

**EASTLAKE CITY COUNCIL  
REGULAR COUNCIL MEETING MINUTES  
JUNE 8, 2010**

The Regular Meeting of the Eastlake City Council was held at Eastlake City Hall, 35150 Lakeshore Boulevard. The Meeting was called to order by Council President Mr. Morley at approximately 7:23 p.m.

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

**ATTENDEES**

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

Those attending from the Administration were Mayor Andrzejewski, Law Director Klammer, Finance Director Slocum, CBO Stigalt, Service Director Semik, City Engineer Gwydir, Police Chief Ruth and Fire Chief Whittington.

**APPROVAL OF MINUTES**

Public Hearing – May 25, 2010

Re: Conditional Use Permit: JZD, LLC dba Eastlake Child Care Center, 34799 Curtis Blvd., Eastlake, Ohio, 44095

MOTION: Mr. D'Ambrosio moved to approve the minutes of the Public Hearing regarding a Conditional Use Permit for JZD, LLC dba Eastlake Child Care Center, 34799 Curtis Blvd., Eastlake, Ohio, 44095. Mr. Knuchel seconded.

ROLL CALL: Yeas unanimous.

Motion carried. The minutes were approved.

**REGULAR COUNCIL MEETING – MAY 25, 2010**

MOTION: Ms. Vaughn moved to approve the minutes of the Regular Council Meeting of May 25, 2010. Mr. Lajeunesse seconded.

ROLL CALL: Yeas unanimous.

Motion carried. The minutes were approved.

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

**Meetings Scheduled**

Mr. Morley: The next Council-as-a-Whole Committee Meeting is scheduled for Tuesday, June 22, 2010 at 7:00 p.m. The Council meeting will be convened immediately following the adjournment of the Council-as-a-Whole Committee meeting.

The Economic & Community Development Council meeting is scheduled for Wednesday, June 16, 2010 at 6:00 p.m.

I would also like to thank the 2010 Charter Review Commission Committee with the Chair, Mr. Dan Matheke and members of the Committee. Mr. D'Ambrosio represented Council, Resident Mark Reddick, Resident Liberty Schindel, Resident Carolyn Cutler, Resident Bill Alford, II, and Resident Joyce Bates. I thank you for all your time and effort you put into this - you did a great job.

#### COMMUNICATIONS & PETITIONS

A communication was received from the Administration regarding funding for the Chagrin River Feasibility Study. This was referred to Service/Utilities Committee.

A communication was received from the Administration regarding the lease agreement with the Lake County Visitor's Bureau. Mr. Morley explained that this was discussed in Council-as-a-Whole Committee and will be added to the evening's agenda as Legislation No. 06-08-(14).

A communication was received from Law Director Klammer regarding an amendment to City Ordinance Sections 1385.99 and 1387.99. These were referred to Ordinance Committee.

A bid advertisement request was received from Finance Director Slocum regarding the HUD properties at 773 East 347<sup>th</sup> Street and 259 Courtland Blvd. This was referred to Service/Utilities Committee.

A communication was received from Law Director Klammer regarding the rebidding of the JFK Senior Center roof repair project. Mr. Morley explained that this was discussed in Council-as-a-Whole Committee and will be added to the evening's agenda as Legislation No. 06-08-(15).

Recommendations were received from the Planning Commission regarding Conditional Use Permits for Sherwin Shooting Sports, 33140 Vine Street, Eastlake and K & E Automotive, 1585 East 361<sup>st</sup> Street, Eastlake. These were referred to Planning Committee.

#### COMMITTEE REPORTS:

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

Mr. D'Ambrosio: The Planning Committee had a meeting on June 1, 2010 at 6:00 p.m. with all members of Council present. In attendance from the Administration were Mayor Andrzejewski, Law Director Klammer, Finance Director Slocum, CBO Stigalt, Fire Chief Whittington and Battalion Chief Richter. Three items were on the evening's agenda with the first one being Northeast Players Club, LLC, 34578 Lakeshore Blvd. This was held in Committee – due to the time frame a public hearing has been scheduled. They want to be able to play pool and Texas Holdum – Mr. Klammer is going to provide a legal opinion on this as to whether or not this is something that is legal for us to do. It did not seem like there were any problems but we wanted Mr. Klammer to give us a legal opinion before we allowed that to happen. The next item was a Conditional Use Permit for Xtra Innings Bar and Grill, LLC, 35400 Vine Street, #10 – this is new ownership and they are taking over Beef O'Brady's. There is a public hearing for this at our next Council meeting on June 22<sup>nd</sup>. There were no problems with this and we moved it forward. The third item on the agenda

that evening was the repeal of the Conditional Use Permit for Beef O'Brady's. This was also moved forward. I will be making the following Motion:

Legislative Recommendation

Legislation No. 06-08-(13)

MOTION: I hereby move to add Legislation No. 06-08-(13) to the evening's agenda amending Chapter 155, "Employment Provisions and Compensation" of the Codified Ordinances of the City of Eastlake, specifically Section 155.01 "General Administration." Mr. Knuchel seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation No. 06-08-(13) is added to the evening's agenda.

Additional Comments

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

Mrs. Cendroski: The Northeast Players Club Conditional Use Permit is pending in your Committee – waiting for a legal opinion from Mr. Klammer. Mr. Klammer, will that opinion be ready should Mr. D'Ambrosio want to schedule a meeting for next week or should it be held?

Mr. D'Ambrosio: That is a good question.

Mr. Klammer: As I said before lawyer years are like dog years. So, if I promise you next week that usually means the following week.

Mrs. Cendroski: So, you would like it held.

Mr. Klammer: I would. It is a complicated issue. Those gambling laws are always in flux. I was hoping the applicant himself had a legal opinion – which he gave some indication by way of a head nod that he did. I can try to reach him by telephone to see if he was going to follow-up with me. But, I would be over promising you if I told you I would have it by next week.

Mr. D'Ambrosio: You did ask at the meeting if the applicant had another legal opinion and if he could actually supply that to you.

Mr. Klammer: And he did nod along. He seemed to understand it was an issue.

Mr. D'Ambrosio: He did.

Mr. Klammer: If it is an urgency on his behalf I will make it a priority.

Mayor Andrzejewski: When I read the application and what they wanted to do the other thing that concerned was that he wants to employ people as subcontractors. And, he wants to assign them hours of work. So, Mr. Klammer is that something we should talk to him about or should our Tax Department talk to him? As far as I know – rules and regulations for

subcontractors – they are nowhere near what he wants to do. My concern is we are getting a new business in Eastlake and if it has contractors the City of Eastlake will get nothing – no tax revenue unless they report it on their own. It seems to me if you are going to run an establishment for certain hours and if you have employees there for certain hours they should be employees not subcontractors. You may want to read the description of what he wants to do. It sounded a little bit off to me.

Mr. Klammer: I do not entirely have an opinion on whether he uses subcontractors or employees. I think he could do it both ways but we don't know the entire details. He should be reminded of his obligation that he and his employees have to pay their taxes. I am focused on the other issue. As Chief Ruth alluded the gambling laws are always in flux and complicated. I tried to pass it to him and he passed it back to me.

Mr. D'Ambrosio: Let me know when you have something Mr. Klammer and I will schedule a meeting.

There were no further questions of Mr. D'Ambrosio.

#### FINANCE COMMITTEE – Mr. Knuchel

Mr. Knuchel: The Finance Committee met on June 1, 2010 with all members of Council in attendance. In attendance from the Administration were Mayor Andrzejewski, Law Director Klammer, Finance Director Slocum, Fire Chief Whittington and Battalion Chief Richter. A special guest was our former Fire Chief. Two items were on the evening's agenda – one being the approval for the payment to The Walter Drane Company for updating our codified ordinances. This was approved and appears on this evening's agenda. The second item was the financial ramifications of part-time firefighters. I would like to thank Mr. Slocum for all his hard work on that – there were a lot of points brought up that were missed in other conversations. I was really happy with the way things turned out. I think there were a lot of questions asked- a lot of questions were answered - and some that we had never thought about before. In that respect it was a very good conversation. That will be discussed tonight. I have a couple of Motions:

#### The Walter Drane Company

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 \$905.50 and taken from account #101.120.5446. Mr. D'Ambrosio seconded.

ROLL CALL: Yeas unanimous.

Motion carried. The payment to The Walter Drane Company is approved.

#### Legislative Recommendation

#### Legislation No. 06-08-(14)

MOTION: I hereby move to add Legislation No. 06-08-(14) to the evening's agenda authorizing and directing the Mayor and Director of Finance to enter into a Three (3) Year "Commercial Lease Agreement," commencing June 30, 2010 and ending on June 29, 2013 between the City of Eastlake and the Lake County Visitors Bureau for use of the land and improvements at 35300 Vine Street, Eastlake, for the total revenue amount of Twelve

Thousand Nine Hundred Fifty-Three Dollars and Sixty-Four Cents (\$12,953.64). Mr. D'Ambrosio seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation No. 06-08-(14) 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 1, 2010 with all members if the Committee in attendance as well as Mr. Knuchel, Ms. DePledge, Mr. Lajeunesse and Council President Morley. In attendance from the Administration were Mayor Andrzejewski, Law Director Klammer, Finance Director Slocum, Fire Chief Whittington, Battalion Chief Richter and guests. The first item on the agenda was an amendment to 132.02 "Composition of Full-time Division of Fire" – there was an interesting and relatively short discussion considering the issue and the sensitivity of the matter. The recommended changes appear tonight as Legislation No. 06-08-(12) with the most significant change being the inclusion of a paragraph that clearly states that no part-time firefighter will replace any full-time firefighters which, although it has been promised in the past, I think this will rightfully allay their suspicions. Also discussed were the Charter Review Commissions proposed amendments. They did a long, thorough job reviewing the Charter and all the issues were worthy of not but after our discussion tonight the following items will appear on the evening's agenda and we recommend they be passed – Legislation No. 06-08-(04), (05), (09), (10) and (11). They will be placed on First Reading to give the residents opportunity to have input on their feelings on these issues as all the verbiage will be stated on a public site so they will get an idea as to what the Charter Review Commission and Council is looking for. Also discussed was the possibility of placing Ordinance 155.01 into Ordinance Committee and it was decided to discuss it in the Council-as-a-Whole Committee. This concludes my report on the Committee meeting. I would like to make note that I have called a special meeting on Wednesday, June 16<sup>th</sup> at 6:30 p.m. in the Service Department. We have all been overwhelmed with calls about the flooding situations. There are rumors and innuendoes and problems that went back and forth. I get phone calls and that the Mayor has people that he has talked to – in fact he has talked to them and encouraged them to run against me which I do not appreciate. The Service Director has had many people in his office. The best way to stop rumors is to let the people in the Ward know what is going on. That is why I have set a meeting with everyone there. Hopefully the Mayor will be there as well as our Service Director and Engineer to allay any suspicions and questions. It will be at 6:30 p.m. on the 16<sup>th</sup>. I will have an Ordinance Committee meeting the night before to discuss the wind and solar issue as well as anything else deemed necessary. This concludes my report and I am open for questions

There were no questions of Ms. Vaughn.

#### SERVICE/UTILITIES COMMITTEE - Ms. DePledge

Ms. DePledge was absent and excused.

#### SAFETY COMMITTEE – Mr. Lajeunesse

Mr. Lajeunesse: The Safety Committee met last Tuesday evening along with the other Committees that met that night. Therefore, all those who were in attendance for those meetings were also in attendance for the Safety Committee meeting. The only item on the agenda was the agreement for fire protection and rescue squad services between the Village of Lakeline and the City of Eastlake. There was a brief discussion and I appreciate our Finance Director giving us some in depth research on that with the numbers and figures. Maybe the next time we go into this agreement we can maybe do more research and figure out if we can get a little bit more revenue generated if possible. But, if not I understand the situation. This will be on the evening's agenda. This concludes my report and I am open for questions.

There were no questions of Mr. Lajeunesse.

#### RECREATION COMMITTEE – Mr. Hoefle

Mr. Hoefle: The Recreation Committee has not met since our last scheduled meeting. I would like to report that last Friday, June 4<sup>th</sup>, I was in attendance for the grand re-opening of the Houston Fisher pool. It was nice to see the gathering of residents – young and old – who took the opportunity to tour the facility and enjoy the food and great conversations. On another note I was disappointed and embarrassed by the condition of the grounds and the pool for the grand re-opening. The list of items that were not completed is long and I will not bore you with the details. In January I had asked – “Do we have the manpower to maintain the pool and the park?” We were advised everything would be okay. There is a long list of things. On Saturday morning before the pool opened some of the stuff was still not addressed and I actually was down there myself helping JT –our pool manager – to get the pool open and ready. There are a lot of things that still need to be taken care of. That is all I have to say about that but I will be making a Motion – after that I am open for questions:

#### Legislative Recommendation

##### Legislation No. 06-08-(15)

MOTION: I hereby move to add Legislation No. 06-08-(15) to the evening's agenda authorizing and directing the City Engineer's, C.T. Consultants, Inc., to re-advertise for bids for the roof project at the JFK Senior Center, said bids to be in accordance with plans and specifications on file in the office of the City Engineer. Mr. D'Ambrosio seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation No. 06-08-(15) is added to the evening's agenda.

#### Additional Comments:

Mayor Andrzejewski: I cannot let those comments go without comments from us. For two years we worked diligently on that project. For the past February, March, April, May we worked and worked and worked to get that pool open. For you to sit there and say there are numerous items that were not done is very, very, very wrong. I went over some of the things that were not finished. They were such minor things that they were accomplished in one day

on Monday. So, the residents know – such things as not ordering enough trash cans for the inside of the pool – having trash cans outside but not having enough plastic ones inside. Forgetting and this is an oversight – they put up signs...

Mr. Morley: Okay, Mayor.

Mayor Andrzejewski: It is wrong. Everybody should know what a great job Mr. Semik's Department did, what Mr. Gwydir did and what I did. And, for a few minor things to say...

Mr. Morley: Okay, we are done with this – let's move on. Any further questions for Mr. Hoefle?

Mr. Lajeunesse: Mr. President?

Mr. Morley: Mr. Lajeunesse, if all it is going to be is an attack...

Mr. Lajeunesse: I was just going to request a copy of that list.

Mayor Andrzejewski: I would like a copy of that list too.

Mr. Morley: Mr. Hoefle, can you give that to the Mayor and Mr. Lajeunesse. Why don't you give it to all of us? Do you want it Chiefs?

There were no further comments.

#### RECOGNITION OF THE PUBLIC

Mr. Morley recognized the public input at this time; he reminded the speakers that there is a 3-minute limit for their comments; all comments are to be directed to the Chair and not include any personalities or individuals.

#### Richard Fatur, 950 East 346<sup>th</sup> Street, Eastlake

Mr. Fatur: Mayor, I appreciate the help. Ms. Vaughn, I appreciate the help. On the circumstances with this gentleman who likes to work on cars – he has taken over another garage. But, that is okay. These are pictures of things that are still going on, Sir (*pictures were presented to Mayor Andrzejewski*). Do you see the car – they moved from his yard to the neighbor's yard. When the police officer came to look at the cars that are in the driveway – which I really appreciate – they told him the grey car happens to be her car. When they first moved in they told me the grey car was her brother's car who is incarcerated. When you check the vin number to the registration you might see that. The cars he is working on might have a plate but it does not say it is right – does not say it is legal. It may be a plate off of another car – that is what he does. The car he was driving was taken in by a tow truck – confiscated – they now have bicycles they ride. They do not have a car – they have a truck but they do not drive it – they ride bicycles. Which is good exercise –don't get me wrong. There is still something wrong with the system. I know the owner of the property – he turned it over to a management company. That is good – that is the first step. They say they are moving but I won't believe it until I see it. The sound barrier that I requested I still think needs to be put up. It would help the situation, whoever moves in there because it is rental property. And, everyone tells me it will never happen again – that is the third group of people

who have moved in and ran a business out of that. The one before them was a junk collector – he would take your garbage, take it apart and sell it. He did it in the garage – no noise. This guy decides to do it whenever he wants anyplace. The guy before that was a painter. He would bring stuff in and paint it. He tried to use my fence and I threw it on the ground – I am going to call the police - be my guest – I don't care. This gentleman now tells me I cannot cut the grass up to the driveway because I am trespassing. The management company told me to cut the grass because he don't cut it. I got a real winner. You did help – believe me – there are no more tow trucks. No more cars running without half exhaust system. But it ain't solved yet.

Mayor Andrzejewski: Is that a rental property?

Mr. Fatur: It is rental property. The management company sent me and you a letter also. That is how I found out who they are. They have been kicked out of three locations – Mentor, Fairport Harbor and Painesville. Now we have them. I do not think we are going to get rid of them. But, something has to be done about businesses in a residential area. Yes, I can go to Vine Street – three houses away – and put in a business because a lot of that is still zoned commercial. But, where we are – I don't think so. Something still has to be done, ladies and gentlemen. I do not know how you are going to do it but something has to be done. I rest my case. If there are any questions give me a call. If you check the vin numbers you will see that they don't belong to them. They don't own anything. Sorry.

There was no one else who wished to speak.

LEGISLATION PROPOSED - First number will be 2010-048

RESOLUTION NO.: 06-08-(01)

Requested by: Administration  
Sponsored by: Mr. Lajeunesse

A Resolution authorizing and directing the Mayor and Director of Finance to enter into an Agreement with the Village of Lakeline for the City of Eastlake to provide Fire Protection and Rescue Squad Services for said Village for the costs as outlined for a three (3) year period commencing January 1, 2010, and declaring an emergency.

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

ROLL CALL: Yeas unanimous.

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

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Resolution No. 2010-048.

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Requested by: Council Clerk  
Sponsored by: Mr. Knuchel

ORDINANCE NO. : 06-08-(02)

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. D'Ambrosio seconded.

ROLL CALL: Yeas unanimous.

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

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Ordinance No. 2010-049.

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Sponsored by: Charter Review Commission  
Sponsored by: Ms. Vaughn

ORDINANCE NO.: 06-08-(03)

An Ordinance to provide for an election on the adoption of a proposed amendment of Article II, Section 1, of the Charter of the City of Eastlake, and declaring an emergency.

MOTION: Ms. Vaughn moved to refer off the agenda with no action taken. Mr. D'Ambrosio seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation No. 06-08-(03) is referred off the agenda with no action taken.

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Sponsored by: Charter Review Commission  
Sponsored by: Ms. Vaughn

ORDINANCE NO.: 06-08-(04)

An Ordinance to provide for an election on the adoption of a proposed amendment of Article II, Section 2, of the Charter of the City of Eastlake, and declaring an emergency.

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

Legislation No. 06-08-(04) was placed on First Reading.

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Sponsored by: Charter Review Commission  
Sponsored by: Ms. Vaughn

ORDINANCE NO.: 06-08-(05)

An Ordinance to provide for an election on the adoption of a proposed amendment of Article III, Section 2, of the Charter of the City of Eastlake, and declaring an emergency.

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

Legislation No. 06-08-(05) was placed on First Reading.

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ORDINANCE NO.: 06-08-(06)

Sponsored by: Charter Review Commission An Ordinance to provide for an election  
Sponsored by: Ms. Vaughn on the adoption of a proposed amendment  
of Article V, Section 3, of the Charter  
of the City of Eastlake, and declaring  
an emergency.

MOTION: Ms. Vaughn moved to refer off the agenda with no action taken. Mr. D'Ambrosio  
seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation No. 06-08-(06) is referred off the agenda with no action taken.

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ORDINANCE NO.: 06-08-(07)

Sponsored by: Charter Review Commission An Ordinance to provide for an election  
Sponsored by: Ms. Vaughn on the adoption of a proposed amendment  
of Article V, Section 5, of the Charter  
of the City of Eastlake, and declaring  
an emergency.

MOTION: Ms. Vaughn moved to refer off the agenda with no action taken. Mr. D'Ambrosio  
seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation No. 06-08-(07) is referred off the agenda with no action taken.

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ORDINANCE NO.: 06-08-(08)

Sponsored by: Charter Review Commission An Ordinance to provide for an election  
Sponsored by: Ms. Vaughn on the adoption of a proposed amendment  
of Article V, Section 9, of the Charter  
of the City of Eastlake, and declaring  
an emergency.

MOTION: Ms. Vaughn moved to refer off the agenda with no action taken. Mr. D'Ambrosio  
seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation No. 06-08-(08) is referred off the agenda with no action taken.

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ORDINANCE NO.: 06-08-(09)

Sponsored by: Charter Review Commission An Ordinance to provide for an election  
Sponsored by: Ms. Vaughn on the adoption of a proposed amendment  
of Article VIII, Section 2, of the Charter  
of the City of Eastlake, and declaring  
an emergency.

There was no motion to suspend the rules requiring separate readings and reading in full.  
Legislation No. 06-08-(09) was placed on First Reading.

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ORDINANCE NO.: 06-08-(10)

Sponsored by: Charter Review Commission An Ordinance to provide for an election  
Sponsored by: Ms. Vaughn on the adoption of a proposed amendment  
of Article VIII, Section 4, of the Charter  
of the City of Eastlake, and declaring  
an emergency.

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

Legislation No. 06-08-(10) was placed on First Reading.

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ORDINANCE NO.: 06-08-(11)

Sponsored by: Charter Review Commission An Ordinance to provide for an election  
Sponsored by: Ms. Vaughn on the adoption of a proposed amendment  
of Article XI, Section 3, of the Charter  
of the City of Eastlake, and declaring  
an emergency.

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

Legislation No. 06-08-(11) was placed on First Reading.

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ORDINANCE NO.: 06-08-(12)

Requested by: Council President Morley An Ordinance amending Section 132.02  
Sponsored by: Ms. Vaughn "Composition of the Full-time Division of Fire"  
of the Codified Ordinances of the City of  
Eastlake, and declaring an emergency.

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

ROLL CALL: Yeas unanimous.

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

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Ordinance No. 2010-050.

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Requested by: Administration  
Sponsored by: Mr. Morley

ORDINANCE NO.: 06-08-(13)

An Ordinance amending Chapter 155, “Employment Provisions and Compensation” of the Codified Ordinances of the City of Eastlake, specifically Section 155.01 “General Administration,” and declaring an emergency.

MOTION: Ms. Vaughn moved to suspend the rules requiring separate readings and reading in full. Mr. D’Ambrosio seconded.

ROLL CALL: Yeas unanimous.

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

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Ordinance No. 2010-051.

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Requested by: Administration  
Sponsored by: Mr. Knuchel

RESOLUTION NO.: 06-08-(14)

A Resolution authorizing and directing the Mayor and Director of Finance to enter into a Three (3) Year “Commercial Lease Agreement,” commencing June 30, 2010 and ending on June 29, 2013 between the City of Eastlake and the Lake County Visitors Bureau for use of the land and improvements at 35300 Vine Street, Eastlake, for the total revenue amount of Twelve Thousand Nine Hundred Fifty-Three Dollars and Sixty-Four Cents (\$12,953.64), and declaring an emergency.

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

ROLL CALL: Yeas unanimous.

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

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Resolution No. 2010-052.

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Requested by: Administration  
Sponsored by: Mr. Hoefle

RESOLUTION NO.: 06-08-(15)

A Resolution authorizing and directing the City Engineer's, C.T. Consultants, Inc., to re-advertise for bids for the roof project at the JFK Senior Center, said bids to be in accordance with plans and specifications on file in the office of the City Engineer, and declaring an emergency.

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

ROLL CALL: Yeas unanimous.

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

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Resolution No. 2010-053.

LEGISLATION PENDING (Placed on First Reading 05/25/2010)

Requested by: Administration  
Sponsored by: Ms. Vaughn

ORDINANCE NO.: 05-25-(10)

An Ordinance enacting new Chapter 1371 "Small Wind Energy Systems" of the Codified Ordinances of the City of Eastlake, and declaring an emergency.

MOTION: Ms. Vaughn moved to refer off the agenda and into the Ordinance Committee. Mr. D'Ambrosio seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation No. 05-25-(10) is referred off the agenda and into Ordinance Committee.

Requested by: Administration  
Sponsored by: Ms. Vaughn

ORDINANCE NO.: 05-25-(11)

An Ordinance enacting new Chapter 1373 "Solar Energy Systems" of the Codified Ordinances of the City of Eastlake, and declaring an emergency.

MOTION: Ms. Vaughn moved to refer off the agenda and into the Ordinance Committee. Mr. D'Ambrosio seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation No. 05-25-(11) is referred off the agenda and into Ordinance Committee.

Requested by: Administration  
Sponsored by: Ms. Vaughn

ORDINANCE NO.: 05-25-(12)

An Ordinance amending Section 1301.01  
“Permits and Fees” of the Codified Ordinances  
of the City of Eastlake, specifically to include  
new Sections 1301.01(d)(21) and 301.01(d)(22),  
and declaring an emergency.

MOTION: Ms. Vaughn moved to refer off the agenda and into the Ordinance Committee.  
Mr. D’Ambrosio seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation No. 05-25-(12) is referred off the agenda and into Ordinance Committee.

UNFINISHED BUSINESS

There was no Unfinished Business.

NEW BUSINESS

There was no New Business.

ADMINISTRATIVE REPORTS:

MAYOR/SAFETY DIRECTOR – Ted Andrzejewski

Mayor Andrzejewski: I would like to personally thank Tom Gwydir for all the work he did on the pool. Mr. Semik, your guys did a great job – especially at the last minute working on the pool. I know we saved a lot of money on time and labor by having your guys do the concrete work, the restorations of the bathrooms, putting up the handicap bars. I could go on. Also, the parade is scheduled for Sunday, July 4<sup>th</sup>. Several Council members asked me last year to move it to July 4<sup>th</sup> so we are going to try it this year. It should work out fine. If you know anyone – let your civic groups know and those with cars. The applications need to be in so we know how many participants there are. The parade will form at 1:00 p.m. and start at 1:30 p.m. and use the usual route. We scheduled it for 1:00 p.m. so people could attend church services in the morning. This concludes my report.

Mr. Morley: I have a request from the American Legion and VFW for the parade – that they are put in the front of the parade.

Mayor Andrzejewski: We know. I talked to the two residents who are helping us with the parade. The VFW, American Legion and Korean War Veterans have requested up front. We always put them up front.

Mr. D’Ambrosio: I received two calls about the parade this weekend. Council decided to move this thing to July 4<sup>th</sup>? I was asked if Council did.

Mayor Andrzejewski: Council requested last year that we move it to July 4<sup>th</sup>.

Mr. D’Ambrosio: I have a memo from November 24<sup>th</sup> – I had to look into this because I really did not think we did it – and, it was actually from you. You said you would like our input on two matters. One was in regards to moving the parade to July 4<sup>th</sup>. Because a resident called me and asked if Council said they wanted it on July 4<sup>th</sup>. And, I said I did not

think so. I also have a memo from December 3<sup>rd</sup> where I actually wrote back to you and it says “regarding your memo in which you inquired as to our preference for the date of the City parade please be advised that I would prefer to hold the parade when the City has the Home Days Festival. As other cities have parades on July 4<sup>th</sup> having ours on the weekend of the festival is unique and gives the residents something to look forward to in the middle of the summer.” I was not going to bring that up, but...

Mayor Andrzejewski: In all honesty, I didn’t move the parade because I wanted to move the parade. I received input from Council members.

Mr. Morley: I think we might have maybe talked about moving it – and, then you sent the memo out. I do not want to make this into a big deal.

Mayor Andrzejewski: We already have it set for July 4<sup>th</sup> this year. Let’s see how it works and if it does not work let’s go back to the festival.

Mr. D’Ambrosio: I am fine with that. It is just that I got questions about us being the ones that wanted to move it. And, I did not think so.

Mayor Andrzejewski: Tell them I did it – I don’t care. Let’s just do it know.

Mr. D’Ambrosio: We have to do it now.

Mayor Andrzejewski: Pass the word onto your groups. We have quite a few groups – the usual people. I do not think we are going to see any fall off in participation. But, we can decide to take it back to the festival next year.

Mr. D’Ambrosio: I did not hear when it was going to start.

Mayor Andrzejewski: We form at 1:00p.m. with the start at 1:30 p.m.

There were no further questions of Mayor Andrzejewski.

#### LAW DIRECTOR – Randy Klammer

Mr. Klammer: First, congrats to everyone on the pool. That was a heck of an endeavor. Mr. Stigalt, thank you for tolerating all my suggestions since the last Council meeting. We need to address some of those property maintenance issues. I hope you don’t think that I don’t know you guys are working on all of those issues. As a follow-up to Mr. Knuchel’s comments about the part-time firefighters’ discussion - I would like to compliment everyone – I think it was more than just good. I think it was a near perfect example of how that sophisticated issue should have been discussed at that last Committee meeting. I congratulate you all on handling that well. Other than that I am open for questions.

There were no questions of Mr. Klammer.

#### FINANCE DIRECTOR – Michael Slocum

Mr. Slocum: I intend by the end of this week to be issuing a draft of the tax budget. It will need to be approved by mid-July and submitted to the County so we can collect our money

from the real estate taxes. I am just going through a rough, rough, rough budget for next year and what it ends up looking like compared to what we actually end up adopting can be two different animals. It is a rough guess. The second item – at Mr. Lajeunesse's request last week with the pool passes – I did talk to Mr. Morley and we are going to compile everything at the end of this week and issue a report next week as to the number and types of passes – whatever we have for any swim registration. We will have that next week.

Mayor Andrzejewski: The swim lessons might go on for three different sessions.

Mr. Slocum: Right, but I am going to give them an update as to where we are at that point. If there are any questions after you get it please feel free to give me a call. This concludes my report and I am open for questions.

Mr. Morley: I want to say I appreciate since you have been back the open communications you have had with me and Mr. Knuchel – you call Council – any questions – you have been doing things in a very timely manner. Let's hope that can continue. We appreciate it that when we ask you something you get us the answer in a timely fashion.

Mr. Slocum: It goes the other way also. I appreciate the cooperation that I have received from the Council office. We have had a couple of last minute things – the lease, the roof. I know people have been working with us and it is duly appreciated. I hope we can continue. We may not agree on everything but that we continue the open lines of communication.

There were no further questions of Mr. Slocum.

#### TAX ADMINISTRATOR – Angela Keneven-Zanella

Mrs. Keneven-Zanella was absent and excused.

#### CITY ENGINEER – Tom Gwydir

Mr. Gwydir: The Engineer has been kind of busy as of late. We have been working on the Roberts Road rail crossing. CSX has come in and redone the crossing and repaired the damage. They are beginning to submit their bills which I will review. This week I will be meeting with Mr. Semik on the Issue 1 applications and the roads that need work – combine that with some of the events that took place this week due to the flooding. I will also be looking to see if we cannot do an Issue 1 application for some of the flooding areas. The SSES study metering section has wrapped up – we got a couple of good storms and a couple of good readings. So, that is moving along well. The Quentin Road job is moving along. I finished the review of all the tapes in the service area and I am pleased to report that right now there are no repairs required. The sewers are in quite good condition and there will be a savings under that contract due to that. East 347<sup>th</sup> Street and East 348<sup>th</sup> Street are out to bid. The slope stabilization project for S.R. 283 is out to bid and we are currently working with on the selection of a person to do the construction administration and inspection on that consistent with ODOT rules. Edison and Mondamin will be going out for bid shortly and I am working on a number of other small issues here and there that have been brought to my attention. This concludes my report and I am open for questions.

Mr. D'Ambrosio: Thank you – I sent you that memo as far as Edwards – to see if there are any funds available. Mayor, I received your email too. Thank you for looking into that.



Edwards flooded again – it flooded three years ago. It was not so bad this time but I talked to the Mayor and Mr. Gwydir to see if there are any types of funds available. I know that storm/sewer projects are on a lower profile but we are going to give it a shot and see what happens. I want to thank you for that. Mayor, you were actually starting the process before I sent the memo. Thank you.

Mayor Andrzejewski: I forgot something in my report. Mr. Knuchel was out, Mr. Semik was out on Sunday morning. We still have a couple of areas in the City that get pounded by rain. One is North/South Riverview – one is Edwards – one is Mondamin/Edison.

Mr. Knuchel: Charleton, also.

Ms. Vaughn: How about Glen and Iris and Amy Court.

Mayor Andrzejewski: There is a lot involved. But, these are areas that you can see the water in the backyard – see the water in the street – see the water approaching the people's homes. Mr. Gwydir and I were talking about North/South Riverview, Edwards, Mondamin/Edison and we will address all those areas. I wanted to let everyone know we are out there and identifying problems and we will try to resolve those as best we can.

There were no further questions of Mr. Gwydir.

#### SERVICE DIRECTOR – Mike Semik

Mr. Semik: I went through my first pool opening. That pool was closed for many years, as you all know. I have never opened a pool and had a lot of help from Mr. Gwydir and Mr. Slocum and the Administration in getting the work done. We may have missed a few things but I am open to whatever still needs to be addressed – we will address them. Hopefully next year it will not be as bad. But, I want to commend all the guys who worked on that pool. They put in a lot of hours – sometimes we were working over each other to get the pool open on time. It was opened on time barring a few clichés. I want to thank the Administration – Mr. Slocum for his quickness on purchase orders that we needed. Mr. Gwydir - I talked to him numerous times. Mr. Chuck Whitmer was able to help out in some of the incidents also. I will pass along the accolades to the gentlemen who worked on the pool with me. Mosquito spraying will start shortly in the City. The Lake County Health Department advised us that will start to occur and pellets will be available to any residents who have standing water through the Lake County Health Department. This concludes my report and I am open for questions.

Mr. Knuchel: Mr. Semik, thank you for coming out and helping with the storm situations. I know your guys – Pat, Ralph and Paul – were out most of the day in a couple of areas in my Ward. I would personally like to thank them for the fine work they did. They worked well with the residents who were a little bit upset – surly – because of the things that went on and they helped calm that situation. I would also like to thank Chief Whittington for being out their also – and the Mayor as well as a few of the guys from the Police Department who ran and monitored the situation and made sure everything ran smoothly. I think all in all we did a good job as a City with the flood situation. I could have been much worse and I think we did address a few areas and a few more areas will be addressed – and, the policies and procedures for the floods that Chief Whittington and I and Mr. Semik talked about. All in all – good job – thanks.

Mr. D'Ambrosio: Regarding the pool. I think you guys did do a good job over there. One thing I did notice but it was not any fault of yours. I saw your guys tore the concrete out by the pavilion – the poles were rotted – we know that and know they are going to be replaced. I believe you tore out the concrete at a perfect time – you would have had it all back in place before the opening. The way you caution taped everything off and we were able to go in the pavilion – that worked out great. Unfortunately the wood was rotten and you don't know that until you take the concrete out. Do you have a time frame for replacement of the poles?

Mr. Semik: I am going to try to start to work on them this week. I do have the posts ordered and they are in for pickup. Weather permitting – it is supposed to rain tomorrow. Until we can get that organized – I wanted to start on it, pour the concrete and complete it. I do not want to be involved in another project. I am hoping to start that later this week and have it completed next week.

Mr. D'Ambrosio: I would also like to thank you – I know your guys are working on Morris. With some of these unimproved streets – especially in my Ward – unimproved meaning they are all ditch lines – a lot of the culverts are smashed and the water does not flow. There is a project going on Morris – three aprons. The residents have to absorb some of that cost – they pay for the pipe and some of the material. Thanks for getting out there. You probably saw on Monday that there was considerable water there. Thank you for jumping on that. Also, with what happened on Sunday – with all the flooding – thank you for all the investigating that you did. I know there are more things you have to look at. I will talk to you sometime tomorrow. Thank you.

Mr. Morley: A couple of people asked me at the pool opening – is it possible – maybe there are some old lights we can put in the pavilion at Houston Fisher like we put in the new pavilion at Surfside? I was told there was electricity on a pole. If there is something we can do please let me know.

Mr. Semik: I will be more than glad to.

Mayor Andrzejewski: Is there electricity to the pavilion?

Mr. Semik: No. We would have to run it but it is right across from the pool. We can look into running electricity over there.

Mr. Morley: I know Ms. Vaughn and I were there most of the week before the pool opening. I talked to a lot of the guys. They did a great job. There were some things that were missed but nothing that was earth shattering. Let them know we do appreciate what they have done - and what you and Mr. Gwydir have done.

Mr. Semik: Thank you. I will pass that on.

There were further no questions of Mr. Semik.

**CHIEF BUILDING OFFICIAL – John Stigalt**

Mr. Stigalt: You will be seeing a lot of activity at the corner of S.R. 91 and Vine – it is our Walgreens going up. Probably within two weeks weather permitting you will see four walls

and set up for the roof. They are fast tracking that. I am visiting every day. They are bringing more crews on for tomorrow for the masonry work because they want to meet the two week deadline. That is going very well. We had four house permit applications brought in over the last two weeks. Two have been issued and two more will probably be issued by the end of this week. We are getting a lot of decks, driveways, furnaces, air conditioners, additions still being brought into the Building Department. I would like to thank one of our residents – Steve – for helping us out on a property maintenance issue. Without his help we probably could not have done as good a job as we did. Thank you Mr. Hoefle for taking care of those two grass issues for us. The resident called – they were very appreciative. The tree at 1306 East 340<sup>th</sup> Street came down by 3:00 p.m. this afternoon and it was being cleaned up. The contractor came in this afternoon and got registered. Probably within the next one or two weeks we may have a few property maintenance issues prepared to go to Court. They are on their last time frames. This concludes my report and I am open for questions.

Mr. D'Ambrosio: I know this is a busy time for you as far as grass cutting. I have been leaving messages on Mr. Vild's phone. It seems like I am getting 3-4 day turnover. I don't know if we are hitting it lucky but they are cutting the grass fairly quick and I appreciate that. Also, on East 354<sup>th</sup> Street – where the Walgreens is going in – I have met Scott Miller a couple of times – I have gone over there when a resident calls me. He has been very helpful. I know one of the residents had said he had high grass in the ditch line and I spoke with Mr. Miller about it the next day - he mowed and weed wacked it and cleaned all the stuff up. So, they really are trying to do the best they can. I wanted to say thank you for everything you are doing for the residents.

Mayor Andrzejewski: What Mr. Stigalt is referring to – Steve is in the audience but he is too humble to come up and talk. There was a situation at his house and the neighbors from next door who were running a stereo sound system installation on all kinds of automobiles out of their home. We have been working on that for over a year and it has finally come to a conclusion where it has been resolved. That was a joint cooperation between the resident, the Building Department and the Mayor's office – finally getting that resident to understand that is a residential area you do not install sound systems in cars on weekends and evenings. You get yourself a place to do that in. Also, Mr. Stigalt worked very well with the owners of the Centennial Plaza. We are getting a new coffee shop in there and a new, fairly large, hair salon/barbershop. Two more units in that Centennial Plaza – the plaza will be filled. Mr. Stigalt did a lot of work resolving some sign issues and some other things. Those are things you usually do not see that go on behind the scenes.

There were no further questions of Mr. Stigalt.

#### Additional Comments

Mr. Morley: Before I forget – the Flag Burning Ceremony was changed from Monday, June 14<sup>th</sup> to Sunday June 13<sup>th</sup> at 11:00 a.m. On Memorial Day I had some requests from some residents to change the date so the Legion decided to change the date back to June 13<sup>th</sup> at 11:00 a.m.

#### POLICE CHIEF – John Ruth

Police Chief Ruth: I would like to offer my sincere thanks to the members of Council – for their flowers, cards and kind words and thoughts expressed to myself and my family on the

passing of my father. Also, the support I received from the employees of the City, especially the Fire Department and my extended family at the Police Department. My appreciation goes beyond what words can express. Thank you so much. As far as our activities the last couple of weeks it has been fix whatever breaks. We have had some issues with our heating and air conditioning and with our phone system. The phone system is pretty well up to speed. The heating and air conditioning will need some equipment to bring it back up to speed. Going into summer – it is the typical activities this time of year – nothing outlandish going on – pretty much business as usual. I am open for questions.

There were no questions of Chief Ruth.

FIRE CHIEF – Ted Whittington

Chief Whittington: I really don't have anything to report. I encourage everyone to continue to be patient on S.R. 91. We have seen a couple of collisions down there. I think people get excited and want to get through there quickly – and, there are distractions or whatever will be. That situation will not get better over night and will take some time. So, I encourage everyone – if you get complaints or calls for anyone let them know that to get through that in a healthy, positive way they need to be patient. I am open for questions.

There were no questions of Chief Whittington.

ADJOURNMENT

The meeting was adjourned at approximately 8:22 p.m.

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DENNIS MORLEY, COUNCIL PRESIDENT

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

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