

**EASTLAKE CITY COUNCIL  
REGULAR COUNCIL MEETING MINUTES  
DECEMBER 15, 2009**

The Regular Meeting of the Eastlake City Council was held at Eastlake City Hall, 35150 Lakeshore Boulevard. The Meeting was called to order by Council President Mr. Elshaw at approximately 7:43 p.m.

The Pledge of Allegiance was led by Mr. D' Ambrosio.

ATTENDEES

Members of Council in attendance were Mr. Knuchel, Mr. D' Ambrosio, Ms. Vaughn, Mr. Lajeunesse, Mr. Matheke, Mr. Morley and Council President Mr. Elshaw. Also attending was Council Clerk Mrs. Cendroski.

Those attending from the Administration were Mayor Andrzejewski, Law Director Klammer, Finance Director Condron, CBO Stigalt, City Engineer Gwydir, Police Chief Ruth and Fire Chief Whittington.

RECOGNITION OF COUNCILMAN-AT-LARGE DEREK W. ELSHAW

Vice President Mr. Morley presented a plaque of appreciation to Councilman-at-Large Derek Elshaw upon his leaving the office of Councilman-at-Large for the City of Eastlake.

Mr. Morley: As most of you are probably aware this is Mr. Elshaw's last meeting – he did not run for re-election. He has been Council President now for two terms. Usually, Council President is a two-year term but I and my colleagues believed that he did such a good job the first time we elected him for another two years. My personal views – on the 4 ½ years I have been on Council Mr. Elshaw has been nothing but help. He has been a leader for this City and I believe even after he is out of office he will be around in various capacities to help the City. He was a big part of – and one of his accomplishments was – starting the ECDC which is the Economic & Community Development Council. He has been a very big part of that and we are hoping that somehow he can stay on that Council and work to move the City forward. Whatever he has put his mind to he has always come up with a solution. All of us work well together. He has made the City of Eastlake a better City. So, in appreciation and dedication from the Eastlake City Council we would like to give Derek Elshaw this plaque and our hopes that whatever endeavors he does that he succeeds.

Mr. Elshaw: Thank you very much for your kind words. I really appreciate it – and, thank you to all the members of Council. I really appreciate this – it is very nice. This will probably be my last opportunity to say farewell before my term as Councilman-at-Large ends on December 31<sup>st</sup> and I would like to say thank you and express my appreciation to many people:

First and foremost, I would like to thank my family for their tremendous support, patience and sacrifice during my 5½ years of service. Without your love and understanding I would not have been able to serve our City successfully. I love you very much and thank you.

I wish to thank the residents of Eastlake for their overwhelming support and selecting me to serve as your representative. It has been a wonderful experience. I have learned a great deal and I am very proud of our many accomplishments together as a Community. Thank you for your support.

Thank you to our Council Clerk and Assistant Council Clerk. Without your hard work and dedication our Council office could not exist. Thank you for all that you do to keep our office running smoothly and effectively.

Thank you to all of our Department Directors and City employees. You are the lifeblood of our City services. Your sacrifice during our financial crisis and faithful commitment to your duties on a daily basis has resulted in a Community in which we are once again proud. It has been a great pleasure to work with you and I want to thank you for your support and devotion to our City.

Thank you to the many Mayors and members of Council that I have worked with over the years. We have been through some pretty tough times together and we have persevered. I believe our City is in a much better place because of our efforts and I am very proud to have served among you.

All of you have touched my life in many different ways and I feel that I am better person for it.

Thank you and have a happy and safe Holiday Season.

APPROVAL OF MINUTES

REGULAR COUNCIL MEETING – DECEMBER 1, 2009

MOTION: Mr. Morley moved to approve the minutes of the Regular Council Meeting of December 1, 2009. Ms. Vaughn seconded.

ROLL CALL: Yeas: Mr. Morley, Ms. Vaughn, Mr. D'Ambrosio, Mr. Knuchel,  
Mr. Elshaw

Abstain: Mr. Lajeunesse, Mr. Matheke

Motion carried. The minutes were approved.

COUNCIL PRESIDENT'S REPORT – Mr. Elshaw

Meetings Scheduled

The Organizational Meeting of Eastlake City Council is scheduled for Tuesday, January 5, 2010 at 6:00 p.m.

The next Council-as-a-Whole Committee Meeting is scheduled for Tuesday, January 12, 2010 at 7:00 p.m. with the Regular Council Meeting being scheduled Tuesday, January 12, 2010 at 7:30 p.m.

An Economic & Community Development Council meeting is scheduled for Wednesday, December 16, 2009 at 6:00 p.m.

## COMMUNICATIONS & PETITIONS

A communication was received from the Administration regarding the amendment to the Water Pollution Control Center Agreement between the City of Eastlake and the City of Willoughby. Mr. Elshaw explained that this was discussed during the Finance Committee meeting and the Council-as-a-Whole Committee and will be added to the evening's agenda as Legislation No. 12-15-(18).

A liquor license transfer request was received from BP Products North America, Inc., dba BP Food Mart, 4687, 35068 Vine Street, Eastlake, OH to Franchise USA, LLC, dba Easy Trip 1121, 35068 Vine Street, Eastlake, OH. Mr. Elshaw explained that due to the time sensitivity of this matter Mr. D'Ambrosio will make a Motion to approve this permit request during his Committee report.

A proposed amendment to City Ordinance Chapter 154 "Economic and Community Development Council" was provided by Mr. Elshaw. This was referred to Ordinance Committee.

A communication was received from the Administration proposing the implementation of part-time officers (Specials) as Court Officers be discussed during budget hearings. This was referred to Safety Committee.

A communication was received from City Engineer Gwydir proposing an amendment to City Ordinance Chapter 1367 "Flood Damage Prevention." This was referred to Ordinance Committee.

## COUNCIL COMMITTEE REPORTS

### FINANCE COMMITTEE – Mr. Knuchel

Mr. Knuchel: Thank you, Mr. President, and thank you for your years of service – you have done a lot of things for the City and I want to thank you for those. The Finance Committee met December 9, 2009 at 7:00 p.m. with ten items on the agenda – all of which were discussed in Council-as-a-Whole Committee. They dealt with issues of the Walter Drane codified ordinance acceptance, bid recommendations for the Quentin Road pump station, the Honeywell contract, tax incentives for MPI Products, tax amnesty program which will run early next year, the rescission of a land donation, a Pass Through Agreement for an ODNR capital grant for a lakefront project, acceptance of the City's depositories for three years, year-end transfers and re-appropriations and temporary appropriations for the coming year. As all these were discussed in the Council-as-a-Whole Committee I will not reiterate any of it. I will be making the following Motions:

### The Walter Drane Company

MOTION: I hereby move to approve payment to The Walter Drane Company for services rendered regarding the update of the City of Eastlake Codified Ordinances, said payment to be \$1,984.00 and taken from account #101.120.5446. Mr. D'Ambrosio seconded.

ROLL CALL: Yeas unanimous.

Motion carried. The payment to The Walter Drane Company is approved.

Legislative Recommendation

Legislation No. 12-15-(17)

MOTION: I hereby move to add Legislation No. 12-15-(17) to the evening's agenda providing for the Funding of the Optional Redemption of Certain of the City's Outstanding Various Purpose Bonds, Series 2004, and Authorizing and Directing the Call for Optional Redemption of those Bonds. Mr. D'Ambrosio seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation No. 12-15-(17) is added to the evening's agenda

Legislation No. 12-15-(18)

MOTION: I hereby move to add Legislation No. 12-15-(18) to the evening's agenda authorizing the Mayor and Director of Finance to enter into an Amendment to the WPCC Joint Agreement with the City of Willoughby, as amended. Mr. D'Ambrosio seconded.

ROLL CALL: Yeas unanimous.

Yeas unanimous. Legislation No. 12-15-(18) is added to the evening's agenda

Additional Comments

This concludes my report and I am open for questions.

There were no questions of Mr. Knuchel.

ORDINANCE COMMITTEE - Ms. Vaughn

Ms. Vaughn: I have not had an Ordinance Committee meeting and until I know what Committee I am going to be on I cannot set a meeting. But, I would like to compliment you, Mr. Elshaw, on the job you have done the last couple of years. I have known you for only two years but you are an admirable leader. I would like to wish all a very happy, merry Christmas and a very happy, merry 2010. This concludes my report and I am open for questions.

There were no questions of Ms. Vaughn.

SERVICE/UTILITIES COMMITTEE - Mr. Matheke

Mr. Matheke: The Service/Utilities Committee has not met since our last regularly scheduled Council meeting. This concludes my report and I am open for questions.

Ms. Vaughn: I neglected to also mention how much I enjoyed working with Mr. Matheke. You are valuable, your research has been excellent and you have been a good addition to Council.

Mr. Elshaw: Agreed. Good Luck to you, Mr. Matheke.

There were no questions of Mr. Matheke.

SAFETY COMMITTEE – Mr. Morley

Mr. Morley: The Safety Committee has not met since our last Council meeting therefore I have nothing to report.

I would also like to thank Mr. Matheke for his service – not only just his being on Council for the last few months but I know he has been involved with the City over the last seven years – always doing research when we needed it and helping out. I wish him and his family the best and I would also like to wish everyone a Happy Holidays and Happy New Year and hope to see everyone next year. This concludes my report and I am open for questions.

There were no questions of Mr. Morley.

RECREATION COMMITTEE – Mr. Lajeunesse

Mr. Lajeunesse: Mr. Elshaw, I have served with you the longest so a special goodbye to you. I remember our fun times when you first got started. You certainly have led the City well and I appreciate all you have done as well as your family. Tell Connor I will be over for some more chocolates – I know he is four or five years older now but sometimes you don't forget those fun times. I think those are the important things that we should remember. Thank you.

Also, Mr. Matheke, you have served this Council well in your six months. You attended the Council meetings before for several years and you certainly are a good study of what we do in this Community. I thank you and you are a Ward 4 resident and I look forward to continuing to be your Council person. Whatever help or team work we can do together would be much appreciated. I would like to wish all a Merry Christmas and a healthy, safe New Year.

There were no questions of Mr. Lajeunesse.

PLANNING COMMITTEE – Mr. D'Ambrosio

Mr. D'Ambrosio: I would like to wish everyone a Merry Christmas and a Happy New Year. The Planning Committee did have a meeting on December 8<sup>th</sup> with me, Mr. Matheke and Mr. Knuchel in attendance from the Committee. In attendance from Council were Mr. Morley, Ms. Vaughn, and Council President Elshaw. Mr. Lajeunesse was absent and excused. Council-at-Large elect Ms. DePledge and Council-at-Large elect Mr. Hoefle were also present. In attendance from the Administration were Mayor Andrzejewski, Finance Director Condron, City Engineer Mr. Gwydir, Fire Chief Whittington, CBO Mr. Stigalt, Service Director Mr. Semik and Law Director Mr. Klammer. Several items were on the agenda with the first being a Conditional Use Permit renewal/amendment for the Radisson – we spoke about this in Council-as-a-Whole Committee – the conditional use permit needed to be renewed and the amendment was because they changed ownership. The other was a renewal for Gabor Construction, 19 Forest Drive – this was a typical three-year renewal and there were no problem with it and it was moved forward. There was a liquor license transfer from Wings, Food & Spirits, 35757 Lakeshore Blvd. & Patio, Eastlake to Jaliscos Restaurant, Inc., 35757 Lakeshore Blvd. & Patio, Eastlake, OH – there were no objections from the Mayor and Police Chief – this item was moved forward. There was also discussion on a Conditional Use Permit for Walgreens Drug Store – they are interested in relocating to the northeast

corner of Vine Street and S.R. 91. The discussion was in regards to a Conditional Use Permit for the drive-thru. I was on East 354<sup>th</sup> Street and spoke with some residents and I wanted to address some of their concerns and the Walgreens people were very accommodating and answered everyone's questions to be best of their ability. This item was held in Committee but a public hearing was scheduled for January 12<sup>th</sup>. We will probably have another meeting to discuss this as far as the drive thru. I will be making the following Motions:

Conditional Use Permit Renewal

MOTION: I hereby move to approve the Conditional Use Permit Renewal request for Gabor Construction, 19 Forest Drive, Eastlake, OH. Mr. Matheke seconded.

ROLL CALL: Yeas unanimous.

Motion carried. The Conditional Use Permit Renewal for Gabor Construction is approved.

Conditional Use Permit Renewal

MOTION: I hereby move to approve the Conditional Use Permit Renewal request for Sonia & Brothers, Inc., dba Radisson Hotel & Suites, 35000 Curtis Blvd., Eastlake, Ohio, 44095. Mr. Matheke seconded.

ROLL CALL: Yeas unanimous.

Motion carried. The Conditional Use Permit Renewal for the Radisson Hotel & Suites is approved.

Liquor License Transfer Request

MOTION: I hereby move to approve and send back to Columbus, Ohio with no objections the liquor license transfer request for Ivan Kristo, LLC, dba Wings, Food & Spirits, 35757 Lakeshore Blvd. & Patio, Eastlake to Jaliscos Restaurant, Inc., 35757 Lakeshore Blvd. & Patio, Eastlake, OH. Mr. Matheke seconded.

ROLL CALL: Yeas unanimous.

Motion carried. The Liquor License Transfer request for Jaliscos is approved.

Liquor License Transfer Request

MOTION: I hereby move to approve and send back to Columbus, Ohio with no objections the liquor license transfer request for BP Products North America, Inc. dba BP Food Mart 4687, 35068 Vine Street Eastlake to Franchise USA, LLC dba Easy Trip 1121, 35068 Vine Street, Eastlake. Mr. Matheke seconded.

ROLL CALL: Yeas unanimous.

Motion carried. The Liquor License Transfer request for Easy Trip is approved.

Additional Comments

Mr. D'Ambrosio: I would like to say farewell to Mr. Matheke – I know you were only here for a short time but you made a big impact and your knowledge will be missed. I hope you still plan on attending some of our meetings. Mr. Elshaw, you are going to be missed. I am

sure it was a difficult decision – a long, thought-out decision on not to seek re-election. I am sure it is not one of those where you just flip a coin and make the decision. I am sure a lot of thought was involved. We get to know each other over the years, as far as family goes, and I had the opportunity to work with Derek’s wife, Julie, by volunteering at the Eastlake Kiwanis food pantry. So, you get to know the families a little bit. We would have a lot of laughs while we were there – unfortunately some of them were at your expense, but we enjoyed the time. You are a class act – you will be missed. I think I am a better person and Council person because of what I learned from you. You are the voice of reason for me – I have told you that many times – you are a great asset to this Community and I wish you and your family many years of happiness and God Bless you all.

This concludes my report and I am open for questions.  
There were no questions of Mr. D’Ambrosio.

### RECOGNITION OF THE PUBLIC

Mr. Elshaw recognized the public input at this time; he reminded the speakers that there is a 3-minute limit for their comments; all comments are to be directed to the Chair and not include any personalities or individuals.

#### Kit Nickel, 3173 Deanpark Drive, Hilliard, OH

Mr. Nickel: Good evening. My name is Kit Nickel, and I am present tonight as an agent for TowerCo., LLC. TowerCo became a party to a lease agreement with the City of Eastlake for a telecommunications tower, when they purchased the tower assets of Sprint Nextel in 2008.

Nextel Communications constructed a tower on this very property in early 2005 following a lease negotiation and rezoning process as directed by the City of Eastlake. In late 2005 Nextel and Sprint merged their operations creating the new entity Sprint Nextel. In 2008, Sprint Nextel sold the majority of their tower assets to TowerCo, LLC.

In early 2009, Eastlake informed Sprint Nextel that the Conditional Use Permit for the tower site on the City property would need to be renewed. This notice to Sprint Nextel was forwarded on to the current owner, TowerCo, which is when I personally became involved. I often work as a local agent on behalf of TowerCo to address this type of situation.

As part of my normal research process, I inform TowerCo of their rights and responsibilities in regards to a tower site. For this reason, I contacted Eastlake Chief Building Official John Stigalt. Mr. Stigalt in turn provided me a contact person within his Department who was kind enough to conduct research the zoning approvals granted to both the former Nextel tower, now owned by TowerCo, and the other tower located on City property originally constructed by Sprint and now owned by Crown Castle. I reviewed this information in detail.

My review uncovered the fact that Eastlake required the Nextel tower to go through a full Conditional Use Permit process, while the Sprint tower was not forced to go through any zoning process at all. Since Federal Law prohibits treating wireless companies differently under zoning law, and because the Eastlake Zoning Code had not been changed during this time period, I asked the City for confirmation that the current tower owner, TowerCo, would not need to obtain a Conditional Use Permit renewal after all. Forcing TowerCo to obtain and/or renew a Conditional Use Permit where the other site constructed on the same

property, within the same zoning district, with the same owner did not require a zoning process would very simply be prohibited under Federal Law.

I communicated the results of my research to Chief Building Official John Stigalt, who did not agree with my understanding. Following my final conversation with Mr. Stigalt, I contacted City Attorney Randy Klammer to inform him of my findings, and to ask for his assistance in providing this information to the appropriate people within the Eastlake City government.

Mr. Klammer and I discussed the topic over a period of several months, and on Friday, October 9<sup>th</sup>, he informed Council President Elshaw, Mayor Andrzejewski and Chief Building Official John Stigalt of his findings by email, requesting all parties to add commentary as to how this might have happened.

I contacted Mr. Klammer by email on October 19<sup>th</sup> to see if he had heard any news, and then contacted all parties to the original communication on November 2<sup>nd</sup>, asking for the parties to identify any issues under consideration that might be holding up a confirmation of my client's status.

On or about November 20<sup>th</sup>, I left a voice mail message for Mr. Stigalt asking him to contact me about the issue. I left another message with Mr. Stigalt's staff member on or about the 24<sup>th</sup>, again asking for Mr. Stigalt to call me

As of this evening my multiple inquiries have not been answered, and my client, a paying tenant of the City of Eastlake, waits in limbo. I formally request the City to address the situation with a letter signed by the Mayor, Council President and City Attorney stating that TowerCo, LLC does not require a Conditional Use Permit for their tower site on City property.

The receipt of this letter should address my client's zoning concerns, and should also bring the City current with its contractual responsibilities under the lease agreement with my client.

Mr. Elshaw: I will open this up for comment.

Mr. Klammer: Mr. Nickel raises a valid point – I think you can understand from his description of the history why this is so complicated to try to unravel. I think he has a point. The most recent update came through and I expect to hold onto that for this very reason that those folks may not need a conditional use permit either. When it did come through I had concerns about the name of the applicant and it did not make sense to move it forward until the results of the other issues were handled. I think Mr. Nickol's issue is complicated and I understand his client's time frame and that they want to have it done but I am reviewing it to provide an answer – I can't guarantee I will agree with his conclusion. He did provide a lot of information which I forwarded to Mr. Condron, the Mayor, Mr. Stigalt and Mr. Gwydir. I cannot issue an opinion now.

Mr. Elshaw: So, Mr. Klammer, you will finish your review and advise?

Mr. Klammer: The issue is more of an issue of law than the Building Department.

Mr. Stigalt: Right, I forwarded it over to you to handle that. I did send an email.

Mayor Andrzejewski: I read the emails as they went back and forth. I have a quick question – sometimes I look at things very simplistically and find a solution to them. Usually Conditional Use Permits, especially for existing businesses are a formality, it is nothing. Mr. Stigalt what is our fee for a three year Conditional Use Permit?

Mr. Stigalt: \$70.

Mayor Andrzejewski: So, for \$70, which I am sure is nothing to your company, you go through the Conditional Use Permit – it will be renewed for three years and you are done with it. Is this just a matter of principle to you? Is that why you are doing this? Because if you are interested in getting your client a conditional use or getting your client to continue to operate – just go with the Conditional Use Permit. I have not heard the whole thing but...

Mr. Klammer: There was some kind of break when Mr. Voros was here and Mr. Stigalt came where we had required it for a similar telecommunications product and his point is per Federal Law you cannot discriminate between the two businesses.

Mayor Andrzejewski: I understand that. Why not just get it over?

Mr. Klammer: I understand your point.

Mr. Nichol: So far as I can tell you seem to have a Council and I don't know about your Planning Commission – I assume they are involved in the business. We do not know what future elections hold – we don't know what *inaudible* towers in three years – or six years or nine years. So, what about the facility that has a conditional use permit and serves alcohol but the Police Chief decides it is not a good idea because of the difficulty. Certainly, you would have a reason to not renew a Conditional Use Permit, regardless of the fact that it may be just \$70. By client is looking at this as being forced to go through something they are not required to do, that could potentially damage them down the line.

Mr. Andrzejewski: I understand. Mr. Klammer will handle it.

Mr. Elshaw: Very good. So, Mr. Klammer will review this and advise.

Stan Leff, 94 North Lakehurst, Eastlake, OH

Mr. Leff: Mr. Elshaw, congratulations on your retirement. I think you will continue to be around to help with development. I thought this was important enough to call the Mayor and fax to him the things you have in front of you. I called Mr. Knuchel and left a message for him. You don't normally see me as of late at the podium talking because at one time I was up here all the time regarding the negative aspects of the ballpark. There are two homes for sale right now on Roberts Road. The background was when I was on good relationship with a prior Mayor I actually sold that property to the City. The intent at that time was for a Civic Center which actually went to a vote of the people – like the ballpark – it started out at \$3 million and wound up at about \$11 or \$12 million. That is why the public voted it down. When the City started to get into trouble because of the ballpark the Administration went helter-skelter to sell property to try to raise funds. Several properties in the City were sold

and these two were sold to PAL with the intent that PAL would develop the property for thing that they do best – for the kids. I cannot understand why they did not go first to the City to try to work out the situation with the City. That property is contiguous to the City of Eastlake's property – City Hall. You are looking at 2 ½ to 3 acres that would be attached to the City property and could be used not only for development but other things but anything that attaches to City property is vital to the City for future development. Development that may go beyond the time that we will be around but it is important to us and I believe the Mayor has sided with that finding of information. I will make this offer to the City. You all know what I do for a living – this is my 52<sup>nd</sup> year as a real estate broker in this City. I feel this is an important enough issue and I realize that we have problems. I would give you my services and my 52 years in this business to represent the City on buying this property in one manner or another. There are many different ways to buy and sell property and I would do it in a fashion that any commission that was due on the selling side of the sale would in one form or fashion be remitted to the City. You are looking at \$8-\$9,000. So, I want you all to seriously think about that and how important I feel it is for the future of the City. It is really not a dollar and cents issue – it is an issue for future growth of this City – not today – not tomorrow but after.

Mayor Andrzejewski: I have talked to Mr. Leff a number of times about this and I also agree this would be something we need to look at and I spoke with Chief Ruth today and I spoke with Mr. Morley. I do not want to go into too much detail. I talked to both of them about a couple of different options so when the appropriate time comes we can look at it. There is a way we can do this and hopefully Council will work with us. I think we should look at purchasing that property whether it be for now or when we are long gone. Someone in this City sometime in the future may need to expand the Service Department or may want to do something with that land and we should take a look at re-acquiring it. The Chief has also presented an option and he is going to talk to PAL to see if they will go along with it. We will leave it at that. I don't want to divulge anything so someone can take the idea and do it. Chief, if you could ask PAL if they do get an offer in the next couple of weeks or months – before they agree to sell it to let the City have an opportunity to see if we can acquire it?

Chief Ruth: Mr. Leff is exactly right – originally the proposed site was for a Civic Center and when the City started to fall into financial strife they needed to dispose of the property in order to raise revenue for the City. PAL wanted to keep the recreation center dream alive for the kids – it has always been a goal of ours to build a recreation center for the kids – so, we invested in that property in order to keep that dream alive. Now we find ourselves, as everyone does, in tough economic times and the support we originally got from the City has dwindled over the years where PAL has become virtually self-sufficient. The property itself *inaudible* as far as what it costs. In researching the original idea we had to build there we find that there are too many obstacles there for us as a non-public enterprise through the zoning and other building requirements to be able to build a building that is suitable for what we had originally planned. We continued to rent that property for sometime before we decided we were going to dispose of the property and look at other options and locations. Still, we dream of building a recreation center for the kids. This is the first I have heard that the City even had any interest in purchasing the property back. I heard earlier today from the Mayor but I thought he was joking. That said, PAL, I am sure would be open to the idea of some sort of arrangement to sell the property back if the City was in such a position or had such a desire that they wanted to do that. We are certainly open for discussion though I am

not sure my conversation with the Mayor should be held verbatim because I was of the impression that there was some joshing going on. However, PAL is open to anything the City might want to discuss in that regard.

Mayor Andrzejewski: The joshing was – I asked him initially if they would consider donating it to the City. There was a chance.

Chief Ruth: Not even.

Mayor Andrzejewski: I do not want to discuss it here but if you would like to schedule this for a Finance Committee meeting I have some ideas how we could do this. Mr. Morley already knows a couple of them. It is possible to do it.

Ted Beres, 36706 Lakehurst Drive, Eastlake, OH

Mr. Beres: I live in Surfside and the streets have curbs and the curbs collect leaves, debris, litter. I know the City has a street sweeper but my wife and I and some of our neighbors sweep the street. When I see litter I will pick it up. But, some people seem to think it is the City’s job to clean the streets and pick up litter. They think that the streets are not their problem – which is true. But, the street is part of your neighborhood and at one time people took pride in their neighborhood but it seems that times have changed. I just wanted to say – Mr. Elshaw, I am going to miss you and God Bless you.

There was no one else who wished to speak.

LEGISLATION PROPOSED - First number will be 2009-137

Requested by: Administration  
Sponsored by: Mr. D’Ambrosio

ORDINANCE NO.: 12-15-(01)

An Ordinance amending Ordinance No. 1990-018, adopted February 13, 1990, and authorizing the issuance of a Conditional Use Permit to Sonia & Brothers, Inc., dba Radisson Hotel & Suites, 35000 Curtis Blvd., Eastlake, Ohio, 44095, and declaring an emergency.

There was no Motion to suspend the rules requiring separate readings and reading in full.

Legislation No. 12-15-(01) is placed on First Reading.

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Requested by: Council Clerk  
Sponsored by: Mr. Knuchel

ORDINANCE NO. : 12-15-(02)

An Ordinance to Revise the Codified Ordinances by adopting Current Replacement Pages, and declaring an emergency.

MOTION: Mr. Knuchel moved to suspend the rules requiring separate readings and reading in full. Mr. D’Ambrosio seconded.

ROLL CALL: Yeas unanimous.

MOTION: Mr. Knuchel moved to adopt. Mr. D’Ambrosio seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Ordinance No. 2009-137.

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Requested by: City Engineer Mr. Gwydir  
Sponsored by: Mr. Knuchel

RESOLUTION NO.: 12-15-(03)  
A Resolution authorizing and directing the Mayor and Director of Finance to enter into a Contract with JTO, Inc., the most responsible and the lowest and best bidder, for the Quentin Road Lift Station Improvements, in the total amount of Nine Hundred Eighty-Six Thousand One Hundred Dollars (\$986,100.00), and declaring an emergency.

MOTION: Mr. Knuchel moved to suspend the rules requiring separate readings and reading in full. Mr. D’Ambrosio seconded.

ROLL CALL: Yeas unanimous.

MOTION: Mr. Knuchel moved to adopt. Mr. D’Ambrosio seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Resolution No. 2009-138.

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Requested by: Service Director Semik  
Sponsored by: Mr. Knuchel

RESOLUTION NO.: 12-15-(04)  
A Resolution authorizing and directing the Mayor and Director of Finance to enter into a Contract with Honeywell International, the most responsible and best bidder, for the repair of the HVAC system at City Hall for the total amount of Fifty-Seven Thousand Three Hundred Twelve Dollars and Fifty-One Cents (\$57,312.51), and declaring an emergency.

MOTION: Mr. Knuchel moved to suspend the rules requiring separate readings and reading in full. Mr. D’Ambrosio seconded.

ROLL CALL: Yeas: Mr. Knuchel, Mr. D’Ambrosio, Ms. Vaughn, Matheke, Mr. Elshaw.  
Nays: Mr. Lajeunesse, Mr. Morley

Motion carried. Legislation No. 12-15-(04) is placed on First Reading.

DISCUSSION:

Mr. Elshaw: Since this was placed on First Reading can we get the information on the warranty?

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ORDINANCE NO.: 12-15-(05)

Requested by: Administration  
Sponsored by: Mr. Knuchel

An Ordinance authorizing and directing the Mayor and Director of Finance to enter into an Agreement for a Tax Incentive Grant with MPI Products, Inc., and declaring an emergency.

MOTION: Mr. Knuchel moved to suspend the rules requiring separate readings and reading in full. Mr. D’Ambrosio seconded.

ROLL CALL: Yeas unanimous.

MOTION: Mr. Knuchel moved to adopt. Mr. D’Ambrosio seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Ordinance No. 2009-139.

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RESOLUTION NO.: 12-15-(06)

Requested by: Administration  
Sponsored by: Mr. Knuchel

A Resolution authorizing the Income Tax Administrator to conduct an amnesty program for collecting delinquent income taxes and unfiled income tax returns from February 3, 2010 through February 10, 2010, and declaring an emergency.

MOTION: Mr. Knuchel moved to suspend the rules requiring separate readings and reading in full. Mr. D’Ambrosio seconded.

ROLL CALL: Yeas unanimous.

MOTION: Mr. Knuchel moved to adopt. Mr. D’Ambrosio seconded.

DISCUSSION:

Mr. Elshaw: I was thinking about voting No on this item. I am not a huge fan of tax amnesty. I think every once in a while it is okay to do. We just did one within three to five years ago. Because of the economy being what it is I will go along with this. My vote does not matter anyway because we already have enough votes. I would just suggest we seriously consider this in the future – we have very strong, good tax collections going on. I understand the argument that it is hard to find these people. I would just say consider a longer period before doing this.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Resolution No. 2009-140.

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ORDINANCE NO.: 12-15-(07)

Requested by: Law Director Klammer  
Sponsored by: Mr. Knuchel

An Ordinance rescinding Ordinance No. 2009-115, adopted October 13, 2009, and declaring an emergency.

MOTION: Mr. Knuchel moved to suspend the rules requiring separate readings and reading in full. Mr. D'Ambrosio seconded.

ROLL CALL: Yeas unanimous.

MOTION: Mr. Knuchel moved to adopt. Mr. D'Ambrosio seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Ordinance No. 2009-141.

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RESOLUTION NO.: 12-15-(08)

Requested by: Administration  
Sponsored by: Mr. Knuchel

A Resolution authorizing and directing the Mayor and Director of Finance to enter into a "Pass Through Agreement" between the Ohio Department of Natural Resources (ODNR) and the City of Eastlake for the acceptance of a capital earmark in the amount of Two Hundred Thousand Dollars (\$200,000.00) for the "Chagrin River Lakefront Park" with the total amount received for the Capital Improvement Grant to be One Hundred Ninety-Eight Thousand Dollars (\$198,000.00), and declaring an emergency.

MOTION: Mr. Knuchel moved to suspend the rules requiring separate readings and reading in full. Mr. D'Ambrosio seconded.

ROLL CALL: Yeas unanimous.

MOTION: Mr. Knuchel moved to adopt. Mr. D'Ambrosio seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Resolution No. 2009-142.

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ORDINANCE NO.: 12-15-(09)

Requested by: Finance Director Condron  
Sponsored by: Mr. Knuchel

An Ordinance designating depositories for the active an interim funds of the City of Eastlake, Ohio, and providing for banking services, and declaring an emergency.

MOTION: Mr. Knuchel moved to suspend the rules requiring separate readings and reading in full. Mr. D'Ambrosio seconded.

ROLL CALL: Yeas unanimous.

MOTION: Mr. Knuchel moved to adopt. Mr. D’Ambrosio seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Ordinance No. 2009-143.

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Requested by: Finance Director Condron Sponsored by: Mr. Knuchel	<u>RESOLUTION NO.: 12-15-(10)</u> A Resolution authorizing the Director of Finance to transfer funds, with said funds to be transferred from Fund #101 “General Fund” in the amounts as listed into Fund #301 “General Bond Retirement” for interest payments on the 2002 Stadium Bonds, and declaring an emergency.
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MOTION: Mr. Knuchel moved to suspend the rules requiring separate readings and reading in full. Mr. D’Ambrosio seconded.

ROLL CALL: Yeas unanimous.

MOTION: Mr. Knuchel moved to adopt. Mr. D’Ambrosio seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Resolution No. 2009-144.

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Requested by: Finance Director Condron Sponsored by: Mr. Knuchel	<u>RESOLUTION NO.: 12-15-(11)</u> A Resolution authorizing the Director of Finance to transfer funds, with said funds to be transferred from Fund #421 “Stadium Project Fund” in the amounts as listed into Fund #301 “General Bond Retirement” for interest payments on the 2002 Stadium Bonds, and declaring an emergency.
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MOTION: Mr. Knuchel moved to suspend the rules requiring separate readings and reading in full. Mr. D’Ambrosio seconded.

ROLL CALL: Yeas unanimous.

MOTION: Mr. Knuchel moved to adopt. Mr. D’Ambrosio seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Resolution No. 2009-145.

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RESOLUTION NO.: 12-15-(12)

Requested by: Finance Director Condron  
Sponsored by: Mr. Knuchel

A Resolution authorizing the Director of Finance to transfer funds, with said funds to be transferred in the amounts as listed from Fund #101 "General Fund" into Fund #438 "Recreational Capital Improvement Fund", and declaring an emergency.

MOTION: Mr. Knuchel moved to suspend the rules requiring separate readings and reading in full. Mr. D'Ambrosio seconded.

ROLL CALL: Yeas unanimous.

MOTION: Mr. Knuchel moved to adopt. Mr. D'Ambrosio seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Resolution No. 2009-146.

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RESOLUTION NO.: 12-15-(13)

Requested by: Finance Director Condron  
Sponsored by: Mr. Knuchel

A Resolution authorizing the Director of Finance to transfer funds, with said funds to be transferred from Fund #101 "General Fund" in the amounts as listed into Fund #214 "Employee Termination Fund" for payment for any future employee pay-outs, and declaring an emergency.

MOTION: Mr. Knuchel moved to suspend the rules requiring separate readings and reading in full. Mr. D'Ambrosio seconded.

ROLL CALL: Yeas unanimous.

MOTION: Mr. Knuchel moved to adopt. Mr. D'Ambrosio seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Resolution No. 2009-147.

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RESOLUTION NO.: 12-15-(14)

Requested by: Finance Director Condron  
Sponsored by: Mr. Knuchel

A Resolution authorizing the Director of Finance to transfer funds, with said funds to be transferred from Fund #101 "General Fund" in the amounts as listed into Fund #304 "Callable Bond Fund" for payment on the City's Long Term Debt, and declaring an emergency.

MOTION: Mr. Knuchel moved to suspend the rules requiring separate readings and reading in full. Mr. D'Ambrosio seconded.

ROLL CALL: Yeas unanimous.

MOTION: Mr. Knuchel moved to adopt. Mr. D'Ambrosio seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Resolution No. 2009-148.

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Requested by: Finance Director Condron Sponsored by: Mr. Knuchel	<u>ORDINANCE NO.: 12-15-(15)</u> An Ordinance to re-appropriate for the expenses of the City of Eastlake, State of Ohio, for the period beginning January 1, 2009 and ending December 31, 2009, and declaring an emergency.
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MOTION: Mr. Knuchel moved to suspend the rules requiring separate readings and reading in full. Mr. D'Ambrosio seconded.

ROLL CALL: Yeas unanimous.

MOTION: Mr. Knuchel moved to adopt. Mr. D'Ambrosio seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Ordinance No. 2009-149.

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Requested by: Finance Director Condron Sponsored by: Mr. Knuchel	<u>ORDINANCE NO.: 12-16-(16)</u> An Ordinance to appropriate for the expenses of the City of Eastlake, State of Ohio, for the period beginning January 1, 2010 and ending December 31, 2010, and declaring an emergency.
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MOTION: Mr. Knuchel moved to suspend the rules requiring separate readings and reading in full. Mr. D'Ambrosio seconded.

ROLL CALL: Yeas unanimous.

MOTION: Mr. Knuchel moved to adopt. Mr. D'Ambrosio seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Ordinance No. 2009-150.

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Requested by: Finance Director Condron  
Sponsored by: Mr. Knuchel

ORDINANCE NO. 12-15-(17)

An Ordinance Providing for the Funding of the Optional Redemption of Certain of the City's Outstanding Various Purpose Bonds, Series 2004, and Authorizing and Directing the Call for Optional Redemption of those Bonds, and declaring an emergency.

MOTION: Mr. Knuchel moved to suspend the rules requiring separate readings and reading in full. Mr. D'Ambrosio seconded.

ROLL CALL: Yeas unanimous.

MOTION: Mr. Knuchel moved to adopt. Mr. D'Ambrosio seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Ordinance No. 2009-151.

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Requested by: Administration  
Sponsored by: Mr. Knuchel

RESOLUTION NO.: 12-15-(18)

An Ordinance authorizing the Mayor and Director of Finance to enter into an Amendment to the WPCC Joint Agreement with the City of Willoughby, as amended, and declaring an emergency.

MOTION: Mr. Knuchel moved to suspend the rules requiring separate readings and reading in full. Mr. D'Ambrosio seconded.

ROLL CALL: Yeas unanimous.

MOTION: Mr. Knuchel moved to adopt. Mr. D'Ambrosio seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Ordinance No. 2009-152.

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LEGISLATION PENDING (Placed on First Reading 12/02/09)

Requested by: Administration  
Sponsored by: Mr. Knuchel

RESOLUTION NO.: 12-01-(01)

A Resolution authorizing and directing the Mayor and Director of Finance to enter into a Contract with Casa Bella Construction, the most responsible and lowest and best bidder, for the construction of a structure located at the Taft Senior Center, with said structure to house the Taft Senior Center bus, for the total amount of Twenty-Six Thousand One Hundred Sixty-Four Dollars (\$26,164.00), and declaring an emergency.

MOTION: Mr. Knuchel moved to suspend the rules requiring separate readings and reading in full. Mr. D'Ambrosio seconded.

ROLL CALL: Yeas unanimous.

MOTION: Mr. Knuchel moved to adopt. Mr. D'Ambrosio seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Resolution No. 2009-153.

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Requested by: Administration  
Sponsored by: Mr. Lajeunesse

RESOLUTION NO.: 12-01-(02)

A Resolution Rejecting all Bids Received by the City for Renovation of Houston Fisher Pool and Authorizing the Director of Public Service to Re-advertise for Bids, and declaring an emergency.

MOTION: Ms. Vaughn moved to suspend the rules requiring separate readings and reading in full. Mr. D'Ambrosio seconded.

ROLL CALL: Yeas: Ms. Vaughn, Mr. D'Ambrosio, Mr. Knuchel, Mr. Matheke,  
Mr. Morley, Mr. Elshaw  
Nay: Mr. Lajeunesse

MOTION: Ms. Vaughn moved to adopt. Mr. D'Ambrosio seconded.

ROLL CALL: Yeas: Ms. Vaughn, Mr. D'Ambrosio, Mr. Knuchel, Mr. Matheke,  
Mr. Morley, Mr. Elshaw  
Nay: Mr. Lajeunesse

Motion carried. Legislation is adopted as Resolution No. 2009-154.

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(Placed on First Reading 11/24/09)  
(Placed on Second Reading 12/01/09)

ORDINANCE NO.: 11-24-(09)

Requested by: Planning Commission  
Sponsored by: Mr. D’Ambrosio

An Ordinance authorizing the issuance of a Conditional Use Permit to Castle Café House, Inc., 33419 Vine Street, Unit E, Eastlake, Ohio 44095, and declaring an emergency.

MOTION: There was no Motion to adopt.

Motion carried. Legislation No. 11-24-(09) fails.

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*Council President Mr. Elshaw excused Ms. Vaughn from the meeting due to illness.*

UNFINISHED BUSINESS

There was no Unfinished Business.

NEW BUSINESS

There was no New Business.

ADMINISTRATIVE REPORTS:

MAYOR/SAFETY DIRECTOR – Ted Andrzejewski

Mayor Andrzejewski: When I first got on Council we had several vacancies and a young man applied for the job by the name of Derek Elshaw. We had interviews and votes and re-votes - it was obvious to us who the choice was even though it went a couple of votes. It was obvious to most of us who the choice for Council was and I am proud to say we made the right choice – nice job for the last 5 ½ years – you truly looked out for the residents of Eastlake and you worked with us. We do not always agree – you are never going to always agree but I think you had what is needed to be on Council – that is what is right for the residents of this City. Good luck in your future endeavors. The skating rink is completed in front of Classic Park – the water is in it so now we need some freezing weather. It is open to the public to skate – we don’t have skates right now but hopefully in the future we will be able to buy some skates and open the concession stand. All we are trying to do is break even – we are not making any money on this. But, it is a nice thing for residents to do and it is a nice skating rink – it is pretty big. Also, the sledding hill behind Reeves Road is open as soon as we get some snow. I am befuddled. Every time I think it cannot get any different or worse it does. We had discussion in Council-as-a-Whole Committee about the HVAC systems. We had a meeting the other day of which Mr. Lajeunesse did not attend when this was thoroughly discussed. It was discussed at Council-as-a-Whole and at no point did he object or even have any questions about the HVAC system – and, then he decides to vote No – why? Obviously, to hold it up. No reason to do that. It does not benefit the residents of Eastlake one way shape or form. What we are now faced with is another vote on January 12<sup>th</sup> – we all know this is winter time and we got lucky the first month of so – it has been warm. By the time this is enacted and Honeywell gets to work on it will be the end of winter. So, we can just watch those dollars go out the window. Why? If he had some objections or thoughts bring them out and I suspect if Mr. Morley would have voted Yes Mr. Lajeunesse would have voted Yes.

Mr. Elshaw: Mayor, I understand your concerns and I understand you would like to have the HVAC system in here as soon as possible and yes, maybe it will cost us a bit of money. But, it is conjecture as to why they voted a certain way.

Mr. Morley: I do not find this is an issue. Everyone was here for the Council-as-a-Whole Committee and everyone was at the Committee meeting. Everyone who has been around me for the last four years know I do not think Honeywell gave us a fair shake the first time. If we have another meeting and the other person is awarded it or Honeywell – I don't have an issue with the heat getting fixed. I just don't believe it is Honeywell.

Mayor Andrzejewski: But, Councilman Lajeunesse...

Mr. Morley: You can't just pick on him – I voted no, too.

Mr. Elshaw: That's it.

Mayor Andrzejewski: Secondly, and I am going to put an end to this one here and now – get it on the public record. I have asked Mr. Lajeunesse for three meetings to produce the document that shows that the State of Ohio wrote the Recovery Plan for the City of Eastlake to get out of fiscal emergency. He has had three meetings – well over a month – to produce a document of which there is none. This is the end of it. I want it said on the public record at this meeting that as far as I am concerned there is no document from the State of Ohio that they wrote to get the City out of fiscal emergency. The document - all revisions to that document – all the revisions to the revisions – were done by the Administrations and the Council of this City - not by the State of Ohio. Mr. Lajeunesse, if you want to object to that and say there is such a document please feel free to do so on the minutes. But, I will publically state for the minutes that there has been no document produced, therefore there is no such document. With that, I end my report

Mr. Elshaw: I am glad that is finally at rest.

Mr. Knuchel: Is that a new skating rink?

Mayor Andrzejewski: Yes, the other one was too small and did not give enough room for people to skate – this one is twice the size – we can always attached the one we had to this one.

Mr. Knuchel: What was the cost and where did it come from?

Mr. Condron: I have to look – I think about \$1,700.

Mr. Knuchel: What account did it come out of?

Mayor Andrzejewski: I think we took it out of the Recreation fund – the inheritance taxes.

Mr. Morley: I hope your New Year's Resolution may be not to pick on Mr. Lajeunesse for 2010.

Mayor Andrzejewski: Mr. Morley, I just want what is right. Just do what is right for the City and we will have no problems.

There were no further questions of Mayor Andrzejewski.

LAW DIRECTOR – Randy Klammer

Mr. Klammer: Mr. Matheke, it has been a pleasure working with you. I think that you really can't tell how campaigns are going to go. I think it is fair to say that you're being appointed speaks for what local government is all about. You were the guy who was there for a lot of meetings – always pleasant and well informed – it spoke a lot about this Council when they made that appointment – perhaps you will be able to serve again. Mr. Elshaw, you can tell your predecessor Mr. Hiller that you filled his shoes and expanded them. I think people forget that a democratic government has a certain organic nature to it that does grow based on the people who are here. I think it only does that when people bring or apply their specific skills and expertise. I think everyone on Council and the Departments work better with a lot of the principles that you consistently applied when doing the financials and planning. I think this City as an institution benefitted from you experience and your skills. This concludes my report and I am open for questions.

Mr. Knuchel: Mr. Klammer, a few months ago or maybe it was last month a woman came in and asked about renting the stadium and at that time I had asked you to look into the situation and render some kind of opinion as to who can and who can't. Where are you with that now?

Mr. Klammer: I did not intend to issue a written opinion on that. I did for the next couple of weeks bring my file with me with my research I had done – I don't have that now. I can tell you that my initial research was I did not remember the incidence where they had applied to the Mayor but from what I understand they wanted to use facility itself. And, we all know – I think the ordinance disallows rental of the facility. Usually people rent the space across the street. I had the initial comment – I can send you an email.

Mr. Knuchel: I guess the issues I was looking at were - we do rent it for other events other than Captains baseball. We rent it for football, baseball and other kind of sports teams. I was wondering why we are considering not renting it out to other groups who are interested. I know at one time there were birthday parties that wanted to do something there. What are the guidelines?

Mr. Klammer: We don't allow the facility itself to be used - it is not included in the definition of public buildings – I remember researching that. We use it for concerts and sports because it is a sports facility. You can't discriminate based on the content of speech so we have to be careful. If you remember the revisions to the ordinance on government buildings we were careful as to what we would allow in Council Chambers because of the special location and that it is an expensive location. I think that was the same basis for including the municipal baseball stadium as a governmental building in Chapter 9. I think the guidelines are there and they apply across the board to the facility except for concerts and sports events. Other than that they can rent across the street.

Mr. Knuchel: If you can get me that information, at your convenience?

Mr. Klammer: Surely.

There were no questions of Mr. Klammer.

FINANCE DIRECTOR – Brian Condron

Mr. Condron: I attended the December 8<sup>th</sup> Finance Committee meeting and then prepared the legislation for the Appropriations and Re-Appropriations. That is about it. I would like to give my best wishes to you Mr. Matheke and Mr. Elshaw.

There were no questions of Mr. Condron.

TAX ADMINISTRATOR – Angela Keneven-Zanella

Mrs. Keneven-Zanella was absent and excused.

SERVICE DIRECTOR – Mike Semik

Mr. Semik was absent and excused.

CHIEF BUILDING OFFICIAL – John Stigalt

Mr. Stigalt: Biagio's is opening tomorrow. They had their final inspections today. We rewrote the permits so we can get them on our web site to make things easier for our contractors to download and expedite things. Ms. Vaughn asked me to look at our property maintenance code and up update it and hopefully we will have something ready by February 1<sup>st</sup> for Ms. Vaughn to review if she is still Chair of the Ordinance Committee. I would like to wish Mr. Elshaw and Mr. Matheke good luck and thank you for everything that you have done me and the residents. This concludes my report and I am open for questions.

There were no questions of Mr. Stigalt.

CITY ENGINEER – Tom Gwydir

Mr. Gwydir: Along with everyone else, it has been my pleasure to work both with and for you, Mr. Elshaw. I appreciate your guidance and clearly your interest in the City and the people of Eastlake. I have seen that again, again and again. Clearly, your leaving is a loss. Also, Mr. Matheke, I would like to thank you – especially at Committee meetings – for your kind words to the engineer about our work product and I wish you well. I wish everyone in this Chamber Merry Christmas and a Happy and Prosperous New Year. Other than that it is quiet on the engineering front and I am open for questions.

Mayor Andrzejewski: How much did we get from the State for Quentin Road?

Mr. Gwydir: About 40% of the price.

Mayor Andrzejewski: I just wanted to point it out because the legislation says \$960,000 – 60% of that is being paid by the City and 40% is being paid by the State of Ohio.

There were no further questions of Mr. Gwydir.

POLICE CHIEF – John Ruth

Chief Ruth: I, too, want to add my support for you, Mr. Elshaw, and regret that you are leaving. You probably could not have picked a worse time to be on Council - these have been some of the most turbulent and rough waters that the City has experienced in many years. You provided a calming and pleasant balance to Council. A lot of people don't realize the responsibility that Council has for the fiscal responsibility and the checks and balances on City operations and the major goal Council plays towards the City's future. This Council has done a fine job of bringing this City through these turbulent times and I think it was much under your leadership that that balance was kept that brought us to the present. You will definitely be missed. Mr. Matheke, I also did not get to know you well – I sat at a few meetings and found you to be always offering a neat perspective – you seem to be very thorough in your research and I think we will probably see you again here in the City as time goes on. As we move into the next year I would like to wish everyone a Merry Christmas on behalf of the Police Department and a safe and happy New Year.

There were no questions of Chief Ruth.

FIRE CHIEF – Ted Whittington

Chief Whittington: I know it is late and everyone is ready to adjourn – I had prepared a five page single space document on all the things I appreciate about you Mr. Elshaw and Mr. Matheke but I will keep my comments short. A lot of nice things have been said about you and Mr. Matheke leaving not much to say. I like to think the biggest thing I appreciated is that both of you guys represented the Community in a professional manner. I know you treated everybody you dealt with in a fair way. I have known Mr. Elshaw for a long time and Mr. Matheke's mother for a long time and I can't say too much about you both. I appreciate everything you have done for me professionally and personally and for the Fire Department. I wish everyone a good, safe holiday from the Fire Department and I wish you a Merry Christmas. I am open for questions.

There were no questions of Chief Whittington.

ADJOURNMENT

The meeting was adjourned at approximately 9:00 p.m.

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DENNIS MORLEY, COUNCIL PRESIDENT

APPROVED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
DEBORAH A. CENDROSKI, CMC  
CLERK OF COUNCIL