

**EASTLAKE CITY COUNCIL
REGULAR COUNCIL MEETING MINUTES
DECEMBER 16, 2008**

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 7:30 p.m.

The Pledge of Allegiance was led by Mr. Lajeunesse.

ATTENDEES

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

Those attending from the Administration were Mayor Andrzejewski, Finance Director Mr. Condron, Law Director Mr. Klammer, Tax Administrator Mrs. Keneven-Zanella, Service Director Mr. Semik, CBO Mr. Stigalt, City Engineer Mr. Guard, Police Chief Ruth and Fire Chief Whittington.

APPROVAL OF MINUTES

COUNCIL-AS-A-WHOLE COMMITTEE MEETING WITH ADJOURNMENT INTO EXECUTIVE SESSION – DECEMBER 2, 2008

MOTION: Mr. D'Ambrosio moved to approve the minutes of the Council-as-a-Whole Committee Meeting with Adjournment into Executive Session of December 2, 2008. Mr. Morley seconded.

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

Motion carried. The minutes were approved.

REGULAR COUNCIL MEETING – DECEMBER 2, 2008

MOTION: Mr. D'Ambrosio moved to approve the minutes of the Regular Council Meeting of December 2, 2008. Mr. Morley seconded.

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

Motion carried. The minutes were approved.

COUNCIL PRESIDENT'S REPORT – Mr. Elshaw

Meetings Scheduled

Mr. Elshaw: A Council-as-a-Whole Committee Meeting is scheduled for Tuesday, January 13, 2009 at 7:00 p.m. The Regular Council Meeting is scheduled for Tuesday, January 13, 2009 at 7:30 p.m.

Additional Comments

Mr. Elshaw: I would like to wish everyone a happy and safe holiday season. I wanted to thank the employees for all their hard work during the year and I am hoping that next year will be a better year as far as the economy. Hopefully, things will turn around and for those who may be laid off or have lost their jobs – hopefully they will find employment or maybe take this as an opportunity to look at a career change. I know that happened with me and it has worked out okay. Have a happy and safe Holiday Season.

COMMUNICATIONS & PETITIONS

A Communication was received from the Administration recommending Conditional Use Permit Renewals for Thru Mart, 35652 Vine Street, Chicks Auto/JEC Properties, 1422 East 361st Street, Eastlake VFW Post #3863, 33641 Vine Street, Dairy Mart, 36170 Lakeshore Blvd., and K-Mart, 33752 Vine Street. These were referred to Planning Committee.

Communications were received from the Administrations recommending re-appointments to the Port Authority and an appointment to the Zoning Board of Appeals. Mr. Elshaw explained that these would be addressed this evening during the Mayor's report.

DISCUSSION

Mr. Elshaw: A comment on the Zoning Board of Appeals – I know there is a requested change in the membership of the Committee. I think that Council recognizes the efforts of Mr. Jon LeRoy but Mr. Kelly would also be a good appointment. We do understand that is the Mayor's appointment to this position and in my opinion would respect that.

COMMUNICATIONS, con't.

A communication was received from the Administration regarding a vehicle purchase request for the Police Department. This was referred to Finance Committee.

DISCUSSION

Mr. Knuchel: I sent a memorandum to the Mayor and Police Chief. The City of Mentor recently went out for bids for their five automobiles they were buying for the Police Department and found the bids that came in were under State Bid. I am requested this be looked into before this is referred into Committee.

Mr. Elshaw: I don't have a problem with that.

Mr. Lajeunesse: I agree with Mr. Knuchel.

Mr. D'Ambrosio: I have no problem with that.

Mayor Andrzejewski: I can see doing that – probably what has happened is the way the car makers are hurting the incentives they are giving could provide a price better than the State Bid. It would be nice to give a local company the business.

Mr. Knuchel: There is probably a bit of a time constraint on this because they only make those Ford interceptors for a short period of time.

Mayor Andrzejewski: Ford Interceptor?

Mr. Knuchel: That is the type of vehicle they are requesting.

Mayor Andrzejewski: The City of Mentor purchased?

Mr. Knuchel: The same car as what we want – they purchased five of them from Classic.

Mayor Andrzejewski: How many SUV's did they purchase?

Mr. Knuchel: We can discuss the SUV's at a Committee meeting if you would prefer because that question was actually brought up – we can deal with that at the appropriate time

COMMUNICATIONS, con't.

A communication was received from the Administration requesting to advertise for bids for storm and sewer pipe for the South Riverview Project. This was referred to Service/Utilities Committee.

COUNCIL COMMITTEE REPORTS

RECREATION COMMITTEE – Mr. Lajeunesse

Mr. Lajeunesse: The Recreation Committee has not met since our last regular Council meeting; therefore there is nothing to report this evening. I wish all a very Merry Christmas and a very healthy New Year. I appreciate all the Departments and what they have done for this Community in 2008 and working together as a team we will put Eastlake back on track and move forward. This concludes my report and I am open for questions.

PLANNING COMMITTEE – Mr. D'Ambrosio

Mr. D'Ambrosio: The Planning Committee met on December 9, 2008 at 6:10 p.m. Present from the Committee were myself and Mr. Knuchel. Mr. Zontini was absent and excused. Members from Council in attendance were Mr. Lajeunesse, Ms. Vaughn and Mr. Morley. Council President Mr. Elshaw was absent and excused. In attendance from the Administration were Mayor Andrzejewski, Law Director Klammer, Finance Director Condron, Service Director Semik, Fire Marshall Futchi and City Engineer Mr. Gwydir. There were several items on the agenda with the first being a liquor license request for Kamran Afsarifard, 35579 Lakeshore Blvd which was mentioned during the Council-as-a-Whole Committee and was moved forward – I will be making a Motion on this matter. The next item was a Conditional Use Permit Renewal for Trader Jack's, 35901 Lakeshore Blvd. – this was also approved and moved forward. Also on the agenda was a Conditional Use Permit request for Stinelli's Restaurant, 35757 Lakeshore Blvd. but a memorandum was submitted before the meeting advising the restaurant was closed – the Committee decided to refer this matter out of Committee with no action taken. The next item to be discussed was a Conditional Use Permit amendment and renewal for Scorchers, 35543 Vine Street – this matter has been going on for some time – the amendment provides they will offer valet parking and it is so specified in the permit. The City will watch the valet parking and if for some reason the stipulations of the permit are not followed the Conditional Use Permit will be withdrawn – the Committee agreed to move forward with this for a Public Hearing on January 13, 2009. The last item on the agenda was a Conditional Use Permit for Lakeshore Firearms, 35786 Roberts Road – this matter has also been scheduled for a Public Hearing on

January 13, 2009. This applicant wants to operate a firearm business at his house and has advised that no ammunition would be at his house. It was the opinion of the Committee to follow the recommendations of the Planning Commission, the Fire Marshall and the Chief Building Official and not approve the Conditional Use Permit for that location. We did speak with the applicant and encouraged him to find a place in the City that would allow this type of business. We still have to move this matter forward for a Public Hearing. This concludes my report and I am open for questions.

Mr. D'Ambrosio made the following Motions:

Liquor License Request

MOTION: I hereby move to approve and send back to Columbus, Ohio with no objections the liquor license request for Kamran Afsarifard, 35579 Lakeshore Blvd., Eastlake, Ohio. Mr. Morley seconded.

ROLL CALL: Yeas unanimous.

Motion carried. The Liquor License request for Kamran Afsarifard, 35579 Lakeshore Blvd., Eastlake, Ohio is approved.

Conditional Use Permit Renewal

MOTION: I hereby move to approve the Conditional Use Permit renewal request for Trader Jack's Riverside Grille, 35901 Lakeshore Blvd., Eastlake. Mr. Morley seconded.

ROLL CALL: Yes unanimous.

Motion carried. The Conditional Use Permit for Trader Jack's Riverside Grille is approved.

There were no questions of Mr. D'Ambrosio.

Mr. Lajeunesse made the following Motion:

Legislative Recommendation

Legislation No. 12-16-(11)

MOTION: I hereby move to add Legislation No. 12-16-(11) to the evenings agenda Opposing any Proposals or Legislation Allowing the Increase in the Size and Weight of Trucks on Ohio's Highways. Mr. Knuchel seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation No. 12-16-(11) is added to the evening's agenda.

FINANCE COMMITTEE – Mr. Knuchel

Mr. Knuchel: The Finance Committee met on December 9, 2008 at 6:35 p.m. with myself, Mr. D'Ambrosio and Mr. Lajeunesse in attendance from the Committee. In attendance from Council were Ms. Vaughn and Mr. Morley. Council President Mr. Elshaw and Mr. Zontini were absent and excused. In attendance from the Administration was Mayor Andrzejewski, Finance Director Condron, Service Director Semik and Fire Marshall Futchi. Seven items were on the agenda with the first being a Change Order for Ronyak Paving in the amount of \$6,198 – this was discussed in Council-as-a-Whole Committee. The second item was a fund

transfer from the General Fund to Fund #438 “Recreational Capital Improvements Fund” – this was to move money from the inheritance tax fund to the Capital Improvement Fund – the Committee agreed to move forward with this item. The third item was a State Contract for a compact snow tractor for \$21,111.99 – there was much discussion about this – it is a multi-use vehicle which will be used over the four seasons – there are attachments available – this item will come out of fund #402 – the main questions dealt with available staffing and if this was the right piece of equipment to accomplish the goals we wanted – both were affirmative and this matter was moved forward – I look forward to seeing the sidewalks on Vine Street cleared of snow. The fourth item moved forward was the Ohio Municipal League 2009 membership dues – this is split between the Mayor’s and Council’s budgets. The fifth item was the Walter Drane Codified Ordinance acceptance and an invoice for services rendered in the amount of \$1,605. The sixth item was the 2008 re-appropriations with the seventh item being the 2009 temporary appropriations. These items were discussed in Council-as-a-Whole Committee and will appear on the evening’s agenda. Also discussed under miscellaneous was possible lease adjustments to the Captains lease.

Mr. Knuchel made the following Motions:

Legislative Recommendation

Legislation No. 12-16-(12)

MOTION: I hereby move to add Legislation No. 12-16-(12) to the evening’s agenda authorizing and directing the Mayor and Director of Finance to enter into an Agreement with Local 3058, Ohio Council 8 American Federation of State, County and Municipal Employees, AFL-CIO. Mr. Lajeunesse seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation 12-16-(12) is added to the evening’s agenda.

The Walter Drane Company Invoice: Services Rendered

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 \$1,605 and taken from account #101.120.5446. Mr. Lajeunesse seconded.

ROLL CALL: Yeas unanimous.

Motion carried. The payment to Walter Drane Company is approved

Ohio Municipal League: 2009 Membership Dues

MOTION: I hereby move to approve the payment of the 2009 membership dues to the Ohio Municipal League in the amount of \$2,519, said amount to be divided between accounts #101.120.5214 & #101.110.5214. Mr. Lajeunesse seconded.

ROLL CALL: Yeas unanimous.

Motion carried. The payment of the 2009 membership dues to the Ohio Municipal League is approved.

Additional Comments:

Mr. Knuchel: I would like to conclude my report by wishing everyone a Merry Christmas and a Happy New Year and I hope this is a better one than last year. 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 has not met for the last several weeks but I will be scheduling a meeting for Tuesday, January 6th for review the items pending before the Committee. I am going to ask the Council Clerk to send the proposed legislation to the Port Authority and marinas in the area that will be affected by the legislation. I would like to wish everyone a Happy Holiday and I would like to thank the residents of Eastlake for giving me the opportunity this year to represent them and I look forward to doing so next year. This concludes my report and I am open for questions.

There were no further questions of Ms. Vaughn.

SERVICE/UTILITIES COMMITTEE – Mr. Zontini

Mr. Morley reported for Mr. Zontini who was absent and excused.

Mr. Morley: The Service and Utilities Committee met on December 9th with himself and Mr. Lajeunesse present from the Committee. Committee Chair Mr. Zontini was absent and excused. In attendance from Council were Mr. D'Ambrosio, Ms. Vaughn and Mr. Knuchel. Council President Elshaw was absent and excused. In attendance from the Administration was Mayor Andrzejewski, Law Director Klammer, Finance Director Condrón, City Engineer Mr. Gwydir and Fire Marshall Futchi. The Committee discussed two items with the first being a bid re-advertisement for the HUD Property at 34988 Beachpark – the only change was the reduction in price from \$50,000 to \$40,000 – this appears on this evening's agenda and hopefully we can move this property. Also on the agenda was an expenditure request for the WPCC – this was for the road culvert that was washed out at the plant – the total was \$90,492 with FEMA covering \$68,500 – the State will cover a small percentage – the remainder will come from the replacement fund established between Eastlake and Willoughby. Also, Timberlake now pays 2.57% of any improvement. This concludes my report and I am open for questions.

There were no questions of Mr. Morley.

SAFETY COMMITTEE – Mr. Morley

Mr. Morley: The Safety Committee has not met since our last regularly scheduled Council meeting but we do have one issue pending in Committee. I spoke with Mr. Klammer about the legislation for the Nestor Traffic System which we will discuss after the first of the year. This concludes my report and I am open for questions.

I would like to wish everyone a Merry Christmas and Happy New Year. Also I would like to extend kudos to the Administration, Police, Fire and every Department and all the employees of the City – we had a good year and hopefully we will continue to have a good year in 2009

There were no questions of Mr. Morley.

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.

Jon LeRoy, 96 Admiral Drive, Eastlake

Mr. LeRoy: My name is Jon LeRoy and I live at 96 Admiral Drive, Eastlake. I have been a resident of the City for over 18 years. I am currently a member of the Zoning Board of Appeals for the City of Eastlake and my term is about to expire December 31, 2008. I have had the pleasure of serving on the BZA for six years and this last year I served as Vice Chairman. I have about 30 years experience in construction, property maintenance and fire safety. I believe I have done a good job for the City in helping residents and business owners to attain improvement in their way of life through the variances they asked for and I respectfully request that I continue to serve and have you re-appoint me to that Board. I can assure the Administration and Council and everyone else in the City that I will continue to conduct myself with the professionalism and dedication required. I am very fortunate to have the support from my colleagues on the BZA.

Ken Hoefle, 36683 Valley Ridge Drive, Eastlake

My name is Ken Hoefle and I reside at 36683 Valley Ridge Dr. Also in attendance this evening we have members of the Eastlake Zoning Board of Appeals. Mr. Pete Tanski, our Chairman, 24 years of service, Mr. Jonathan LeRoy, Vice Chair, 6 years of service, Mr. Richard Karlovec, 31 years of service – who could not be here this evening and Mr. David Churchill, 10 years of service and myself - 4 years of service. In all we have a total of 75 years of dedicated service to this community and every member brings a different and diverse wealth of knowledge to this Board.

I am here tonight to speak on behalf of a member of our Board Mr. Jonathan LeRoy. Last month the Board sent a memo to the Mayor's office requesting that Mr. LeRoy be re-appointed to another 5 year term for his seat on the Board that was due to expire at the end of this year. The Board met last Wednesday, 12/10/08, for our regular Board meeting. At this meeting we were informed by Mr. LeRoy that he received a letter dated December 4, 2008 from the Mayor thanking him for his years of service and that his knowledge and input were outstanding. It was also stated that he would like to give another resident an opportunity to serve on the Board. We also received a copy of a memo dated December 8, 2008 addressed to Derek Elshaw, Council President from the Mayor's office requesting Council to approve his appointment of another resident to the Board.

Mr. LeRoy's wishes, as well as the wishes of every member of this Board, is that Mr. Jonathan LeRoy be re-appointed for another 5 year term.

I ask these questions for our Mayor and Council:

- What processes are in place to provide consistency in appointing or re-appointing Board members? Appointments and re-appointments have been handled differently in the past. In many cases, current members have been approved for new terms on the recommendation of the Board. These recommendations were presented to the Mayor's office and passed on for approval by Council. When I was recommended to the Board in 2005 my appointment was approved by the Mayor.

My appointment went before Council, it was then asked by a member of Council that the opening be advertised for two weeks. After the two week waiting period I was approved by Council.

- Since 2005 when it was asked that the appointment that I filled be advertised, has any other appointments or re-appointments been advertised?
- If you receive more than one candidate for a Board seat, what is the process to interview and make a determination for a Mayoral recommendation to Council?
- Other than the Mayor's recommendation, is Council provided any other additional information for their review before they cast their vote?
- If another seat was up at this time and the seat was another Board members, with many years of outstanding service, would any of these gentleman have received the same letter?

In this evening's case, the Board was not advised, by the Mayor's Office, that Mr. LeRoy would not be considered for re-appointment, as well as Council was not advised, that Mr. LeRoy was seeking to be re-appointed to another 5 year term. The Board's memo recommending to re-appoint Mr. LeRoy, should have been forwarded to Council, as well as the Mayor's memo to not re-appoint Mr. LeRoy, should have been copied to the Board.

We would like to recommend that the language in the Charter be reviewed for additional clarification to avoid any future misunderstandings.

It is anticipated that in the Mayor's report this evening that he will bring to Council a request that another Eastlake resident, other than Mr. LeRoy, be appointed to the Board. We ask that this matter be tabled by Council for further discussion with the Mayor, members of Council and the Zoning Board of Appeals. If this matter is tabled for further review then we ask that Mr. LeRoy continue on the Board until a solution has been rendered. If the Mayor's request is moved forward on tonight's agenda, once again we ask that each member of Council take into consideration Mr. LeRoy's years of service along with the recommendation of the current Board and to re-appoint him to another 5 year term.

Thank you for your time and consideration regarding this matter. Happy Holidays.

Mr. Elshaw: Mr. Klammer, as far as the procedures for appointment...

Mayor Andrzejewski: I sent Mr. LeRoy a letter thanking for his service to the City and saying that I wanted to give someone else in Eastlake the opportunity to serve on the Board. I currently have in my office a list of six or eight good people who want to help the City and serve on something. However, in talking with Mr. LeRoy before the meeting – when I looked at him I saw the sincerity in his eyes that he really wants to do this job and I don't see that much in people. So, I am changing my mind and asking Jon LeRoy if he will serve again and I will find Mr. Kelly another position. Mr. LeRoy, I have seen your sincerity and that you really want to help the City.

Mr. Elshaw: Thank you – I am glad you were able to get that resolved. I do still have the question for our Law Director. This may come up again and for the future I view this – I have had discussions with Mr. Heofle and Mr. LeRoy and I am glad you were able meet in between meetings and resolve the issue – I guess my thoughts were that it is the Mayor’s appointment and it needs to go through approval of Council and unless there is anything wrong with the appointment of the new member there would be no reason to not approve the appointment – unless we discovered something illegal or a conflict of interest. Mr. Klammer, could you please add to this?

Mr. Klammer: To a certain agree the Mayor’s theory was valid – to allow new citizens to serve the City and to agree to balance that with a professional person like Mr. LeRoy – it can be over analyzed.

Mayor Andrzejewski: Thank you, Mr. Elshaw for saying it is the Mayor’s appointment – and in the future I will probably have appointments that are different than those serving on the Board. I agree with Mr. Klammer – unless there is something terribly inappropriate with the candidate presented that it is the Mayor’s discretion to appoint members to Boards. As opportunities come up I will try to appoint residents who express their request to serve.

Mr. Elshaw: Mr. Klammer, should the appointments be advertised? If you wanted to re-appoint a person who currently sits on the Board I would not want to have to advertise every time. Is that a requirement?

Mr. Klammer: No – it is not required.

Mr. Elshaw: I would expect the same on the other end – if Council wants a re-appointment it is our prerogative to re-appoint.

Ms. Vaughn: Mr. Klammer, our Charter specifies how an appointment is approved?

Mr. Klammer: A number of committees are appointed with Council’s approval – the Port Authority is a separate entity, the Economic & Community Development Council and Shade Tree Commission only require appointments. The Board of Zoning Appeals, and the Planning Commission are addressed in the Charter – the Civil Service Commission is dictated by Ohio Law.

There was no one else who wished to speak.

LEGISLATION PROPOSED - First number will be 2008-108

Requested by: Administration
Sponsored by: Mr. Zontini

RESOLUTION NO.: 12-16-(01)

A Resolution authorizing and directing the Finance Director to re-advertise for bids for the sale of HUD property located at 34988 Beachpark Avenue, Eastlake, Ohio, P.P. #34A014Q000190 as found on "Exhibit A," attached hereto and incorporated herein, there will be no bid accepted under Forty Thousand Dollars (\$40,000.00), said bids to be in accordance with specifications on file in the Office of the Finance Director, and declaring an emergency.

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

ROLL CALL: Yeas unanimous.

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

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Resolution No. 2008-108.

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RESOLUTION NO.: 12-16-(02)

Requested by: WPCC Superintendent Gorka
Sponsored by: Mr. Knuchel

A Resolution granting permission from the City of Eastlake to the City of Willoughby to expend additional funds in an amount not to exceed Eleven Thousand Dollars (\$11,000.00) for the Replacement of the WPCC Haul Road Culvert with said new authorized amount being Ninety Thousand Four Hundred Ninety-Two Dollars (\$90,492.00), and declaring an emergency.

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

ROLL CALL: Yeas unanimous.

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

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Resolution No. 2008-109.

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Requested by: Mayor Andrzejewski
Sponsored by: Mr. Knuchel

RESOLUTION NO.: 12-16-(03)

A Resolution authorizing and directing the Mayor and Director of Finance to accept Change Order No. 3 for Ronyak Paving, Inc., for the option year 2008 Planing and Grinding, as listed for the costs as outlined, 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 Resolution No. 2008-110.

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Requested by: Administration
Sponsored by: Mr. Knuchel

RESOLUTION NO.: 12-16-(04)

A Resolution authorizing and directing the Mayor and Director of Finance to purchase through the State of Ohio Cooperative Purchasing Program, One (1) Ventrac Compact Tractor – Model 4227 from Baker Vehicle Systems in the total amount of Twenty-One Thousand One Hundred Eleven Dollars and Ninety-Nine Cents (\$21,111.99), 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 Resolution No. 2008-111.

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Requested by: Council Clerk
Sponsored by: Mr. Knuchel

ORDINANCE NO. : 12-16-(05)

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. 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. 2008-112.

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ORDINANCE NO.: 12-16-(06)

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

An Ordinance to re-appropriate for the expenses of the City of Eastlake, State of Ohio, for the period beginning January 1, 2008 and ending December 31, 2008, 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. 2008-113.

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RESOLUTION NO.: 12-16-(07)

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. 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 Resolution No. 2008-114.

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RESOLUTION NO.: 12-16-(08)

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 the 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. 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 Resolution No. 2008-115.

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RESOLUTION NO.: 12-16-(09)

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. 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 Resolution No. 2008-116.

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ORDINANCE NO.: 12-16-(10)

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

An Ordinance to 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.

DISCUSSION:

Mr. Knuchel: For temporary appropriations is – beginning January 1, 2009 and ending December 31, 2009 appropriate.

Mrs. Cendroski: I asked Mr. Condron about this.

Mr. Condron: Yes.

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

DISCUSSION:

Mr. Elshaw: For clarification, that is the interim budget?

Mr. Condron: Yes.

ROLL CALL: Yeas unanimous.

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

DISCUSSION:

Mr. Lajeunesse: It is temporary until we approve the final budget the end of March?

Mr. Elshaw: That is correct.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Ordinance No. 2008-117.

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RESOLUTION NO.: 12-16-(11)

A Resolution Opposing any Proposals or Legislation Allowing the Increase in the Size and Weight of Trucks on Ohio's Highways, and declaring an emergency.

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

ROLL CALL: Yeas unanimous.

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

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Resolution No. 2008-118.

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Requested by: Administration
Sponsored by: Mr. Knuchel

RESOLUTION NO.: 12-16-(12)

A Resolution authorizing and directing the Mayor and Director of Finance to enter into an Agreement with Local 3058, Ohio Council 8 American Federation of State, County and Municipal Employees, AFL-CIO, 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 Resolution No. 2008-119.

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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: Regarding the budget – I don't know how much of a down turn – if any – we are going to see next year. At least we can say we left 2008 in pretty good shape and that is a credit to all the Departments and employees – and the Administration – for putting together a workable budget and staying to the budget. Next year will be challenging – I think we will be okay. It is good planning on all of our parts on the two funds to set aside monies for future obligations. We have an obligation of \$2 million for sick time accumulation and comp time accumulation – some employees are going to retire – so if we put money aside now we will have enough for the future. The same thing goes with the stadium debt – the more we pay off the better off the City will be – for every dollar we pay off we will save a dollar in interest. Next year we will pay off \$250,000 in debt – in the long term that will help future Administrations – I thank Council for looking into that. The third fund is the Recreation Fund – this is inheritance tax – it is a tax that we don't know how much it will be each year so we cannot budget for it – the money will go into a capital improvement fund for recreation. As a lot know, we have no recreation in this City – this will be a good start to bringing back recreation for the residents of Eastlake. All of you have heard about the State and Federal government stimulus package and the words infrastructure, roads, bridges. We put together a wish list – we have our projects so when the government releases funds we are ready to go – hopefully we will get some of that money which is in

addition to the Issue 2 money. I would like to recommend two people be re-appointed to the Port Authority – one is Mr. Gary Meinke and the other is Mark Vadaj..

Mr. Lajeunesse made the following Motions:

Eastlake Port Authority Re-Appointments

MOTION: I hereby move to approve the Mayor’s re-appointment of Gary Meinke, 35981 Reeves Road, Eastlake, OH to the Eastlake Port Authority for the term expiring 12/31/2012. Ms. Vaughn seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Mr. Gary Meinke, 35981 Reeves Road, Eastlake, OH is re-appointed to the Eastlake Port Authority for the term expiring 12/31/2012.

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MOTION: I hereby move to approve the Mayor’s re-appointment of Mark Vadaj, 7342 Amanda Place, Concord Twp., OH to the Eastlake Port Authority for the term expiring 12/31/2012. Ms. Vaughn seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Mr. Mark Vadaj, 7342 Amanda Place, Concord Twp., OH is re-appointed to the Eastlake Port Authority for the term expiring 12/31/2012.

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Mayor Andrzejewski: I would like to re-appoint Mr. Jon LeRoy to the Board of Zoning Appeals.

Mr. Lajeunesse: Before I make this Motion I would like to thank the Mayor for that decision. I know we don’t always see eye to eye but I believe Mr. LeRoy will do fine service for the City – he is a fine gentleman and I have had the opportunity to serve with those individuals. Mayor, you did the right thing.

Zoning Board of Appeals Re-Appointment

MOTION: I hereby move to re-appoint Jon LeRoy, 96 Admiral Drive, Eastlake, OH to the Zoning Board of Appeals for the term expiring 12/31/13.

ROLL CALL: Yeas unanimous.

Motion carried. Mr. Jon LeRoy, 96 Admiral Drive, Eastlake, OH is appointed to the Zoning Board of Appeals for the term expiring 12/31/13.

Additional Comments:

Mayor Andrzejewski: This concludes my report and I am open for questions.

Mr. Elshaw: It is my understanding that the City of Willoughby is moving forward with the drilling of a gas well – do you know the location?

Mayor Andrzejewski: I do not know the exact location but I believe it is on Willoughby's property by the WPCC plant.

Mr. Elshaw: I understand the location is near the WPCC – is it on the Willoughby property that is being leased?

Mayor Andrzejewski: I don't know. Mayor Anderson said they were going to utilize the gas they obtain to operate the plant – but, there will not be that much gas.

Mr. Elshaw: I also spoke with Mayor Anderson and I had no problem with that – I just wanted to know where the location was.

Mayor Andrzejewski: I will check.

Mr. Knuchel: When you are looking at the new police vehicles could you please look at the SUV? I think it is a good idea.

Mr. Morley: Ditto.

Mr. Elshaw: Let's discuss it in Committee.

Mayor Andrzejewski: My concern is we never bought SUV's in the past – the police cars were fine. All of a sudden we are deciding we are going to buy SUV's and if you look at some of the other cities around us – Mentor is an example – they just bought five police cars – they did not buy SUV's. I don't think it looks good to the people of Eastlake to be buying SUV's – the gas prices will go up again and when we are asking the people of Eastlake to sacrifice in the fact that we do not have any recreational programs they will see our Police Department drive around in two SUV's. I am for the police cars and replacing them per the schedule – but, I see no need to buy a SUV.

Mr. Knuchel: The price difference between the two vehicles is miniscule – the SUV also has a smaller engine – a V6 instead of a V8 – there is an economic issue there which you could actually say is a feather in your hat if you are looking at it from that perspective – it is a gas saver. I will reserve my other comments for Committee discussion.

Mr. Elshaw: Good points on each side – I would like this to be discussed in Committee.

There were no further questions of Mayor Andrzejewski.

LAW DIRECTOR – Randy Klammer

Mr. Klammer: Mr. LeRoy, welcome back to the Board of Zoning Appeals. Mr. Mayor, I applaud your decision of reversal. It is the end of the year and again – the City of Eastlake is important to myself and my family. The residents need to know – I see you people on a daily basis trying to solve real problems for people who have contacted you for help in solving problems which are certainly not part of City business. You look into resources to solve the problems – you should all be proud of that. It is a pleasure to serve you. This concludes my report and I am open for questions.

There were no questions of Mr. Klammer.

FINANCE DIRECTOR – Brian Condron

Mr. Condron: We have been working on the legislation closing out 2008 fiscal year and working on 2009. This concludes my report and I am open for questions.

There were no questions of Mr. Condron.

TAX ADMINISTRATOR – Angela Keneven-Zanella

Mrs. Keneven-Zanella: The Tax Department has finalized the forms with some changes for 2009 which were suggested by the residents and we are still in the process of closing out 2008 – as of November 30th we were only down 1% which is far better than some other communities. I have received communication from two companies – one was going to have a small lay-off and the other one was transferring some employees to another community. We are still holding our own as of now but with the economy I don't know about 2009. This concludes my report – Happy Holidays.

There were no questions of Mrs. Keneven-Zanella.

SERVICE DIRECTOR – Mike Semik

Mr. Semik: I would like to thank Council for the quick action on legislation for the compact tractor – it will be utilized on sidewalks – at City Hall and on the bike path. We are continuing with leaf pickup and if the weather cooperates this week we will hopefully have the City covered for the third time in some areas. We installed two LED pole lamps behind the Police Department – we had a bid to install them for approximately \$1,200 each but our Recreation Department installed them and saved the City money. We are now looking at redoing the lights around City Hall. I wish everyone a Merry Christmas and a safe and prosperous New Year. This concludes my report and I am open for questions.

Mr. D'Ambrosio: Mr. Semik, thank you for your patience. I have been calling him on a daily basis regarding the emails I have been receiving about the leaves. When they came to Ward 1 the first time the leaves were still on the street –with all my calls on the leaves – everyone is calling saying their leaves are getting picked up. The guys are doing a great job with the amount of manpower they have – they are out there. I try to explain to the residents what is going on – it is not easy picking up leaves in snow – I just wanted to say thank you.

There were no further questions for Mr. Semik.

CHIEF BUILDING OFFICIAL – John Stigalt

Mr. Stigalt: We are doing basic house cleaning for the end of the year – finishing up projects and getting some filing. We are trying to get some insight into the property maintenance program for last year. Happy Holidays. This concludes my report and I am open for questions.

There were no questions of Mr. Stigalt.

CITY ENGINEER – Tom Gwydir

Mr. Gwydir: I would like to thank you for the extreme privilege of serving the City of Eastlake this past year. I appreciate that very much. I wish you a Merry Christmas and Happy New Year. This concludes my report and I am open for questions.

There were no questions of Mr. Gwydir.

POLICE CHIEF – John Ruth

Chief Ruth was absent and excused.

FIRE CHIEF – Ted Whittington

Chief Whittington: I do appreciate the patience of Council and the Mayor this year on the transition between Chiefs – there is nothing routine about it. I also would like to thank those at the Fire Department for their work this year – they work real hard. I would like to point out a couple of things – Fighter/Paramedic Lanning discovered a fire in a building while waiting for an appointment and we were able to respond. Also, we responded to a call on a heart attack and had the person at the cath lab within the timeframe for national standards – the patient went into cardiac arrest at the lab but they were able to bring her back – she is fine. We are at about 2,500 calls this year. I wish everyone Happy Holidays and Merry Christmas and I look forward to 2009. This concludes my report and I am open for questions.

There were no questions of Chief Whittington.

Mr. Elshaw: On behalf of Council thank you to all our Departments. I know you have been working on limited budgets, limited manpower – we really appreciate the hard work – nice job. Thank you.

Happy Holidays.

ADJOURNMENT

The meeting was adjourned at approximately 8:43 p.m.

DEREK W. ELSHAW, COUNCIL PRESIDENT

APPROVED: _____

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

