

**EASTLAKE CITY COUNCIL  
REGULAR COUNCIL MEETING MINUTES  
DECEMBER 1, 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 7:30 p.m.

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

ATTENDEES

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

Those attending from the Administration were Mayor Andrzejewski, Law Director Klammer, Finance Director Condron, Service Director Semik, City Engineer Gwydir and Fire Chief Whittington.

APPROVAL OF MINUTES

REGULAR COUNCIL MEETING – NOVEMBER 24, 2009

MOTION: Ms. Vaughn moved to approve the minutes of the Regular Council Meeting of November 24, 2009. Mr. D'Ambrosio seconded.

ROLL CALL: Yeas unanimous.

Motion carried. The minutes were approved.

COUNCIL PRESIDENT'S REPORT – Mr. Elshaw

Meetings Scheduled

Pursuant to City of Eastlake Ordinance 111.01 "Rules of Council" the Tuesday, December 22, 2009 Council-as-a-Whole Committee Meeting and Regular Council Meeting were rescheduled to Tuesday, December 15, 2009, with the Council-as-a-Whole Meeting being scheduled for 7:00 p.m. and the Regular Council Meeting being scheduled for 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 a tax amnesty program. This was referred to Finance Committee.

A communication was received from Law Director Klammer requesting the repeal of Ordinance No. 2009-115, adopted by Council on October 13, 2009, regarding a land donation. This was referred to Finance Committee.

A communication was received from Finance Director Condron requesting Year-end Fund Transfers. This was referred to Finance Committee.

Referrals were received from the Administration for Conditional Use Permit Renewals for Gabor Construction, 19 Forest Drive, Eastlake and Verizon Wireless, Cell Phone Tower, 33701 Curtis Blvd., Eastlake. These were referred to Planning Committee.

DISCUSSION:

Mrs. Cendroski: The Verizon Wireless permit was sent back to the Building Department as it was initially given to another company. The Building Department will have to check into the correct owner of the company so the legislation can be amended. Also, Mr. Klammer is reviewing some of the items in the permit. Once the Building Department has completed everything it will be sent back to Council.

COUNCIL COMMITTEE REPORTS

PLANNING COMMITTEE – Mr. D’Ambrosio

Mr. D’Ambrosio: The Planning Committee has not met since the last Council meeting, therefore, I have no formal report.

There were no questions of Mr. D’Ambrosio.

FINANCE COMMITTEE – Mr. Knuchel

Mr. Knuchel: The Finance Committee has not met since our last regularly scheduled Council meeting. Therefore, I have no formal report. As I have a lot of items in my Committee to discuss, including re-appropriations and interim budgets, I will be scheduling a meeting for Tuesday, December 8, 2009.

Mr. D’Ambrosio: As I have items in my Committee I will schedule my meeting for 6:00 p.m. – is 6:15 p.m. alright for yours?

Mr. Knuchel: That is fine. This concludes my report and I am open for questions.

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 therefore I have nothing to report other than that I will be making a motion to reject and rebid the bids received for Houston Fisher pool at our next meeting At this time I will make a motion to grant a fee waiver:

Legislative Recommendation

Fee Waiver Request

MOTION: I hereby move to approve the fee waiver request from Taft Senior Center Coordinator Mr. Doberdruk for use of the Taft Senior Center Multi-Purpose Room by Becky White on Friday, December 11, 2009 for a fundraiser for the Senior Levy Campaigns. Mr. D’Ambrosio seconded.

ROLL CALL: Yeas unanimous.

Motion carried. The Fee Waiver request for use of the Taft Senior Center Multi-Purpose Room is approved.

Additional Comments:

Ms. Vaughn: This concludes my report and I am open for questions.

Mayor Andrzejewski: Why are we not going to have the first reading on the rejection of the pool bids.

Mr. Elshaw: We could, but in discussing it with the Law Director there is really no point in adding it this evening – it can be added at the next meeting. It would just be placed on First Reading.

Mayor Andrzejewski: Right, and next time it would be second reading. But, what if it did not pass?

Mr. Elshaw: Let's put these items on the agenda.

Ms. Vaughn made the following Motion:

Legislative Recommendation

MOTION: I hereby move to add Legislation No. 12-01-(02) to the evening's agenda 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. Mr. D'Ambrosio seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation No. 12-01-(02) is added to the evening's agenda.

There were no questions of Ms. Vaughn.

Mr. Knuchel made the following Motion:

Legislative Recommendation

MOTION: I hereby move to add Legislation No. 12-01-(01) to the evening's agenda 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). Mr. D'Ambrosio seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation No. 12-10-(01) is added to the evening's agenda.

SERVICE/UTILITIES COMMITTEE - Mr. Matheke

Mr. Matheke was absent and excused.

SAFETY COMMITTEE – Mr. Morley

Mr. Morley: The Safety Committee has not met since our last Council meeting and we have nothing pending.

This concludes my report and I am open for questions.

There were no questions of Mr. Morley.

RECREATION COMMITTEE – Mr. Lajeunesse

Mr. Lajeunesse was absent and excused.

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.

Delores Cantrell, 35456 Roberts Road, Eastlake

Ms. Cantrell: I have a problem - I have cats that are going to be driving me from my home. My neighbor is feeding them – right now she is not there but her kids are coming there – they are not supposed to be feeding them. I talked to Mr. Knuchel. I have a breathing problem. I go out every day and clean up my yard from the cats. They are starting to go up against my home. They are doing it in an area of about 15 feet long by 3 feet wide. I am not supposed to clean this stuff up. I thought my days of cleaning up after a cat was over when I lost my own cat six years ago. They started on my shed in my back yard. I have chased them. The other day I was not home and my neighbor said she heard a noise when she went out to her garbage can. She chased five cats away from the side of my house. Now, they told Mr. Knuchel they were weaning the cats – they are not weaning them. I am a nosey neighbor – I peeked through the privacy fence which they put up against my cyclone fence. There are still two bowls on the back porch. Someone comes and feeds the cats. I don't know what can be done about it. I am tired of putting my money out for sprays. Yesterday I resorted to moth crystals.

Mr. Elshaw: Mr. Knuchel, do you have an update?

Mr. Knuchel: Ms. Cantrell called me about a month ago and we sat down and talked for about 1½ hours. I went outside and observed where the cats were doing their business. We identified the source of the problem. It is not only her but her two neighbors on adjoining properties. I talked with all three of them. Then, I sent a memo over to Mr. Stigalt and he sent out the Zoning Inspector. She put a notice on the door and was contacted by the daughter of the woman who owns the house. The woman is in a nursing home. The woman's daughter said that she would not stop feeding the cats – that she would wean them slowly. I immediately wrote back to Mr. Stigalt and suggested we give them two weeks to wean the cats and that would be it. I have not heard back from Mr. Stigalt but the Mayor and I talked to Ms. Cantrell before the meeting – are you going to follow up with this Mayor?

Mayor Andrzejewski: Yes.

Mr. Elshaw: Where are we on the two week deadline?

Mr. Knuchel: That was my suggestion – it was two weeks ago.

Ms. Cantrell: I would not be that concerned but I am on oxygen when I am away from home and a breathing machine when at home. I was sick for a week after cleaning up.

Mr. Knuchel: This resident has also put out a lot of her own money in doing the ammonia which is pretty effective.

Ms. Vaughn: Vinegar is.

Mr. Knuchel: We have worked with ammonia before – this is not the first can problem I have had. She has put down moth balls – she has done everything she can to eliminate this situation and it does not seem to help.

Ms. Cantrell: To me it is their problem – they started it – they should finish it and they should accept their obligation.

Mr. Elshaw: So, you are going to follow up with Mr. Stigalt to see what resolution we can come up with and keep in contact with Ms. Cantrell.

There was no one else who wished to speak.

LEGISLATION PROPOSED - First number will be 2009-137

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.

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

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

- - - - -

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.

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

Legislation No. 12-01-(02) is placed on First Reading.

- - - - -  
.

LEGISLATION PENDING (Placed on First Reading 11/24/09)

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.

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

Legislation No. 11-24-(09) is placed on Second Reading.

- - - - -

UNFINISHED BUSINESS

There was no Unfinished Business.

NEW BUSINESS

There was no New Business.

ADMINISTRATIVE REPORTS:

MAYOR/SAFETY DIRECTOR – Ted Andrzejewski

Mayor Andrzejewski: The only thing I am going to report is the lighting ceremony Sunday night went very well – we had about 200 people present. It was a nice turnout. I am open for questions.

There were no questions of Mayor Andrzejewski.

LAW DIRECTOR – Randy Klammer

Mr. Klammer: I only have one comment – due to the lack of spirited debate today it certainly provided my son with a false impression of what happens at a meeting. I will have to bring him to another meeting so he can see how good government works. This concludes my report and I am open for questions.

There were no questions of Mr. Klammer.

FINANCE DIRECTOR – Brian Condrón

Mr. Condrón: I have nothing to report. I am open for questions.

There were no questions of Mr. Condrón.

TAX ADMINISTRATOR – Angela Keneven-Zanella

Mrs. Keneven-Zanella was absent and excused.

SERVICE DIRECTOR – Mike Semik

Mr. Semik: I have nothing to report other than we are on the last round of leaves and hope to have them finished up by the end of the week. If the weather keeps cooperating we will have the street sweeper out. We are set for snow. This concludes my report and I am open for questions.

Mr. Knuchel: Will you still be picking up leaves in certain areas if we see them stacked up in people's front yards?

Mr. Semik: Absolutely. About all the leaves are down – I really don't see much more coming down.

Mayor Andrzejewski: If people ask you – the last week of yard waste pickup is the 11<sup>th</sup>.

There were no further questions of Mr. Semik.

CHIEF BUILDING OFFICIAL – John Stigalt

Mr. Stigalt was absent and excused.

CITY ENGINEER – Tom Gwydir

Mr. Gwydir: It has been quiet since we last met. This concludes my report and I am open for questions.

Mr. Knuchel: Is there any movement yet on the railroad tracks?

Mr. Gwydir: No, I have not received a response from CSX.

Mayor Andrzejewski: I inquired of the Port Authority as to where the \$200,000 from the grant goes – it does go for land acquisition. That was one of the provisions for us to be able to get that money – a little bit can go for engineering but it has to go for land acquisition. So, they are going to buy a couple of big parcels of what is called the North Island. Maybe we can bring that up at the next meeting and get it on for approval.

Mr. Knuchel: That is in Finance Committee.

There were no further questions of Mr. Gwydir.

POLICE CHIEF – John Ruth

Chief Ruth was absent and excused.

FIRE CHIEF – Ted Whittington

Chief Whittington: Our new rescue squad is in service – it turned out well and we are pleased with it – it is operating as we speak and was a good acquisition. I would like to thank Mr. Gwydir and Mr. Semik for the updating of the signals in the Community. I believe we have it worked out now – the process was somewhat tedious. This concludes my report and I am open for questions.

There were no questions of Chief Whittington.

ADJOURNMENT

The meeting was adjourned at approximately 8:01 p.m.

\_\_\_\_\_  
DEREK W. ELSHAW, COUNCIL PRESIDENT

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

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