EASTLAKE CITY COUNCIL
REGULAR COUNCIL MEETING MINUTES
SEPTEMBER 14, 2010

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. Morley at approximately 7:21 p.m.

The Pledge of Allegiance was led by Mr. Lajeunesse.

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

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

APPROVAL OF MINUTES
COUNCIL-AS-A-WHOLE COMMITTEE MEETING – AUGUST 24, 2010
MOTION: Mr. D'Ambrosio moved to approve the minutes of the Council-as-a-Whole Committee meeting with adjournment into Executive Session of August 24, 2010. Mr. Lajeunesse seconded.

ROLL CALL: Yeas unanimous.

Motion carried. The minutes were approved.

REGULAR COUNCIL MEETING – AUGUST 24, 2010
MOTION: Mr. D'Ambrosio moved to approve the minutes of the Regular Council Meeting of August 24, 2010. Ms. Vaughn seconded.

ROLL CALL: Yeas unanimous.

Motion carried. The minutes were approved.

COUNCIL PRESIDENT'S REPORT – Mr. Morley
Meetings Scheduled
Mr. Morley: The next Council-as-a-Whole Committee Meeting is scheduled for Tuesday, September 28, 2010 at 7:00 p.m. The Regular Council meeting will be convened immediately following the adjournment of the Council-as-a-Whole Committee meeting.

An Economic & Community Development Council meeting is scheduled for Wednesday, September 15, 2010 at 6:00 p.m.

COMMUNICATIONS & PETITIONS

Documentation was received from Finance Director Slocum regarding the acceptance of the amounts and rates as determined by the Lake County Budget Commission. This was referred to Finance Committee.

A recommendation was received from the Administration regarding the contract for the Edison & Mondamin Drives Storm Sewer Improvements. This was referred to Finance Committee.

A liquor license transfer request was received from Darlo, Inc. dba The Deli on Vine, 33335 Vine Street, Eastlake to Shri Ambaji Ma, Inc., dba The Deli on the Vine, 33335 Vine Street, Eastlake. Mr. Morley explained that this was discussed in Council-as-a-Whole Committee – Mr. D'Ambrosio would be making a Motion to approve during his report.

A donation request was received from the Eastlake North Girl's Volleyball. Mr. Morley explained that this was for each Council person's individual consideration.

A referral was received from the Planning Commission regarding an accessory structure request. This was referred to Planning Committee.

A request was received from the Administration to advertise for pavement lane marking for 2010 and 2011. This was referred to Service/Utilities Committee meeting.

A liquor license transfer request was received from Iron Bar, Inc., dba Iron Bar, Pool, Volleyball & Patio, 34650 Melinz Pkwy., Eastlake to One Wellness, LLC dba One Wellness Pool, Volleyball & Patio, Eastlake. This was referred to Planning Committee.

A bid advertisement request was received from the Administration for the replacement of the electronic reader sign at the intersection of Vine Street and S.R. 91. This is referred to Service/Utilities Committee.

COMMITTEE REPORTS:

SAFETY COMMITTEE – Mr. Lajeunesse

Mr. Lajeunesse: The Safety Committee has not had a meeting scheduled; therefore, there is nothing to report.

There were no questions of Mr. Lajeunesse.

RECREATION COMMITTEE – Mr. Hoefle

Mr. Hoefle: The Recreation Committee has not met since our last scheduled meeting and I have nothing pending. I am open for questions.

There were no questions of Mr. Hoefle.

PLANNING COMMITTEE – Mr. D'Ambrosio

Mr. D'Ambrosio: The Planning Committee met on August 31, 2010. Two items were on the agenda with the first being for Frank Zummo dba Classic Billiards, 34525 Vine Street, Eastlake – this was a conditional use permit renewal. The other item was a conditional use permit renewal for Donald Austin, Auctioneer, 34090 Oak Knoll, Eastlake. We discussed these in the Council-as-a-Whole Committee and I will be making a motion to approve these:

Conditional Use Permit Renewals

Classic Billiards, 34525 Vine Street, Eastlake

MOTION: I hereby move to approve the Conditional Use Permit renewal request for Frank Zummo dba Classic Billiards, 34525 Vine Street, Eastlake, Ohio. Mr. Knuchel seconded.

ROLL CALL: Yeas unanimous.

Motion carried. The Conditional Use Permit Renewal for Classic Billiards is approved.

Donald Austin, Auctioneer, 34090 Oak Knoll, Eastlake

MOTION: I hereby move to approve the Conditional Use Permit renewal request for Donald Austin, Auctioneer, 34090 Oak Knoll, Eastlake, Ohio. Mr. Knuchel seconded.

ROLL CALL: Yeas unanimous.

Motion carried. The Conditional Use Permit Renewal for Donald Austin, Auctioneer is approved.

Liquor License Transfer Request

The Deli on the Vine, 33335 Vine Street Eastlake

MOTION: I hereby move to approve and send back to Columbus, Ohio with no objections the liquor license transfer request from Darlo, Inc. dba The Deli on Vine, 33335 Vine Street, Eastlake to Shri Ambaji Ma, Inc., dba The Deli on the Vine, 33335 Vine Street, Eastlake. Mr. Knuchel seconded.

ROLL CALL: Yeas unanimous.

Motion carried. The liquor license transfer request for The Deli on the Vine is approved.

Additional Comments

Mr. D'Ambrosio: The 9-11 Ceremony held last Saturday had in attendance approximately 500 bikes and in my opinion over 1,000 people. The attendance was fantastic. There was only one hiccup and it was a big one – I noticed that Mr. Semik sent a memo about this and his concerns – the sound system. A lot of people could not hear what was being said and it was disappointing because some of the people who came to speak had some powerful words and a lot of people could not hear. I see Mr. Knuchel actually responded to the memo and he seems to think there could be another alternative. It was a great event. I want to see something like this continue to grow and hopefully we can get a sound system that would

allow that to happen because there were a lot of people there. We want to see it continue to grow and not start to fall short. This concludes my report and I am open for questions.

Mr. Knuchel: Regarding the sound system. The memo I sent today to Mr. Semik requested that before any event the sound system be checked and verified in good working order – prior to anything happening. He also requested $800 to buy a new system. Upon checking with our Finance Department this afternoon it was found we just purchased that equipment last year in September and we do have a two year extended warranty on that equipment. So, I think all steps should be taken to make sure we get a working system and if that includes taking it back to where we bought it and recouping some of the cash that would be a good idea and is something they should pursue.

Mr. D'Ambrosio: I agree.

There were no questions asked for Mr. D'Ambrosio.

FINANCE COMMITTEE – Mr. Knuchel

Mr. Knuchel: The Finance Committee met on August 31, 2010 at 6:00 p.m. with everyone from Council present except for Ms. DePledge who was excused. From the attendance were Mr. Gwydir, Mr. Stigalt, Mr. Slocum and Law Director Klammer. Mayor Andrzejewski was excused. Two items were on the agenda with the first being the Walter Drane Codification Replacement pages acceptance and an invoice for $2,134.44. We moved this forward and it appears on the evening's agenda. Also on the agenda was a funding request for the S.R. 283 maintenance overlay in the amount of approximately $9,000. This was just discussed in the Council-as-a-Whole Committee and was moved forward to tonight's agenda. I will be making the following Motion:

Mr. Knuchel made the following Motion:

The Walter Drane Company: Invoice

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 $2,134.44 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.

Additional Comments

Mr. Knuchel: I will refer out of Committee with no action taken the PAL properties proposal. This was referred into Committee some time ago and we never referred it out of Committee for some odd reason. We never received a lot of information on this – we had some conversations about purchasing the property but that did not seem to be a viable option and all other options at that particular point in time were exhausted. So, this will be referred out of Committee with no action taken. This concludes my report and I am open for questions.

There were no questions of Mr. Knuchel.

ORDINANCE COMMITTEE - Ms. Vaughn

Ms. Vaughn: The Ordinance Committee met on August 31, 2010 with all member of Council present with the exception of Ms. DePledge who was excused. In attendance from the Administration were CBO Stigalt and Law Director Klammer. We spent a great deal of time discussing the proposed changes to the housing maintenance codes and will continue the discussion at our next meeting and will hopefully complete it – we will then have another meeting to review it and move forward with any recommendations. I have nothing further to report and am open for questions.

There were no questions of Ms. Vaughn.

SERVICE/UTILITIES COMMITTEE - Ms. DePledge

Ms. DePledge: The Service/Utilities Committee has not met since the last meeting. There were items referred into Committee this evening and a meeting will be held in conjunction with other meetings as scheduled. I had the opportunity to attend the service on Saturday – it was amazing – it was beautiful – and, we do need to do something with the PA system. It was a tremendous event and well attended. It was very moving and emotional for those people and is something we should be very proud of that this place exists and we need to make sure we do right by everyone who attends. This concludes my report and I am open for questions.

There were no questions of Ms. DePledge.

RECOGNITION OF THE PUBLIC

Mr. Morley 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.

There was no one who wished to speak

LEGISLATION PROPOSED - First number will be 2010-088

	RESOLUTION NO.: 09-14-(01)
Requested by: Service Director Semik Sponsored by: Ms. DePledge	A Resolution authorizing and directing the Director of Public Service to advertise for bids for Housekeeping Supplies for 2011, said bids to be in accordance with specifications on file in the Office of the Director of Public Service, and declaring an emergency.

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

ROLL CALL: Yeas unanimous.

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

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Resolution No. 2010-088.

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ORDINANCE NO.: 09-14-(02)

Requested by: Council Clerk
Sponsored by: Mr. Knuchel

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. 2010-089.

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ORDINANCE NO.: 09-14-(03)

PID NO. 87639
CITY-RTE-SEC D12-PPM-FY2010 Asphalt

Requested by: Administration
Sponsored by: Mr. Knuchel

The following is an Ordinance enacted by the City of Eastlake, Lake County, Ohio, hereinafter referred to as the Local Public Agency (LPA), in the matter of the stated described project, and declaring an emergency.

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

ROLL CALL: Yeas unanimous.

MOTION: Mr. Knuchel moved to adopt. Mr. Lajeunesse seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Ordinance No. 2010-090.

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LEGISLATION PENDING

There was no Legislation Pending.

UNFINISHED BUSINESS

There was no Unfinished Business.

NEW BUSINESS
There was no New Business.

ADMINISTRATIVE REPORTS:
MAYOR/SAFETY DIRECTOR – Ted Andrzejewski
Mayor Andrzejewski: We will be getting a new WalMart. This began shortly after K-Mart announced they were leaving – I had some contacts with the WalMart people in Arkansas about expanding their existing building. I called them to let them know the K-Mart building would be available so they should look at it. Thank goodness this was successfully resolved. It resulted in them coming Tuesday to present their plans. Their medium size super WalMart is 150,000 square feet and the largest size is 180,000 square feet. Ours will be 161,000 square feet – right between medium and large. They are going to tear down the building and we will have a brand new building. That will mean some construction jobs here – we will receive some income tax out of that. They are doing more work with the Building Department so we can fast track this thing along. It will be a nice addition and will be another 50-60 jobs added to their current workforce. I spoke with ValuKing and let them know what is going on. They appreciated it and said they could compete with WalMart –they are not ecstatic about WalMart coming here but said they could compete. We will have two grocery stores – ValuKing and WalMart. I am meeting tomorrow morning along with Building and Service with a proposal for a haunted house in October. This is a company out of Canton that has a very good background with haunted houses. We will take a couple of precautions this time – we will get our rent up front before they even put up a display. It should be nice – it is below $12,000 and I know I don't have to have legislation but I thought I would mention it to you. It will be open on weekends – there are five weekends this year in October. Haunted houses go by themes – this one will only have one theme and if it is successful they will expand to two, three or four themes next year. This concludes my report and I am open for questions.

Mr. Morley: What time is the meeting?

Mayor Andrzejewski: 10:00 p.m.

Mr. Morley: I may stop in – I have a meeting tomorrow at 10:00 a.m. with the News Herald – along with Mr. Matheke – regarding the Charter Amendments.

Ms. DePledge: With regard to the new construction at WalMart do you know what type of labor they will be using?

Mayor Andrzejewski: No.

Ms. DePledge: Will it be part of the contract that they will use Union labor?

Mayor Andrzejewski: I don't know. Obviously, we will try what we did with Walgreens. I talked to Bob Shipley of the Lake County AFL/CIO to let him know what is going on. He said they could go either way.

Ms. DePledge: You said it will bring jobs here so I thought there was already something in the works. That is why I was asking.

Mayor Andrzejewski: Don't they have to follow something on the wages anyway?

Mr. Morley: The prevailing wage.

Ms. DePledge: I was just asking.

Mr. Knuchel: Where is the location for the haunted house?

Mayor Andrzejewski: Classic Park.

There were no further questions of Mayor Andrzejewski.

CHIEF BUILDING OFFICIAL – John Stigalt
Mr. Stigalt was absent and excused.

LAW DIRECTOR – Randy Klammer
Mr. Klammer: You have the report for the auditor on litigation pending. If you want to get updated on the litigation be sure you see that as it outlines all the cases that are pending. You have some draft sweepstakes legislation for the sweepstakes café – it will require a lot of tweaking so give yourselves enough meetings to review that. You will not want to do it in one meeting. The case that was filed involving the Police Department – this was moved to Federal Court and they were ordered to file a more definite statement on their complaint. I am open for questions.

There were no questions of Mr. Klammer.

FINANCE DIRECTOR – Michael Slocum
Mr. Slocum was absent and excused.

TAX ADMINISTRATOR – Angela Keneven-Zanella
Mrs. Keneven-Zanella was absent and excused.

CITY ENGINEER – Tom Gwydir
Mr. Gwydir: The biggest thing going on is East 347th Street and East 348th Street. It has started and I am pleased to report that the first half of East 347th Street has been torn out and should be poured in this Friday. They are preceding down East 348th Street. To say the contractor is flying is an understatement. Other than that I am working on various items and am open for questions.

Mr. Morley: I have seen some of the emails going back and forth with a resident. Has anyone talked to him personally? Ms. Vaughn and I are thinking about going.

Mr. Gwydir: I know subsequent to my second email this morning I received a call from the contractor who said he spoke to the resident personally and gave him some more information and he seemed to be a little bit happier about it. When I get to the site I will swing by. Given the vitriol in the email I thought to give it a little while. We clearly intend to address all his concerns and had prior to this emails.

Mr. Morley: I just wanted to make sure before Ms. Vaughn and I went there in case there was some other information we would need. I was out there last week with Mr. Semik and there were residents out who had questions – which have been taken care of.

Mayor Andrzejewski: Sometimes you can do everything and someone will say they want something else. Remind them that this is a 3-4 week project at the most and the outcome will be a nice, new street.

Mr. Morley: I know. My question was just due to the email.

Mayor Andrzejewski: Did you read the email?

Mr. Morley: Yes.

Mr. Gwydir: We are anticipating about two months.

Mayor Andrzejewski: Two months? I thought you told me four weeks.

Mr. Gwydir: No, two months.

Mayor Andrzejewski: I am glad you corrected it.

Mr. Morley: The residents who came to the meeting knew it was going to be two months.

Mr. Gwydir: I have been out to the site and spoke to the one lady who was concerned about her phone and her neighbors. And, in fact afterwards they did knick her phone line.

Mr. Morley: I was there when they cut the cable line.

Mr. Gwydir: They cut an AT&T line about five feet from where it was marked. I spoke with the lady who was quite kind.

Mr. Klammer: Before I forget, Ms. DePledge, as representative to the Port Authority, would you please forward the draft leases to them – it would be helpful to have their review before we move them forward.

There were no further questions of Mr. Gwydir.

<u>SERVICE DIRECTOR – Mike Semik</u>
Mr. Semik was absent and excused.

POLICE CHIEF – John Ruth

Police Chief Ruth: It has been busy. We have had some parking problems on East 347th Street and East 348th Street. Lacking somewhat of a better plan we told the people they could park on the yard if necessary and on the side streets in the general area. We asked that they call us and give us their license and phone number just in case there is a problem. However, if someone does receive a parking ticket we will be happy to void them. We will try to make it as pleasant as possible. It is just a little bit tight in there for parking for the residents. Other than that it is business as usual. It has been a busy summer. This concludes my report and I am open for questions.

Mr. Hoefle: I would like to thank you for getting back to Mr. Blaney in regards to the cat issue.

Chief Ruth: You are welcome.

There were no questions of Chief Ruth.

FIRE CHIEF – Ted Whittington

Chief Whittington: Like Chief Ruth was saying we are wrapping up our busy summer season too. July, 2010 was the busiest month ever recorded in the 61 year history of the Fire Department. Both of us have had pretty busy summers this year. We are moving into the winter season and hopefully will be getting the word out to everyone to have batteries in smoke detectors and watch as the cold and flu season moves in. I try to remind everyone of the road closures. Erie Road will be closing in Willoughby on September 20th. The Police and Fire Departments will assist in covering emergency responses to the City of Willoughby in that area for the period of the closure. I know Mr. Slocum brought forward the grant we received from FEMA this year. We got about $22,000 worth of equipment. Chief Richter was in charge of spending the money and we were able to outfit our Tech-Rescue Team with very important updated equipment. We got our monies worth – every dime worth – and, I appreciate Council's support on that. I am open for questions.

Mr. Morley: We received your 5-Year Forecast and appreciate it. I just started to read it – it is pretty lengthy – if I have any questions I will get back to you. How are the part-time firefighters working out?

Chief Whittington: We were able to swear-in five last Friday. What we have come up with internally is – right now we are running two shifts. We have a shift short of a guy we have to replace and we also have a long term injury. Part-time guys will be filling the 7th position. That is usually a position that is filled in a 4-6 week period and I have about 2 ½ weeks to get that filled. With the support of the Department – these guys are coming in during training hours during orientation. We have about ten objections we want them to initially accomplish to get them on track. These include learning the maps of the streets, understanding the locations of hospitals, understanding Department procedures, putting them on the ambulance and rescue squads so they understand the location of equipment. It is going very well. Due to their schedules as they work other jobs we cannot mandate when they are here. We told them we a have blocked off two 4-hour windows each day so they can come in whenever they can

- just about every day we see 1 to 3 of them here. We log the training they get done and on the 24th Chief Richter who is also the Chief of Training and Operations will conduct a thorough evaluation of all 5 of them and evaluate where they are and as soon as we can get them evaluated and cleared we will start putting them on shifts. We will concentrate on the shifts where we are short and we are running into some overtime –so, we can get some relief there. We are finding that with these guys coming in we are getting them processed and interviewed and when they do their background information and polygraphs some information comes out that is probably not very earth shattering but from a Chief's position I do not think we need people coming in with questionable items. So, we are having a difficult time getting our 9. Probably by tomorrow I will be getting some clarification from Lake Health for their physicals and will probably have 3 more ready by the end of this week and we just started processing another one. Maybe having them staggered is better for us as far as training goes. We are hoping to have all 9 by the end of the year. We are really concentrating on this 5 and doing a pretty good job. I am happy and proud of the guys on the shifts. They are going out of their way to make sure these guys get to where they need to be. The Officers are watching closely to make sure they get the training. Civil Service has processed the names to replace our open, vacant position so we will be getting our fulltime candidate in here – hopefully next week we will have interviews and get that position started as soon as we can. With the staggered we will be able to get the officers focused on the fulltime candidate or cadet. As far as progress goes we are making fairly good progress. I am actually happy with the direction in which this is going and we are learning a lot and trying to make it a system in the future that is a lot less than trial and error type things. Chief Richter should get a lot of credit because he has been meeting with me in long meetings to make sure the transition is safe and smooth.

There were no further questions of Chief Whittington.

ADJOURNMENT

The meeting was adjourned at approximately 7:52 p.m.

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DENNIS MORLEY, COUNCIL PRESIDENT

APPROVED: _____

ATTEST: _____

DEBORAH A. CENDROSKI, CMC
CLERK OF COUNCIL