

**EASTLAKE CITY COUNCIL
REGULAR COUNCIL MEETING MINUTES
FEBRUARY 24, 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. Morley.

ATTENDEES

Members of Council in attendance were Mr. Morley, Mr. D'Ambrosio, Ms. Vaughn, Mr. Lajeunesse, Mr. Zontini, and Council President Mr. Elshaw. Mr. Knuchel 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, Service Director Mr. Semik, City Engineer Mr. Guard, and Fire Chief Whittington.

RECOGNITION OF MR. TODD HARVEY, MR. RON BARE, MR. MIKE FELLEINSTEIN, AND MR. BRIAN GREEN FOR HEROIC AND UNSELFISH ACTIONS IN THE RESCUE OF THE VICTIMS OF A HOUSE EXPLOSION ON JANUARY 28, 2009

Mr. Elshaw: We have quite a crowd tonight and rightly so. We have recognition of Mr. Todd Harvey from our Eastlake Fire Department, Mr. Ron Bare from the Euclid Fire Department, Mr. Mike Fellenstein who is a snow plow operator and Mr. Brian Green who also is a snow plow operator. We are honoring them for their heroic and unselfish actions in the rescue of the victims of a house explosion on January 28, 2009 here in Eastlake. Your brave acts of heroism should not go unrecognized. Mayor Andrzejewski, Chief Whittington – would you do the honors?

Mayor Andrzejewski, Council President Elshaw and Fire Chief Whittington presented plaques of recognition to Mr. Todd Harvey, Mr. Ron Bare, Mr. Mike Fellenstein and Mr. Brian Green in appreciation of their actions.

APPROVAL OF MINUTES

REGULAR COUNCIL MEETING – FEBRUARY 10, 2009

MOTION: Mr. Lajeunesse moved to approve the minutes of the Regular Council Meeting of February 10, 2009. Mr. D'Ambrosio seconded.

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

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, March 10, 2009 at 7:00 p.m. The Regular Council Meeting is scheduled for Tuesday, March 10, 2009 at 7:30 p.m.

COMMUNICATIONS & PETITIONS

A communication was received from the Administration regarding a proposed amendment to City Ordinance Chapter 949 “Sewer Service Connections.” This was referred to Ordinance Committee.

A communication was received from the Administration regarding the Release of Restrictions for the old J.F.K. Senior Center. This was referred to Finance Committee.

A liquor license transfer request was received from 354th Street Bar & Grille, LLC & Patio, 34471 Vine Street, Eastlake to HB II, Inc. dba Handle Bar II, 34471 Vine Street, Eastlake. This was referred to Planning Committee.

A communication was received from the Administration regarding the ODOT Signalization Project. This was referred to Finance Committee.

A request was received from Finance Director Mr. Condrón to transfer funds from the General Fund to the Bond Retirement Fund. This was referred to Finance Committee.

A communication was received from the Administration recommending the rejection of bids received for Camera & Joint Grouting. Mr. Elshaw explained that this was discussed in Council-as-a-Whole and would be added to the evening’s agenda as Legislation No. 02-10-(03).

Documentation was received from Law Director Klammer regarding easements between the City of Eastlake and AT&T. This was referred to Service/Utilities Committee.

A bid recommendation was received from Finance Director Condrón for the sale of the HUD home on Beachpark Avenue. This was referred to Finance Committee.

COUNCIL COMMITTEE REPORTS

SAFETY COMMITTEE – Mr. Morley

Mr. Morley: The Safety Committee has not met since our last regularly scheduled Council meeting. One item is pending – the Nestor Traffic System. I will be polling the Committee to see if we will be referring this item out of Committee with no action taken at the next regular Council meeting. This concludes my report and I am open for questions. There were no questions of Mr. Morley.

RECREATION COMMITTEE – Mr. Lajeunesse

Mr. Lajeunesse: The Recreation Committee has not met since the last regularly scheduled Council meeting, therefore, I have no formal report. I am also the Council liaison for the Eastlake Port Authority and attended the last meeting. I submitted the minutes in writing and the Council Clerk copied them and distributed them accordingly. The Port Authority has

requested their \$15,000 which the City provides for dredging be budgeted in the 2009 Eastlake budget. I mentioned to them we would address this during the budget review. This concludes my report and I am open for questions.

There were no questions of Mr. Lajeunesse.

PLANNING COMMITTEE – Mr. D'Ambrosio

Mr. D'Ambrosio: The Planning Committee met February 17, 2009 at 5:55 p.m. In attendance from the Committee were myself, Mr. Zontini and Mr. Knuchel. In attendance from Council were Mr. Morley and Ms. Vaughn. In attendance from the Administration were Mr. Stigalt and Fire Chief Whittington. One item was on the agenda - a Conditional Use Permit renewal Barb's Tax & Bookkeeping Service, Barb Reddick, Agent, 1315 East 354th Street, Eastlake. The Committee agreed to move this matter forward and I will be making the following Motion:

CONDITIONAL USE PERMIT RENEWAL:

Barb's Tax & Bookkeeping Service, 1315 East 354th Street, Eastlake

MOTION: I hereby move to approve the Conditional Use Permit Renewal request for Barb's Tax & Bookkeeping Service, Barb Reddick, Agent, 1315 East 354th Street, Eastlake. Mr. Morley seconded.

ROLL CALL: Yeas unanimous.

Motion carried. The Conditional Use Permit Renewal request is approved.

Additional Comments

Mr. D'Ambrosio: This concludes my report and I am open for questions.

There were no questions of Mr. D'Ambrosio.

FINANCE COMMITTEE – Mr. Knuchel

Mr. Knuchel was absent and excused.

ORDINANCE COMMITTEE - Ms. Vaughn

Ms. Vaughn: The Ordinance Committee met on February 17, 2009 at 6:00 p.m. with me, Mr. Morley and Mr. D'Ambrosio present from the Committee. Also in attendance from Council were Mr. Zontini, Mr. Lajeunesse, Mr. Knuchel and Council President Mr. Elshaw. In attendance from the Administration were Mayor Andrzejewski, CBO Mr. Stigalt, Fire Chief Whittington and Law Director Mr. Klammer. The Committee discussed a proposed amendment to City Ordinance Section 311.05 "Snow Removal Permit Required; Restrictions; Application; Fee." This was presented by Mr. D'Ambrosio and after considerable discussion Mr. D'Ambrosio requested this matter be moved forward.

Mr. D'Ambrosio: I received some calls about people who have snow pushed across the street onto their yards by snowplowers. This amendment adds a line preventing someone from pushing snow or ice onto a neighboring property. After the meeting Mr. Zontini mentioned he lived on a cul-de-sac and the front yard is pie shaped so it would be difficult to not put the snow onto someone else's front yard. I figured an ordinance like this will be

complaint driven and chances are everyone on the cul-de-sac is in the same situation so the placement of snow would be unavoidable.

Ms. Vaughn: The next item to be discussed is an amendment to City Ordinance Section 125.05 and deletes the \$.25 fee for copies and increased the fee for publication costs of Conditional Use Permits to \$200. The Committee agreed to move this matter forward. Also discussed was an amendment to City Ordinance Section 1151.06(c) "Permitted Uses in a Marine Recreational District." Residents were invited for comments and discussion. After hearing many people's comments – both positive and negative it was suggested that the Port Authority meet with the Administration to discuss this proposed amendment so boaters can be represented. I will be scheduling an Ordinance Committee meeting for March 3, 2009 at 6:00 p.m. at which time we will discuss the proposed amendments to City Ordinance Chapter 155 "Employment Provisions & Compensation" - the salaries will not be discussed as they will have to be discussed in Executive Session. This concludes my report and I am open for questions.

Mr. Zontini: Mr. D'Ambrosio, in regards to your proposal on the snow plows – my concern is also the fact that I think this is already covered by trespassing situations – which is what this would be. After the meeting I discussed this with other people who also raised an issue – there are many good Samaritans out there who will plow their whole street and they conceivably, with the way this is, would be charged with a violation of this. My concern is not so much with the intent of the wording – that would be my reason for voting against it – because it is not cleaned up enough as far as taking into consideration all those particular actions.

Mr. Elshaw: Regarding the amendment on the fees under Section 125. For clarification, I believe there was a misstatement in the Ordinance Committee. The \$.25 charge is being removed from our Ordinance – it has been determined the amount is too much. However, the Records Commission does still have to look at that and determine how much we can charge. I think we were recommending \$.05 a copy. The current policy does state \$.25 which is not correct – we need a new policy.

Mr. D'Ambrosio: I will be scheduling a meeting right before the Ordinance Committee.

Mr. Klammer: Mr. Zontini, will it satisfy your concern if the amendment includes that "no person shall knowingly push or place or cause to be pushed or placed snow and/or ice onto any neighboring private property without the neighbor's consent"?

Mr. Zontini: Yes, it probably would but then we get into the issue of how do we get the consent, but I understand your wording.

There were no questions of Ms. Vaughn.

SERVICE/UTILITIES COMMITTEE – Mr. Zontini

Mr. Zontini: The Service/Utilities Committee has nothing pending in Committee so we have not met since the last Council meeting. Something was entered this evening – I have not seen the documentation yet but I will look at it and it may be possible to address it at the next

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

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Ordinance No. 2009-014.

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Requested by: Administration	<u>RESOLUTION NO.: 02-24-(03)</u> A Resolution Rejecting the Bids Received by the City for Camera and Joint Grouting for 2009, and declaring an emergency.
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MOTION: Mr. Zontini moved to suspend the rules requiring separate readings and reading in full. Mr. Morley seconded.

ROLL CALL: Yeas unanimous.

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

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Resolution No. 2009-015.

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LEGISLATION PENDING

There was no Legislation Pending.

UNFINISHED BUSINESS

NEW BUSINESS

There was no New Business.

ADMINISTRATIVE REPORTS:

MAYOR/SAFETY DIRECTOR – Ted Andrzejewski

Mayor Andrzejewski: Regarding the Stimulus Package – let me assure Council that we have lists of projects everywhere and anywhere – with the Lake County Mayor's and Manager's Association, NOACA, the State of Ohio – which has the list on its website, the Federal EPA, Congressman LaTourette, State Representative Fende – there is not a site we have not submitted projects to. The \$64,000 question is – how will this money be distributed. To this day I cannot tell you how it will be distributed. I heard this evening that the State will forward money based on County populations – we have 2% of the population and would get 2% of the money – that would amount to \$13 million for the whole County. We are going to pursue every avenue. All I can say is we have to wait like everyone else to see how this money is going to be distributed. At our weekly staff meeting it was reported that we survived January – meaning our revenues slightly exceeded our expenses – that is one month down and eleven to go. This concludes my report and I am open for questions.

Mr. Lajeunesse: Mayor, would you please share a copy of the list for the stimulus package? The paper mentioned two items – I am sure there are many more – just in case we get questioned.

Mayor Andrzejewski: You can go to the State of Ohio web site and see all the requests if the whole State of Ohio – but, we will get you that list.

Mr. Morley: Mayor Andrzejewski, Mr. Semik – what is the condition of the building that was left at Surfside Park – the residents want to know if there is enough room to rent it out to be used for parties?

Mayor Andrzejewski: It is a locker room and showers.

Mr. Morley: I knew there was a locker room but we were talking about letting some of the City groups have their Board meetings there.

Mr. Semik: There is a small office.

Mr. Morley: I did not know what we had done with it – if we left the building there it should be used for something.

Mr. Semik: The room is small - I suppose it could be used for registration.

Mayor Andrzejewski: I have also had questions about the lighting. When we put up the pavilion we will put lights on the top of it so they cannot be damaged.

Mr. Morley: When we decide to look at the pavilion I would suggest we have a meeting with the Surfside residents – I have heard pros and cons – some don't want it because they think it may be a hangout for the teenagers. We should have some sort of meeting before we make a decision to put up a pavilion – to see what the residents of Eastlake think.

Mr. Lajeunesse: I am very much in concurrence with Mr. Morley. Mayor, if you could please do that it would be appreciated.

Ms. Vaughn: What is the status of the estimated cost of the renovations of Houston-Fisher pool – do you have them yet?

Mayor Andrzejewski: No yet. We have pretty much investigated it in the terms of plumbing – it is okay – needs some repairs, we have determined the electrical is okay –needs some repairs. The boiler needs to be replaced – we knew that from the start. The bathrooms are in good shape – we are going to replace the fixtures with automatic ones. The thing to be determined was is the plumbing and electrical were good enough to fix – the answer is yes. Now we will proceed with the next step and try to determine some costs. Remember we have \$150,000 from the grant and also have some set aside from the inheritance tax and if Council approves the sale of the HUD home there will be another \$40,000 – we don't intend to use it all but the money is available.

Ms. Vaughn: That is the question I would like answered before the budget meeting.

Mayor Andrzejewski: I don't know if we will have that done.

Ms. Vaughn: It is hard to make an informed decision if we don't have the information.

Mayor Andrzejewski: We know we have the \$150,000 plus the inheritance tax – we have no desire to go over that.

Mr. Elshaw: I think it would be helpful to have estimates of the numbers for the budget hearing.

Mr. Lajeunesse: I concur with that. I sent Mr. Semik a memo in regards to Houston-Fisher pool and its condition as far as renovations and costs. I received an answer that he will get this information to me within the next 5 or 10 working days. Even if it is too weeks that is fine – I guess that goes along with what we are looking for – this memo was sent in a timely manner so as to be able to do our budget hearings. Who will be doing the inspections on the pool as far as the electrical and plumbing – who gives the ADA approval?

Mr. Gwydir: The Ohio Health Department assessed the situation – they will be providing further information to Mr. Semik

Mr. Lajeunesse: So, who is doing the inspection on the plumbing and electrical – who gives the final approval.

Mr. Gwydir: The Ohio Department of Health will sign off.

Mayor Andrzejewski: We have a very capable CBO – Mr. Stigalt. He has been working with us.

Mr. Lajeunesse: I was told at the last Council meeting that Mr. Semik, our Service/Recreation Director was heading this up and I was to direct questions to Mr. Semik. If he is taking the lead of it I guess any communications I have should go through him.

Mayor Andrzejewski: There are a multitude of people working on this – our City Engineer, Service Director, CBO, Mr. Whitmer – a pool expert – there is no one person in charge of renovating the pool. If you have a question you can go to Mr. Semik but he is not the determining factor as to what and how something will be fixed – we have a multitude of experts.

Mr. Lajeunesse: I appreciate your information – thank you.

Mr. Zontini: Mr. Condon – as all these people are involved in this project is their time being charged against the renovations of the pool?

Mr. Condon: We have some seed money to do projects and anything over \$12,500 we would have to come back to Council.

Mayor Andrzejewski: We have used a little bit of Mr. Gwydir's expertise, Mr. Semik gets a salary.

Mr. Zontini: There is a cost.

Mayor Andrzejewski: There is also a cost in fixing the roads, snow plowing and everything else – we don't charge those to a specific account.

Mr. Zontini: That was my question, thank you.

Mayor Andrzejewski: Everything Mr. Semik does is part of his job as Service Director, anything Mr. Gwydir does is part of him being the Engineer, except when we request him to prepare specs, and as far as Whitmer – he has not done anything yet. We have a consulting contract with him not to exceed \$2,500.

Mr. Lajeunesse: So, Mr. Semik, as you are Service/Recreation Director – if I send a memo to you requesting how many hours have been spent over at Houston Fisher and the dollar amount so far – even though it is in house – you will still be able to submit that memo?

Mr. Semik: We can track it.

Mayor Andrzejewski: Is there a reason for it Mr. Lajeunesse?

Mr. Lajeunesse: Well, we will be looking at the budgets – and, work is going to be continuously done – to me unless it is something different you are taking guys off of another project and putting them into renovating the pool. To me that should be counted in as far as the financials.

Mayor Andrzejewski: We don't ask for hours spent snowplowing...

Mr. Elshaw: I am going to cut this off.

Mayor Andrzejewski: You have a right to ask the questions but I think we have a right to ask why you are picking on the pool – and saying you want the total number of hours when we don't do that for other City services.

Mr. Lajeunesse: I will end this – I thought we did keep track of overtime when snowplowing and we did keep track of how many hours are spent on leaf pickup.

Mayor Andrzejewski: We don't keep track of how many hours are spent in leaf pickup. Overtime – yes. But during the day we do not need to keep track of how many hours we spend snowplowing.

Mr. Lajeunesse: I appreciate your information, thank you.

There were no further questions of Mayor Andrzejewski.

LAW DIRECTOR – Randy Klammer

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

There were no questions of Mr. Klammer.

FINANCE DIRECTOR – Brian Condrón

Mr. Condrón: We are working on the forecast and adding it to the budget – it will be in your packets the end of the week. This concludes my report and I am open for questions.

Mr. Lajeunesse: I would like to thank you for the information on Clemons-Nelson.

There were no further questions of Mr. Condrón.

TAX ADMINISTRATOR – Angela Keneven-Zanella

Mrs. Keneven-Zanella was absent and excused.

SERVICE DIRECTOR – Mike Semik

Mr. Semik: The last of the leaves have been picked up. We are working on the security systems for City Hall, sensors are being placed in the hallways and a touch key pad has been installed at the back door to the Finance Department – if this works out we will look at other doors. Lt. Garbo will be going over everything with the employees and training them on the system. The asphalt road program – please take a look at the Wards and submit your road request. The street sweeper has been out. Mentor and Willoughby have contacted me and would like to come over to see our Dura Patcher. It seems like we used to follow – now we are ahead – the Dura Patcher, the beet juice – it is nice to see other Cities are now contacting us. This concludes my report and I am open for questions.

Mr. D'Ambrosio: Is it feasible to repair an area on East 357th Street – the street is in good shape but there is a 30-40 feet section that is bad. Can that be planed down and repaired?

Mr. Semik: We are planning on repaving the street on the other side – we can repair that at the same time.

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 quieted down since the flurry of estimating items for the stimulus plan. I will be meeting with the track engineer tomorrow to discuss the remaining work to be done on Roberts Road so we can hopefully get the work done this spring. 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: Thank you to Council, the Council Clerk and the Mayor for assisting in the presentation of this evening's award. That is a major part of the healing process for the Community when experiencing a major tragedy. We have been attending the schools and have some programs for the children. Fire Marshall Futchi has been busy with the smoke detector program – Mr. D'Ambrosio placed it on his website. In November Lt. Lloyd submitted an application for a grant for a set of tools – we received them last Thursday – they replace tools that were about 25 years old. Finally, I spoke with the Mayor about what we could do in regards to the stimulus package and grants for a new fire station. There is a grant that is for a new fire station in the amount of about \$15 million and I am working with Lt. Lloyd on this. This concludes my report and I am open for questions.

Mr. D'Ambrosio: We recently had a wind storm come through the City and there was some damage – do you know anyone who was hurt?

Chief Whittington: We actually came through it pretty good – the most damage was in the Surfside area – this occurred about 3:00 a.m. We had a couple of transformers go out.

There were no further questions of Chief Whittington.

ADJOURNMENT

The meeting was adjourned at approximately 8:17 p.m.

DEREK W. ELSHAW, COUNCIL PRESIDENT

APPROVED: _____

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

