouraged for the Square. Ms. Weeks did not even see how McDonald's would make any money if they did not change the building facade. Before you know it, the big arches will come up, and they just do not belong on Shaker Square.

Mr. Larry Albert, Shaker Square's owner, addressed the Board next. His concern was perhaps less with McDonald's than it is with GCRTA. He was concerned about the Authority claiming to be a "neighbor" in a relationship with its neighborhood. He believed that the Authority had more-than-mild arrogance. When he understood that the Authority was interested in putting the coffee shop out to bid, he offered to sit down with staff to discuss this matter. He said that RTA claims it is a competing property and, therefore, it is not appropriate for staff to sit down with him because, in essence, there is a conflict of interest. RTA is right in the middle of Shaker Square and, anyone who knows anything about shopping centers, would understand that you cannot just act independently under this set of circumstances and be true to your creed, which is to be an understanding neighbor. He believed it is vital for the Authority to understand the merchandising scheme. Also, it is important to understand the effect on shopping centers, this one in particular, which is the second oldest shopping center in the United States. Not to even give them the opportunity to sit down and discuss their concerns before we went to bid is the height of arrogance. The Authority should also take into consideration the parking which would be needed to accommodate a fast-food restaurant. He believed that the coffee shop serves the riders of RTA, but that McDonalds would not, since it is designed to attract a much broader market.

Mr. Albert stated that he has owned the Square since 1978 and the shopping center has been around since 1929; therefore, it seemed to him that it would make good sense to sit down and try to find out what they can do to serve the Authority's purpose (getting \$18,000 per year out of the space) and serve Shaker Square's purpose of running a first-rate, top-notch historic shopping center.

Mr. Andrew Goodman, a resident of Shaker Square, asked the Board to take into consideration the aesthetics involved in depriving the 66-year-old coffee shop operation and replacing it with a "plastic kingdom". He was talking about an operation which serves the RTA riders and the public in general, which would be massively altered. He did not believe the regulations permit customers to take out food onto the Rapid. We would be replacing an institution with the worst kind of mass business, take-out food operation and he thought more sensitivity was owed to the neighborhood. Mr. Goodman said that there is a fast-food operation at each end of the Rapid line and wondered whether the Authority was proposing to "dot" the entire line with fast food.

Mr. Joe Kover, 12931 Shaker Boulevard, stated that the Authority was "barking up the wrong tree" by proposing to bring McDonalds in at Shaker Square.

Ms. Carol Nikolai, co-owner of Ohio Signatures on Shaker Square, which is a women's clothing shop located next door to the Rapid shop, addressed the Board. She was present to basically reiterate what everyone has already said. She was in full agreement with everyone about keeping the integrity of the Square and she was concerned with the kind of situation which had occurred at Tower City. During the school year, there is a mass exodus of school children on the Square. This condition would worsen if there were a fast food facility available.

Mr. John Mulwright, resident of Shaker Square, noted that RTA cited the McDonalds in Independence. He has been to that facility and called it a "poor man's Tara Hall". McDonalds is the last thing he wants to see at Shaker Square.

Ms. RoseAnna Lanese of 2671 East 130th Street came to the podium. Her street dead ends right into the Coffee Shop. She was concerned about additional traffic which would come into the area because residents want to keep it a "walking community".

Councilman Ken Johnson, in office since 1979, stated that he had not intended to appear before the Board this morning; however, he has had many calls requesting him to do so. He stated that Shaker Square is an historical district, but would not stay that way very long if a fast-food facility were introduced. Regardless of the money that it would bring, he thought a better solution could be found. Mr. Johnson lives one block away from the Square and had moved there because of the character of the area. He noted that he had not spoken with Mr. Albert about the situation, but he was in complete agreement with his statement. He anticipated that he would have a lot more calls upon his return to the office this afternoon. Shaker Square is probably the most unique area in Greater Cleveland and they do not now have the kind of problems that McDonalds would bring. Councilman Johnson thanked the Trustees for their consideration.

Ms. Joanna VanOsterhaus of 13415 Shaker Boulevard said she was present to echo many of the sentiments which had already been heard, particularly those of Mr. Albert. She is a member of FOSS and, as such, has been on that Board and witnessed the amount of energy, time and effort that a great many people have exerted to try to preserve Shaker Square as a "healthy edge" of the City of Cleveland. She noted that it is a healthy, but fragile, edge and the perceptions of residents and others about the Square are important for the Trustees to consider. She said that Mr. Albert has answered many questions frequently about why there are empty spaces at Shaker Square. Many times he has said that these spaces could be filled, but he cares about the kind of businesses going in there because he is trying to preserve the area as a healthy edge. Ms. VanOsterhaus said that she has nothing against McDonald's and fast foods, but it does not belong in Shaker Square. FOSS is working with institutions such as Fairhill Institute for the Elderly and Benjamin Rose, who are trying to make Shaker Square an inviting environment for senior citizens. They do want all generations represented in the neighborhood.

Mrs. Maria Bausvai addressed the Trustees regarding her feelings about Shaker Square and the coffee shop where the senior citizens gather. She noted that many people come to Shaker Square for the Christmas decorations and other festive occasions.

Mr. Mickey Hexter stated that he lives in the Shaker Square area and frequents the coffee shop. He does go to McDonald's when he wants mediocre food, but has never seen one of the Board members there. Mr. Hexter said that he did not believe that the \$18,000 in rent revenue would balance GCRTA's budget. He noted that one of our train operators had a collision with a police car, which he hoped was not the driver's fault. However, he said that kindergarteners are a lot smaller than police cars; therefore he hoped that the trains would not become involved with the small children.



Ms. Rebecca DeVenanzio, a resident and business owner in Shaker Heights, addressed the Board. She said she knew that GCRTA had invested much time and effort into the Total Quality program, including a vision for itself and the community. Residents of the Shaker Square area also had a vision for their community, although it may not be quite as well organized as the Authority's. They are trying to maintain a community with diverse interests and most of the people had not been aware of the coffee shop issue until two or three weeks ago. FOSS has been aware of the coffee shop lease for quite a while. Ms. DeVenanzio said that, if the Authority persists in the fast-food lease, she was not sure how many more people would become involved and more vocal.

Ms. Jean Conway, a resident of Shaker Boulevard, stated that she had previously written a letter to the Trustees. She thanked RTA for their magnificent rapid transit stop. Because of that and the Authority's being in touch with the area, we produced a fantastic combination of 1929/1990's. Therefore, everyone assumed that this would carry over to what goes on inside the station. She noted that fast food was not their "bag" and she thought it was important that the Authority realize that such a move would have a tremendous impact on the Blue/Green lines. Ms. Conway said we would lose ridership if there is too much going on at Shaker Square. She did not want this to happen, since she is a regular user of the trains. Ms. Conway said she was pleading with the Board to consider the nature of Shaker Square, the region and ridership.

Mr. Doug Mazenec, 12931 Shaker Boulevard, stated that he has been an apartment dweller in Shaker Square for approximately seven years. His apartment, Shaker House, is closest to the coffee shop. There are about 100 residents in his building and he thought fully one-third of them are elderly. They often walk across Shaker Boulevard to the coffee shop. If this area becomes a high-traffic location, the chance for accidents and problems is magnified. He noted that the coffee shop is an institution and home-base for many students and elderly who do not have families in the area and he did not think that McDonald's would serve that purpose.

Ms. Sheila Billings, 11706 Buckingham, addressed the Board. She is an eight-year resident of Shaker Square and works very hard on housing renovation for FOSS to help existing home owners rehabilitate their houses and attract new home owners to the area. The perception is that the Square area will become like surrounding areas, but this is something they are really working against. She asked that the Board reconsider the "imposition" of the fast-food concept for the area.

President Dixon thanked everyone who commented today, but noted that the Board is nowhere near a final decision on this matter. He explained that the Trustees are very sensitive to the feelings of the Shaker Square community. The Board will take all these things into consideration when reaching a final decision; however, there are certain rules and policies which bind them.

As Chairman of the Planning & Development Committee, Mr. Coyne said he would be interested in seeing Mr. Albert's marketing and planning strategy for the Square, provided it would not be a breach of confidentiality. One of the things former Boards have considered is maximizing GCRTA's properties, not only providing employment, but also support services for neighborhoods in which we have facilities.

RTA Board of Trustees

August 15, 1995

-8-

Mr. Dixon stated that he had a conversation with Mr. Tober regarding this situation. The Friends of Shaker Square will be an important part of decision-making process for the Board.

Mr. Dubyak said, if the Friends of Shaker Square will be a part of the decision-making process, he wondered if that meant the Authority will reject the bids and go back to the table. Mr. Dixon said it means that the Board has not yet made a decision because the matter has not yet been presented on the agenda. Mr. Dubyak said he was not certain if this was the appropriate time to make a statement, but instead of everyone pointing fingers at each other, he thought it is appropriate for the Authority to go back to the drawing board with the Friends of Shaker Square, the RTA management team and perhaps the Board and potential investors in the area. He has been going to that diner for the past thirty years and thinks the ramifications of a fast food enterprise at Shaker Square would be an horrendous traffic problem, create a parking fiasco and be an inappropriate development for the area. He believed that more consideration should be given to the matter.

Mr. Dixon stated that the Board would discuss this matter at the next meeting of the Committee of the Whole Board. He thanked everyone for presenting their views at this meeting and said they would be included in the decision-making process. He apologized for not having given all the Trustees an opportunity to speak, but again noted that no decision was being made at this time.


The Chair called for any other public comments, but none were forthcoming.

President Dixon announced that the next regular meeting of the Board of Trustees would be held at 9:00 A.M. on Tuesday, September 19, 1995, in the Board Room on the 11th Floor of the Frank J. Lausche State Office Building.

The meeting was adjourned at 10:12 A.M.

  
Vice President

Attest:

  
General Manager/Secretary-Treasurer

MOTION

A MOTION TO ACCEPT PAMELA GRIFFITH, JOHN RANALLY, JR.,  
BRINSLEY TYRRELL AND DEBORAH HALL AS MEMBERS  
OF THE GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY  
ARTS IN TRANSIT COMMITTEE

Section 1. That the Board of Trustees of the Greater Cleveland Regional Transit Authority accept Pamela Griffith, John Ranally, Jr., Brinsley Tyrrell and Deborah Hall as members of the Greater Cleveland Regional Transit Authority Arts in Transit Committee.

ADOPTED: October 17, 1995

  
PRESIDENT

ATTEST:   
GENERAL MANAGER/  
SECRETARY-TREASURER