

**EASTLAKE CITY COUNCIL
REGULAR COUNCIL MEETING MINUTES
AUGUST 23, 2011**

The minutes have been summarized as they inadvertently failed to record.

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 7:12 p.m.

The Pledge of Allegiance was led by Ms. DePledge.

ATTENDEES

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

Those attending from the Administration were Mayor Andrzejewski, Finance Director Slocum, Service Director Semik, Assistant Service Director Ramski, City Engineer Gwydir, Fire Chief Whittington and Police Chief Reik. Law Director Klammer was absent and excused.

APPROVAL OF MINUTES

REGULAR COUNCIL MEETING – JULY 12, 2011

MOTION: Ms. Vaughn moved to approve the minutes of the Regular Council Meeting of July 12, 2011. Mr. D'Ambrosio seconded.

ROLL CALL: Yeas unanimous.

Motion carried. The minutes were approved.

COUNCIL PRESIDENT'S REPORT – Mr. Morley

Meetings Scheduled

The next Council-as-a-Whole Committee Meeting is scheduled for Tuesday, September 13, 2011 at 7:00 p.m. The Regular Council meeting will be convened immediately following the adjournment of the Council-as-a-Whole Committee meeting.

Mr. Morley complimented Ward 2 Councilwoman Ms. Vaughn and Ward 1 Councilman Mr. D'Ambrosio on running unopposed during the upcoming elections and further wished Ward 3 candidates Ms. Cindy Quinn-Hopkins and Mr. Kimberly Evers and Ward 4 candidates Mr. Jeffrey Licht and Mr. Dan Matheke luck in the upcoming elections.

Mr. Morley further stated there would be a 9-11 10th Anniversary Memorial Service at the Blvd. of 500 Flags on Sunday, September 11th at 1:00 p.m.

COMMUNICATIONS & PETITIONS

A liquor license request was received from Dolgen Midwest, LLC dba Dollar General Store 3, 34510 Vine Street, Eastlake. Mr. Morley explained that as this was due in Columbus prior to our Council meeting date the Council was polled and approved sending this back to Columbus with no objections. Mr. D'Ambrosio would be making a Motion on this matter during the meeting.

A Conditional Use Permit amendment and renewal recommendation was received from the Administration for K-Kids, Inc., dba The Deck Lounge, 34953 Lakeshore Blvd., Eastlake, OH 44095. This was referred to Planning Committee.

A proposal from Council President Morley was received regarding the enactment of Codified Ordinance Chapter 1375 "Project Labor Agreements and Responsible Contracting Practices." This was referred to Ordinance Committee.

COMMITTEE REPORTS:

SERVICE/UTILITIES COMMITTEE - Ms. DePledge

Ms. DePledge reported that the Service/Utilities Committee had not met since their last meeting. There was nothing pending therefore no meeting would be scheduled. Ms. DePledge concluded his report by stating she was open for questions.

There were no questions from Ms. DePledge.

SAFETY COMMITTEE – Mr. Lajeunesse

Mr. Lajeunesse reported that the Safety Committee had not met since the last regular Council meeting. Therefore, there was nothing to report. Mr. Lajeunesse concluded his report by stating he was open for questions

There were no questions of Mr. Lajeunesse.

RECREATION COMMITTEE – Mr. Hoefle

Mr. Hoefle reported that the Recreation Committee had not met since the last meeting and nothing had been placed in his Committee so he would not be scheduling a meeting. Mr. Hoefle complimented Police Chief Reik and Fire Chief Whittington on their exceptional work, and that of their Departments, during the Roverfest. Mr. Hoefle concluded his report by stating he was open for questions

There were no questions of Mr. Hoefle.

PLANNING COMMITTEE – Mr. D'Ambrosio

Mr. D'Ambrosio reported that the Planning Committee met on Tuesday, August 16th at 6:00 p.m. with all members of his Committee in attendance and all other members of Council in attendance. In attendance from the Administration were Mayor Andrzejewski, Law Director Klammer, Finance Director Slocum, CBO Stigalt, City Engineer Gwydir and Fire Chief Whittington. Mr. D'Ambrosio stated that the items on the evening's agenda were discussed during the Council-as-a-Whole Committee so he would not reiterate on them. However, he would be making the following

Motion:

Conditional Use Permit Renewals

MOTION: I hereby move to approve the Conditional Use Permit renewals for:
Every Tire & Wheel, Inc., 34815 Vine Street, Eastlake
Drago Babic dba D B Motors, 34682 Lakeland Blvd., Eastlake
A.T. Automotive, LLC, 1601 East 361st Street, Unit B, Eastlake
Mr. Knuchel seconded.

ROLL CALL: Yeas unanimous.

Motion carried. The Conditional Use Permit renewals are approved.

Liquor License Request

MOTION: I hereby move to approve and send back to Columbus, Ohio with no objections the liquor license request for Dolgen Midwest, LLC dba Dollar General Store 3, 34510 Vine Street, Eastlake, OH 44095. Mr. Knuchel seconded.

ROLL CALL: Yeas unanimous.

Motion carried. The Liquor License Permit is approved.

Additional Comments

Mr. D'Ambrosio concluded his report by stating he was open for questions.

There were no questions of Mr. D'Ambrosio.

FINANCE COMMITTEE – Mr. Knuchel

Mr. Knuchel explained that the Finance Committee had not met since the last regular Council meeting but that he would be making the following Motion:

Legislative Recommendation:

Legislation No. 08-23-(12)

MOTION: I hereby move to add Legislation No. 08-23-(12) to the evening's agenda authorizing and directing the Mayor and Director of Finance to accept the Deduct Change Order No. 1- Final for ABC Piping Co. in the amount of Fifteen Thousand Three Hundred Eleven Dollars and Eighty-Seven Cents (\$15, 311.87), with said new Contract total being One Million One Hundred Sixty-Seven Thousand Three Hundred Fifty-Eight Dollars and Thirteen Cents (\$1,167,358.13). Mr. D'Ambrosio seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation No. 08-23-(12) is added to the evening's agenda.

Additional Comments:

Mr. Knuchel concluded his report by stating he was open for questions.

There were no questions of Mr. Knuchel.

ORDINANCE COMMITTEE - Ms. Vaughn

Ms. Vaughn reported that the Ordinance Committee met on Tuesday, August 16th immediately following the Planning Committee Meeting with all members of Council in attendance. In attendance from the Administration were Mayor Andrzejewski, Law Director Klammer, Finance Director Slocum Fire Chief Whittington, Battalion Chief Richter and City Engineer Mr. Gwydir. Police Chief Reik was absent and excused. The Committee reviewed and approved the new enactment of Ordinance Section 131.18 “Fee for Use of Police Department Firing Range.” This item will permit municipalities that use the Department’s firing range to be charged a fee with the fee then being earmarked for repair of the firing range. This item appears on the evening’s agenda as Legislation No. 08-23-(10). The next items to be discussed and approved were amendments and repeals to City ordinances involving storm water management and are a result of an EPA mandate. They appear on the evening’s agenda as Legislation No. 08-23-(01) through Legislation No. 08-23-(09). The last item discussed was a amendment to Ordinance Section 132.02 “Composition of Full-time Division of Fire” in which discussion was held on the Administration’s request to remove the limitation of the number of part-time firemen per shift. The Committee agreed to refer this matter out of Committee with no action taken pending the results of the levy the City is placing on the ballot and S.B. 5 as both items would have a huge affect on the results of any decision. Ms. Vaughn further requested Council President Morley to be permitted to poll her Committee regarding the referral out of Committee of a proposed amendment to Ordinance Section 1147.03 “Are Regulations for B-1, B-2 and B-3 Districts” and explained that this item was reviewed by the Committee at the April 19th Ordinance Committee meeting. It was agreed to hold this item in Committee pending further review and input from the CBO and Law Director. To date, no response has been received on this matter.

Mr. Morley granted Ms. Vaughn permission to poll her Committee.

Ms. Vaughn polled her Committee on referring Ordinance Section 1147.03 “Are Regulations for B-1, B-2 and B-3 Districts” out of Committee with no action taken for the reasons set forth above.

Mr. D’Ambrosio and Mr. Hoefle had no objections. Ordinance Section 1147.03 “Area Regulations for B-1, B-2 and B-3 Districts” was referred out of Ordinance Committee with no action taken.

Ms. Vaughn concluded her report by stating she was open for questions.

There were no questions of Ms. Vaughn.

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.

Ted Beres, 36706 Lakehurst Drive, Eastlake

Mr. Beres addressed Council on his concern regarding his view that the Administration has failed to improve the City's infrastructure, blaming it on poor leadership.

Mr. Morley addressed the residents who were present to speak about the recent flooding they had experienced and stated they were welcome to speak and/or stay after the meeting to discuss their issues with members of Council and the Administration. The residents chose to wait until after the meeting.

There was no one else who wished to speak.

LEGISLATION PROPOSED - First number will be 2011-109

ORDINANCE NO.: 08-23-(01)

Requested by: Administration
Sponsored by: Ms. Vaughn

An Ordinance amending Chapter 906 "Erosion and Sediment Control" of the Codified Ordinances of the City of Eastlake, specifically Section 906.02 "Definitions", 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 unanimous.

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

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Ordinance No. 2011-109.

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ORDINANCE NO.: 08-23-(02)

Requested by: Administration
Sponsored by: Ms. Vaughn

An Ordinance amending Chapter 906 "Erosion and Sediment Control" of the Codified Ordinances of the City of Eastlake, specifically Section 906.09 "Performance Standards", 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 unanimous.

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

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Ordinance No. 2011-110.

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Requested by: Administration
Sponsored by: Ms. Vaughn

ORDINANCE NO.: 08-23-(03)
An Ordinance amending Chapter 913
“Comprehensive Storm Water Management” of
the Codified Ordinances of the City of Eastlake,
specifically Section 913.02 “Definitions”, 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 unanimous.

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

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Ordinance No. 2011-111.

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Requested by: Administration
Sponsored by: Ms. Vaughn

ORDINANCE NO.: 08-23-(04)
An Ordinance amending Chapter 913
“Comprehensive Storm Water Management” of
the Codified Ordinances of the City of Eastlake,
specifically Section 913.08 “Comprehensive
Storm Water Management Plans”, 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 unanimous.

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

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Ordinance No. 2011-112.

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Requested by: Administration
Sponsored by: Ms. Vaughn

ORDINANCE NO.: 08-23-(05)
An Ordinance amending Chapter 913
“Comprehensive Storm Water Management” of
the Codified Ordinances of the City of Eastlake,
specifically Section 913.09 “Performance
Standards”, 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 unanimous.

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

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Ordinance No. 2011-113.

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Requested by: Administration
Sponsored by: Ms. Vaughn

ORDINANCE NO.: 08-23-(06)
An Ordinance amending Chapter 913
"Comprehensive Storm Water Management" of
the Codified Ordinances of the City of Eastlake,
specifically Section 913.10 "Alternative
Actions", 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 unanimous.

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

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Ordinance No. 2011-114.

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Requested by: Administration
Sponsored by: Ms. Vaughn

RESOLUTION NO.: 08-23-(07)
A Resolution repealing City Ordinance Section
906.11 "Administration; Sediment Control Plan
Content" enacted May 12, 1992 as Ordinance
No. 1992-095 and amended as "Table of
Permissible Velocities for Flowing Water"
enacted April 12, 2005 as Ordinance No. 2005-
039, 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 unanimous.

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

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Resolution No. 2011-115.

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RESOLUTION NO.: 08-23-(08)

Requested by: Administration
Sponsored by: Ms. Vaughn

A Resolution repealing City Ordinance Section 906.12 “Plan Review” enacted May 12, 1992 as Ordinance No. 1992-095 and amended as “Drainage Field Ditches” enacted April 12, 2005 as Ordinance No. 2005-039, 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 unanimous.

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

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Resolution No. 2011-116.

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RESOLUTION NO.: 08-23-(09)

Requested by: Administration
Sponsored by: Ms. Vaughn

A Resolution repealing City Ordinance Section 906.13 “Guarantees for Completion of Work” enacted May 12, 1992 as Ordinance No. 1992-095 and amended as “Maximum Velocities for Vegetated Stream Channels” enacted April 12, 2005 as Ordinance No. 2005-039, 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 unanimous.

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

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Resolution No. 2011-117.

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ORDINANCE NO.: 08-23-(10)

Requested by: Police Chief Reik
Sponsored by: Ms. Vaughn

An Ordinance amending Chapter 131 “Division of Police,” of the Codified Ordinances of the City of Eastlake, specifically to include new Section 131.18 “Fee for Use of Police Department Firing Range,” 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 unanimous.

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

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Ordinance No. 2011-118.

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ORDINANCE NO.: 08-23-(11)

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

An Ordinance amending Ordinance No. 1998-056, adopted April 15, 1998, and authorizing the issuance of a Conditional Use Permit to Every Tire & Wheel, Inc., 34815 Vine Street, Eastlake, OH 44095, and declaring an emergency.

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

ROLL CALL: Yeas unanimous.

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

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Ordinance No. 2011-119.

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RESOLUTION NO.: 08-23-(12)

Requested by: Administration
Sponsored by: Mr. Knuchel

A Resolution authorizing and directing the Mayor and Director of Finance to accept the Deduct Change Order No. 1- Final for ABC Piping Co. in the amount of Fifteen Thousand Three Hundred Eleven Dollars and Eighty-Seven Cents (\$15, 311.87), with said new Contract total being One Million One Hundred Sixty-Seven Thousand Three Hundred Fifty-Eight Dollars and Thirteen Cents (\$1,167,358.13), 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. 2011-120.

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LEGISLATION PENDING (Placed of First Reading 06-28-2011)

(Placed on Second Reading 07-12-2011)

RESOLUTION NO: 06-28-(08)

Requested by: Administration

Sponsored by: Mr. Knuchel

An Resolution authorizing and directing the Mayor and Director of Finance to enter into an Agreement with the Lake County Department of Telecommunications for the establishment and operation of an 800/700 MHz Radio System in the total amount of Twenty-Three Thousand Eight Hundred Eighty-Nine Dollars and Thirty-Seven Cents (\$23,889.37), and declaring an emergency.

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

Mr. Morley explained that Legislation No. 06-28-(08) would be referred off the table with no action taken.

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UNFINISHED BUSINESS

There was no Unfinished Business.

NEW BUSINESS

There was no New Business.

ADMINISTRATIVE REPORTS:

MAYOR/SAFETY DIRECTOR – Ted Andrzejewski

Mayor Andrzejewski reminded all that on Friday, August 26th the City will hold a Movie Night at the Classic Park and that the movie to be shown will be Gnomeo and Juliet. The tickets will cost \$1.25. Mayor Andrzejewski addressed the comment made during “Recognition of the Public” concerning the lack of upkeep of the City’s infrastructure by listing all the projects completed by the City – the repairs to the City’s Robin, Forest and King Drive pump stations, adding that there were only 3 small pump stations left to be improved; various roads such as South Lakeshore Blvd., East 347th Street and East 348th Street, S. R. 91, and the work done in-house on other roads in the City such as Hillcrest and St. Lawrence; and, sewer projects such as the grant received for the Edwards Avenue sewer work. The grants allow the City to do these projects with the State paying 60% and the City paying 40%. Mayor Andrzejewski further reported that there would be a meeting to explain the upcoming levy at City Hall on Monday, September 12th at 7:00 p.m. Mayor Andrzejewski concluded his report by stating he was open for questions.

There were no further questions of Mayor Andrzejewski.

LAW DIRECTOR – Randy Klammer

Mr. Morley explained that Mr. Klammer was absent and excused due to an illness in his family.

FINANCE DIRECTOR – Mike Slocum

Mr. Slocum reported in the questions he receives from the residents one of the questions asked was why could we not do the work with less. In his research he has found that in 2000 the City had 157 employees and now in 2011 the City has 117 employees – a reduction of 40 employees or 25.48%.

Mr. Slocum concluded his report by stating he was open for questions.

There were no questions of Mr. Slocum.

CITY ENGINEER – Tom Gwydir

Mr. Gwydir reported that they had the construction meeting on the Edwards Road sewer project and in response to Mr. D’Ambrosio’s questions explained that they would be scheduling a meeting with the residents to explain the project and answer any questions. Mr. Gwydir further explained that he had been working with CSX regarding the railroad crossing on East 361st Street and was having some success. Mr. D’Ambrosio acknowledged Mr. Gwydir’s hard work on this matter and thanked him.

Mr. Gwydir concluded his report by stating he was open for questions.

There were no further questions of Mr. Gwydir.

SERVICE DIRECTOR – Mike Semik

Mr. Semik reported that the Service Department has been working with residents who experienced flooding. The Service Department has also been busy with road repairs and resurfacing. The new sewer vac is being delivered and a representative will be here to explain the procedures on this piece of equipment.

Mr. Semik concluded his report by stating he was open for questions.

There were no questions of Mr. Semik.

TAX ADMINISTRATOR – Angela Keneven-Zanella

Mrs. Keneven-Zanella was absent and excused.

CHIEF BUILDING OFFICIAL – John Stigalt

Mr. Stigalt was absent and excused.

POLICE CHIEF – Larry Reik

Chief Reik thanked Council for passage of the ordinance permitting a fee to be charged for use of the firing range adding that it would be helpful in maintaining the range because it experiences a lot of wear and tear. Chief Reik concluded his report by stating he was open for questions.

There were no questions of Chief Reik.

FIRE CHIEF – Ted Whittington

Fire Chief Whittington thanked all for their comments regarding Roverfest. Chief Whittington further stated that he and Chief Reik would be coordinating an effort to canvas the City to speak with residents about the need for the levy, adding that they were both aware that passage of the levy was critical to their Departments. Chief Whittington concluded his report by stating he was open for questions.

There were no questions of Chief Whittington.

ADJOURNMENT

The meeting was adjourned at approximately 7:55 p.m.

DENNIS MORLEY, COUNCIL PRESIDENT

APPROVED: _____

ATTEST: _____
DEBORAH A. CENDROSKI, CMC
CLERK OF COUNCIL