

**EASTLAKE CITY COUNCIL  
REGULAR COUNCIL MEETING MINUTES  
JUNE 10, 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. D'Ambrosio.

**RECOGNITION OF TEC, INC. ENGINEERING & DESIGN ON ITS 25<sup>TH</sup> ANNIVERSARY OF BUSINESS OPERATIONS IN THE CITY OF EASTLAKE**

Mayor Andrzejewski presented a plaque to representatives of Tec, Inc. Engineering & Design recognizing its 25<sup>th</sup> Anniversary of Business Operations in the City of Eastlake.

Mr. Elshaw: Thank you to Tec., Inc. and congratulations.

**ATTENDEES**

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

Those attending from the Administration were Mayor Andrzejewski, Finance Director Mr. Condrón, Tax Administrator Mrs. Keneven-Zanella, Law Director Mr. Klammer, CBO Mr. Voros, City Engineer Mr. Gwydir and Fire Chief Whittington.

**APPROVAL OF MINUTES**

**REGULAR COUNCIL MEETING – MAY 27, 2008**

MOTION: Mr. Morley moved to approve the minutes of the Regular Council Meeting of May 27, 2008. Mr. D'Ambrosio seconded.

ROLL CALL: Yeas unanimous.

Motion carried. The minutes were approved.

**COUNCIL PRESIDENT'S REPORT – Mr. Elshaw**

Mr. Elshaw: I would like to thank our Eastlake Police Department for holding a Community Blockwatch Informational Forum last Thursday. This was held for the residents of the Jakse Park neighborhood. I would like to thank Police Chief Ruth, Patrolman Formick, Patrolman Tanner, and Lt. Garbo. I would also like to thank Councilman Vaughn for helping to set up the program. Thanks to members of Council and the Mayor for their support. Judging by the large turnout in attendance and the interest generated, this should prove to be a highly successful program.

**Meetings Scheduled**

Mr. Elshaw: A Council-as-a-Whole Committee Meeting is scheduled for Tuesday, June 24, 2008 at 7:00 p.m. The Regular Council Meeting is scheduled for Tuesday, June 24, 2008 at

7:30 p.m.

An Economic & Community Development Council Meeting is scheduled for Wednesday, June 18, 2008 at 6:30 p.m.

### COMMUNICATIONS & PETITIONS

A communication was received from Law Director Mr. Klammer regarding the Ordinance Committee's request to amend City Ordinance Chapter 1163 "Zoning Board of Appeals." This is referred to Ordinance Committee.

A communication was received from Ms. Chloe Zontini requesting donations for the American Cancer Society Relay for Life to be held at Eastlake North High School on July 12<sup>th</sup> and 13<sup>th</sup>. Mr. Elshaw explained this was for each Councilperson's individual consideration.

A communication was received from Finance Director Mr. Condrón regarding the 2009 Tax Budget. This was referred to Finance Committee.

A communication was received from the Administration regarding the Lease Agreement between the City of Eastlake and Eastlake Gymnastics for use of the Community Center. Mr. Elshaw explained this was discussed in Council-as-a-Whole and will be placed on the agenda through Motion.

A liquor license request was received for John Werner Enterprises, Inc., dba Beef O'Brady's, Centennial Plaza, Unit J., 35400 Vine Street, Eastlake, OH 44094. This was referred to Planning Committee.

A bid recommendation was received from Finance Director Mr. Condrón regarding the replacement of the windows at the JFK Senior Center. This was referred to Finance Committee.

A communication was received from CBO Mr. Voros requesting to advertise for bids for the sale of the City owned HUD properties. This was referred to Service/Utilities Committee.

A communication was received from Service Director Mr. Semik regarding the State Contract for the 2009 rock salt. This was referred to Finance Committee.

### COUNCIL COMMITTEE REPORTS

#### PLANNING COMMITTEE – Mr. D'Ambrosio

Mr. D'Ambrosio: The Planning Committee met on June 3, 2008 at 6:00 p.m. with himself, Mr. Zontini and Mr. Knuchel in attendance from the Committee. In attendance from Council were Ms. Vaughn, Mr. Morley and Council President Mr. Elshaw. Mr. Lajeunesse was absent and excused. One item was on the agenda – a Conditional Use Permit renewal for Beanies' Lounge and the Committee agreed to move this matter forward. When renewals are sent to the Committee they have been reviewed by the Fire Department, Tax Department and Building Department. The Fire Marshall inspects the facility to see if there are any violations. I will be making a Motion on this matter.

#### Conditional Use Permit Renewal:

MOTION: I hereby move to approve the Conditional Use Permit Renewal request for Helaine, Inc., dba Beanie's Lounge, 35399 Vine Street Eastlake, Ohio. Ms. Vaughn seconded.

ROLL CALL: Yes unanimous.

Motion carried. The Conditional Use Permit renewal request for Beanie's Lounge 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: The Finance Committee met on Tuesday, June 3<sup>rd</sup> at 6:30 p.m. with himself, Mr. Lajeunesse and Mr. D'Ambrosio in attendance from the Committee. Also in attendance from Council were Ms. Vaughn, Mr. Morley, Mr. Zontini and Council President Mr. Elshaw. In attendance from the Administration were Mayor Andrzejewski, Finance Director Mr. Condon, City Engineer Mr. Gwydir, Service Director Mr. Semik and Law Director Mr. Klammer. Two items were discussed with the first being the bid advertisement for the 2008 City Auction with a list of items the City is no longer in need of which will be placed up for auction – this item was moved forward to tonight's agenda. The second item was a bid award for the 2008 Concrete Road Program – the lowest and best bidder was T.C. Construction in the amount of \$228,760 – this was also moved forward to this evening's agenda. I will be making the following Motion:

Legislative Recommendation

MOTION: I hereby move to add Legislation No. 06-10-(05) to the evening's agenda authorizing and directing the Mayor and Director of Finance to enter into a Lease Agreement between the City of Eastlake and the Eastlake Gymnastics for use of the City of Eastlake Community Center. Mr. D'Ambrosio seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation No. 06-10-(05) is added to the evening's agenda.

Additional Comments

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

There were no questions of Mr. Knuchel.

ORDINANCE COMMITTEE - Ms. Vaughn

Ms. Vaughn: The Ordinance Committee met on June 3<sup>rd</sup> with herself, Mr. D'Ambrosio and Mr. Morley present from the Committee. Also present were all members of Council and Mayor Andrzejewski from the Administration. After discussion our Committee recommended moving forward with legislation which appears on tonight's agenda as Legislation No. 06-10-(02). This concludes my report for the Ordinance Committee but I would like to take this opportunity to again, with Mr. Elshaw, to thank the Police Department and especially all the residents from Ward 2 who were at the Block Watch meeting and seemed very willing to address this ongoing problem. That concludes my report and I am open for questions.

There were no questions of Ms. Vaughn.

#### SERVICE/UTILITIES COMMITTEE – Mr. Zontini

Mr. Zontini was absent and excused.

#### SAFETY COMMITTEE – Mr. Morley

Mr. Morley: The Safety Committee has not met since the last regularly scheduled Council meeting and nothing is pending in Committee. Along with Mr. Elshaw and Ms. Vaughn regarding the Block Watch – we had a little meeting at Surfside with Mr. Lajeunesse – who I will let explain about – but, there were concerns about a Block Watch. You can go on I-neighbors.org and put your zip code in – either the Jakse Pool area, Surfside or Willo-way area will come up. I actually went on and joined and there are other residents who were at the Block Watch meeting already signed up – that will allow you to e-mail each other – you do not have to put all your pertinent information down if you do not want. I included all my information as a Councilman – that is one more way of getting in touch with me besides the City web site or telephone. I do not know if any of the other Councilmen are going to go on this but it looks like it will be a very good site for us to communicate with the residents in that area and in the Surfside and Willo-way area. This concludes by 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.

#### Cassandra Skinner. 36334 South Riverview Drive, Eastlake

Mrs. Skinner: I was here last month – I came to get an update on the solutions for the drainage on South Riverview – I have not heard from anyone.

Mr. Gwydir: I am pleased to respond that we did meet with Mr. Semik last week and reviewed several of the options for the drainage on North and South Riverview, pending that meeting the City asked that we work another couple of options into our report – we did so and that report was turned over to the City this evening. I did get a chance to speak with Mrs. Skinner between meetings about several of the options and I referred her to Mr. Semik for a look at the reports. If there are any questions of course I am open to meet with Mr. Semik and Mrs. Skinner.

Mayor Andrzejewski: I think the next step here is – we just got the report tonight – we will review it and discuss several options to see which one will work best for your area.

Mrs. Skinner: Who actually decides what will be done – who will be paying for it?

Mayor Andrzejewski: We will look at it and rely on Mr. Gwydir to tell us how the water should flow out of there. Mr. Semik will have the report - I will be the interested bystander just to make sure in my mind that it makes sense to me if I were a homeowner.

Mrs. Skinner: Will I have to go to the neighbors and ask them to...

Mayor Andrzejewski: What I am asking you is let is look at it and then we will inform you what is going on and you can decide whether to tell the neighbors.

Mrs. Skinner: My question is – in addition to what I had before – will all the neighbors in the neighborhood have to pay for it?

Mayor Andrzejewski: I do not know – that will be in the report.

Mr. Elshaw: Thank you – we just ask that the Administration continue to work with the residents on South Riverview.

There was no one else who wished to speak.

#### LEGISLATION PROPOSED

Mr. Elshaw: We will postpone reading the Legislation Proposed until after the Administrative Reports in case we have a quorum at that time.

#### ADMINISTRATIVE REPORTS:

##### MAYOR/SAFETY DIRECTOR – Ted Andrzejewski

Mayor Andrzejewski: I was with the SMSO Expo show today – there are a lot of people here in Eastlake – there is a lot of equipment at the Radisson – the open displays are tomorrow and Thursday – the equipment is outside – it is nice to have this in Eastlake. Please remind everyone that the fireworks this year are at the stadium – the gates will be open at 6:00 p.m. and we will have bands and other things there – there is no ballgame it is strictly fireworks and it is open for anybody of Eastlake. The Eastlake Festival will be July 10<sup>th</sup> through the 13<sup>th</sup> at the Erie Road and Lakeshore Blvd. area with the parade being Saturday, July 12<sup>th</sup> at noon starting at North High School. We have quite a few groups set up to participate in the parade.

Ms. Vaughn: Is there a cost to go to the fireworks?

Mayor Andrzejewski: Absolutely not. There is no ballgame – no parking fee either.

Mr. Elshaw: The concession will be open?

Mayor Andrzejewski: Yes.

There were no further questions of Mayor Andrzejewski.

##### LAW DIRECTOR – Randy Klammer

Mr. Klammer: We had met a few weeks back to try to work through Mr. Tesar's proposals – they were going to do something about his drawings. They understand the timeline we are under so we will try to move that as quick as possible with the configuration of the pathway with the possibility that you will put it on for vote. All the litigation for the most part that you are aware of – some of it is still pending with the exception of Mrs. Sawyer's case which is done. I am open for questions.

Mr. Elshaw: Thank you for all the hard work on the pending cases, especially, I know you put a lot of work into the Sawyer vs. City of Eastlake – Thank you, Mr. Klammer.

Mr. Klammer: Thank you – and, the Fatur case is still pending – that is going on three years now. Also, both Mr. Condrón and Mr. Voros have forwarded me the HUD bid package for my review – you should have that.

There were no further questions for Mr. Klammer.

FINANCE DIRECTOR – Brian Condrón

Mr. Condrón: We are working on closing out the month of May – the reports should be ready by the end of the week or at the latest the first part of next week. We filed our annual financial report on Wednesday, May 28<sup>th</sup> with the State Auditor's office in Columbus. This is done through Schonhardt Associates and is the third year of a three year contract. The FEMA reimbursement was approved by the office in Columbus and we should probably get some in July and August as the State's fiscal year ends in June and then they are shut down until mid-July – we should get over \$30,000. This concludes my report and I am open for questions.

Mr. Elshaw: When is the State Audit scheduled?

Mr. Condrón: In late June or July – probably after July 4<sup>th</sup> – probably around the week of the 7<sup>th</sup>.

There were no further questions of Mr. Condrón.

TAX ADMINISTRATOR – Angela Keneven-Zanella

Mrs. Keneven-Zanella: The Tax Department is moving along with its normal day to day activities – we are processing returns and working on collections. All of my reports have been submitted to the Administration and I am open for questions.

There were no questions of Mrs. Keneven-Zanella.

SERVICE DIRECTOR – Mike Semik

Mr. Semik: Pinehurst, Lakeshore Blvd. and Hillcrest have all been paved. We will be finishing Forest and Beachpark on Wednesday through Friday. After that we will try to finish up with some of our preliminary work for the concrete work. The Recreation Department is doing a fine job getting the grass cut throughout the City. We are still continuing to work on catch basins and sink holes as the manpower will allow. We have received our holding tanks for the salt additive juice which was approved by Council and the Administration. They will be up and running for the snow season. This concludes my report and I am open for questions.

Mr. Knuchel: Mr. Semik, as we do not have a quorum tonight we cannot approve the concrete bid award – that may delay your plans until the next Council meeting.

Mr. Semik: We can still do our in-house concrete work.

Mr. Knuchel: Is that what you were referring to when you mentioned the concrete work?

Mr. Semik: No, but I am aware of it now.

There were no further questions of Mr. Semik.

CHIEF BUILDING OFFICIAL – Joe Voros

Mr. Voros: It is pretty much business as usual – we are handling complaints and permits. The City did take possession of the third HUD home at 259 Courtland last Monday. I called the utilities to have them disconnected – once that is done I will meet with Mr. Semik to get the house demolished and the lawn seeded so it will not look trashy and once that is done I will forward the bid package to Council. This concludes my report and I am open for questions.

There were no further questions of Mr. Voros.

CITY ENGINEER – Tom Gwydir

Mr. Gwydir: We are putting the final touches on the Issue 1 pre-applications for the City for the Quentin Road pump station as well as the Surfside roads. Hopefully, if I have a little bit of time left over and depending on the view of the Administration I might be able to get another application or two prepared for the Friday, June 13th submittal.

There were no questions of Mr. Gwydir.

POLICE CHIEF – John Ruth

Chief Ruth was absent and excused.

FIRE CHIEF – Ted Whittington

Chief Whittington: Since this is the first official meeting I have attended I would like to let everyone know how much I look forward to working with everyone on Council and the Administration and will continue to work with the Fire Department to protect the people of this City. It is a great opportunity for me and I look forward to it and appreciate the opportunity. I would like to thank the Finance Director and the Mayor – we worked together on getting the radios in the command vehicle – the vehicle is hoped to be in service tomorrow – if anyone would like to look at it – it is something we are very proud of – the Police Department and Service Department will be able to use the vehicle for any kind of situation we may have in the City. I thank them for their work in moving forward with that. As far as the Fire Department it is business as usual and I am open for any questions.

Mr. Elshaw: Obviously, the radios were an Administrative matter – how did that work out?

Chief Whittington: The Mayor and I called the company on several occasions and talked to different people. In 2010 the County will be changing the radio systems again – when we were looking at putting the radios in the vehicle we could not get a definitive answer which radios we will be able to use in 2010 and which ones we wouldn't. So we took two old radios and purchased two new ones. The car will have four radios – one for the front and three in the rear. The back of the Suburban has a work station with the three radios – one the fire ground channel – one will be for a staging area – one for Service, Police, hospitals. We will use the two new and two old radios until 2010 until we get a better answer to our questions. I had a meeting with the people this morning and they did assure us that the radios we purchased would be able to be used in 2010.

Mr. Morley: The radios are set up how you wanted from the beginning?

Chief Whittington: That is right.

Mr. Morley: Mr. D’Ambrosio and I looked at the new command vehicle - is it set up in the back so you can communicate with the other guys who are taking the other radios?

Chief Whittington: That is correct. The two old radios work with the others – they will have to be replaced in 2010 but at least we will have a better grasp on exactly what radios will be functioning in 2010.

There were no further questions of Chief Whittington.

LEGISLATION PROPOSED - First number will be 2008-041

Mr. Elshaw: Mr. Klammer, it is 8:00 p.m.- we are at the end of our meeting and have no quorum – do we have to read each item or can we put them on first reading as a whole?

Mr. Klammer: Mr. President, you control the agenda and these are on the agenda – you can do a Motion to remove these from the agenda for consideration at the next meeting.

Mr. Elshaw: Is there a Motion to remove Proposed Legislation No.’s 06-10-(01) through 06-10-(05) from tonight’s agenda to be considered at our next regular Council meeting?

Requested by: CBO Mr. Voros Mr. Elshaw Sponsored by: Mr. D’Ambrosio Ms. Vaughn	<u>ORDINANCE NO.: 06-10-(01)</u> An Ordinance enacting new City Ordinance Section 1147.15 “Exception for Existing Lots of Record in Building Districts,” of the Codified Ordinances of the City of Eastlake, and declaring an emergency.
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Requested by: Administration Sponsored by: Ms. Vaughn	<u>ORDINANCE NO.: 06-10-(02)</u> An Ordinance amending Section 731.04 “Percentage of Tax; Issuance of License; Fee” of the Codified Ordinances of the City of Eastlake, specifically Section 731.04 (a) “Percentage of Tax,” and declaring an emergency.
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Requested by: Administration Sponsored by: Mr. Knuchel	<u>RESOLUTION NO.: 06-10-(03)</u> A Resolution authorizing and directing the Director of Public Service to advertise for a Public Auction for the sale of various items deemed no longer usable by the City of Eastlake, and declaring an emergency.
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