EASTLAKE CITY COUNCIL REGULAR COUNCIL MEETING MINUTES MAY 9, 2006

The Regular Meeting of the Eastlake City Council was held at Eastlake City Hall, 35150 Lake Shore Boulevard. The Meeting was called to order by Council President Mr. Elshaw at approximately 7:31 p.m.

The Pledge of Allegiance was led by Mr. Knuchel.

ATTENDEES

Members of Council in attendance were Mr. Knuchel, Mr. Morley, Mr. D'Ambrosio, Mr. Razov, Mr. Lajeunesse, Mr. Zontini and Mr. Elshaw. Also attending was Asst. Council Clerk Mrs. Ryans.

Those attending from the Administration were Mayor Andrzejewski, Assistant Finance Director Mr. Vuckovich, Law Director Mr. Klammer, Building Department Administrator Mr. Voros, Lt. Gutowski, and City Engineer Mr.Guard.

<u>APPROVAL OF MINUTES</u> <u>SPECIAL COUNCIL MEETING – APRIL 25 2006</u> MOTION: Mr. Lajeunesse moved to approve the minutes of the Special Council Meeting of April 25, 2006. Mr. Zontini seconded.

ROLL CALL: Yeas unanimous.

Motion carried. The minutes were approved.

REGULAR COUNCIL MEETING - APRIL 25, 2006

MOTION: Mr. Lajeunesse moved to approve the minutes of the Regular Council Meeting of April 25, 2006. Mr. Knuchel seconded.

ROLL CALL: Yeas unanimous.

Motion carried. The minutes were approved.

COUNCIL PRESIDENT'S REPORT - Mr. Elshaw

Meetings Scheduled

Mr. Elshaw: The Council-as-a-Whole Committee Meeting is scheduled for Tuesday, May 23, 2006 at 7:00 p.m. and the Regular Council Meeting is scheduled for Tuesday, May 23, at 7:30 p.m.

There is Finance Committee Meeting scheduled for, Wednesday, May 10, 2006 at 6:30 p.m.

The State Financial Planning & Supervisory Commission Meeting is scheduled for Thursday, May 11, 2006 at 2:00 p.m. I will be out of town on business; therefore, Mr. Knuchel will be representing Council at the meeting.

COMMUNICATIONS & PETITIONS

A communication was received from Acting Chief, Lt. Bill Gutowski regarding a 1980 Ford ambulance (ERT Van). This was referred to Safety Committee.

A communication was received from Administration for the Lakeland Village Police Agreement. This was referred to Safety Committee.

A communication was received from Administration regarding the K-9 Officer Marco Retirement. This was referred to Safety Committee.

A communication was received from Administration regarding Lake S.O.M. Center Road Resurfacing. This was referred to Service Committee.

A communication was received from the Chagrin River Watershed Partners regarding 2005/2006 membership dues. This was referred to Finance Committee.

A communication was received from Mike Zontini, Council Vice-President, regarding a Revenue and Reductions Proposal. This was referred to Recreation Committee.

A liquor license transfer request was received from Shivkrupa, Inc. to North Coast Beverage & Tackle LLC dba North Coast Beverage & Tackle 35579 Lakeshore Blvd., Eastlake, Ohio 44095. This was referred to Planning Committee.

A Conditional Use Permit Renewal Request was received from Administration for NAZ Mfg. dba Bullseye T.C. Naz, 9500 Erie Road, Eastlake and for Blair Royce, Inc., dba Northshore Yamaha Kawasaki 35500 Lakeland Blvd., Eastlake, Ohio 44095. This was referred to Planning Committee.

A communication was received from Eastlake Gymnastics, Inc. Board of Director regarding the closure of the Community Center and their proposal for other options. The Mayor and Council were invited to attend a Gymnastics Meeting which is scheduled for, Wednesday, May 10, 2006 at 5:30 p.m. Representatives from Council will be myself, Mr. Morley and Mr. Lajeunesse. A communication was received from Bryan Lajeunesse regarding his research for grants and other funding alternatives. This was referred to Recreation Committee.

COUNCIL COMMITTEE REPORTS

FINANCE COMMITTEE – Mr. Knuchel

Mr. Knuchel: The Finance Committee has not met since the last regularly scheduled Council meeting, therefore, he had nothing to report. We will have a meeting, Wednesday, May 10, 2006 at 6:30 p.m. to discuss the first quarterly budget review

This concluded his report and he was open for questions.

Mr. Elshaw: I do have a comment regarding the 155's. We need to look at that now that the contracts are pretty much finalized with the Unions. We won't do that at the next Finance Committee Meeting because that meeting will be long and I was going to suggest discussing it at the following Finance Meeting.

There were no questions of Mr. Knuchel.

ORDINANCE COMMITTEE - Mr. Zontini

Mr. Zontini: The Ordinance Committee as not met since the last regularly scheduled Council meeting, although, at the last Planing Committee Meeting on May 3, 2006, we did have rather extensive miscellaneous. We spoke of this at the Council-as-a-Whole Meeting tonight regarding new amendments and new ordinances being proposed by the Building Department, Mr. Voros, regarding electric fees, plumbing fees, heating and air-conditioning fees, penalty for not paying those fees, fence permits, fire protection systems fees and additional fees for inspections during

non-regular hours. We spoke of these and Mr. Voros explained these at the Council-as-a-Whole Meeting and they are on the agenda tonight for passage.

Also, I would like to keeping in-line with the communication petition from the Eastlake Gymnastics, Council did also receive a letter from Ms. Carly Sivillo. I would like to read it for the record if I may.

"Dear Mayor and City Council,

Hello, my name is Carly Sivillo. I attend Willowick Middle School, I am in 6th grade. I was wondering why you guys were going to take away the Eastlake Community Center. I do gymnastics there and I love it! I would be very upset if you took my most favorite sport away from me. I am just starting to get really good! I know a lot of people that do gymnastics with me at the Community Center and we would all be very mad and sad if you took this away from us. I mean doesn't it make you happy that people are getting out and playing sports and now you are taking this away. Please think about this!

Sincerely,

Carly Sivillo"

Mr. Zontini: I would like to thank Carly for her letter and her interest and concern on this issue.

Mr. Zontini: Also, in the interest of full disclosure I would like to for the record note that Council and the Mayor all received a copy of an e-mail that was actually directed to me - a rather scathing e-mail from the Senior Center Staff with regard to comments I made regarding looking for other opportunities and possibly trying to keep it open. I did respond to them and I thanked them for their opinions and their e-mail.

That concluded his report a he was open for questions

There were no questions of Mr. Zontini.

SERVICE/UTILITIES COMMITTEE – Mr. Razov

Mr. Razov: The Service/Utilities Committee has not met since the last regularly scheduled Council meeting, therefore, he had nothing to report. We do have one issue pending, regarding Mr. Guard's contract. When I receive the final contract I will be setting a meeting.

This concluded his report and he was open for questions.

Mr. Elshaw: It was my understanding, Mr. Klammer, that you were going to put something together as far as a new contract for Mr. Guard for us to review. When we receive the contract we will submit it into committee.

There were no questions of Mr. Razov.

SAFETY COMMITTEE – Mr. Morley

Mr. Morley: The Safety Committee had not met since the last regularly scheduled Council meeting, therefore, he had nothing to report. I see there were three items put in the Safety Committee and I also sent a memo over to Chief Ruth regarding the replacement cost of the K-9 dog. I know Chief Ruth is out, so I will get with Lt. Gutowski to discuss what the new cost of another dog would be for the Police Department. I will be scheduling a meeting with Service and Recreation in the next couple of weeks.

This concluded his report and he was open for questions.

There were no questions of Mr. Morley.

RECREATION COMMITTEE - Mr. Lajeunesse

Mr. Lajeunesse: Welcome residents and the P.A.L. Group – it is very nice to see the young people of this community getting involved in the government process. The Recreation Committee has not met since the last regularly scheduled Council meeting. I have been checking into the subject of grants and attended a meeting at Lakeland Community College a couple weeks ago - it was for a one hour brain storming session. The people who put the meeting on are willing to come to Eastlake to give a seminar or meet with the Administration and Council. We could include all the representatives from all the organizations that could possibly be able to write a grant for their organization, also. This will be discussed in the Recreation Committee, as far as what Council and the Mayor would like to do with this offer and see where we can take it.

The next subject is the swim team. I have been involved with the swim team over the last six years. Our Eastlake swim team swims against ten other communities in this area. About six months ago we made some contacts with Willoughby and I believe the swim team is going to be using Osborne Pool on an hourly basis. That is just for the swim team. For those residents that don't know the swim team buys passes when they swim even if they don't use the Eastlake pool they still buy the swim passes or they still contribute to our community pool, however, now that that they will be swimming in Willoughby at Osborne, I believe that is the place – unless they are going to swim as individuals that they will not participate in purchasing any passes - now since the Eastlake pools will be closed.

The next subject is the Eastlake Gymnastics. My girls have participated in the gymnastics program for many years. My wife use to sit on the board of gymnastics. Over the past weekend I had extensive talks with Mrs. Kostelnik and we do have an alternative plan. The alternative plan does not include using the Eastlake Community Center. It does include using a program outside the community, however, the rest of the details have to be worked out. There are also a few things with the other board members as whether they want to do this. So, as a follow-up to Mr. Zontini's letter that we all have received from, Carly Sivillo, actually it is a better alternative – not only for that young person but anyone that is already participating in the gymnastics program. So, that would take the gymnastics out of the equation for the Community Center, but that will all have to be based on tomorrow's night's discussion.

Obviously, with what I have in my committee I will be setting a meeting with the Council Clerk.

That concluded his report and he was open for questions.

Mr. Elshaw: It's my understanding that Eastlake Gymnastics would like to meet with us with a proposal other than what you have spoken about tonight. This is a different proposal.

Mr. Lajeunesse: Yes, it is.

There were no questions of Mr. Lajeunesse.

PLANNING COMMITTEE – Mr. D'Ambrosio

Mr. D'Ambrosio: The Planning Committee met on May 4, 2006, at 7:30 p.m. with myself, Mr. Morley and Mr. Zontini present from the Committee. In attendance from Council were Mr. Lajeunesse. Mr. Elshaw and Mr. Knuchel was at the Audit Review Meeting that ran over and was unable to make that meeting. In attendance from Administration was Mayor Andrzejewski, Building Administrator Mr. Voros.

There were two Conditional Use Permits and a Liquor License Transfer Request on the agenda that evening along with several miscellaneous items, most of them were involving Ordinance changes which was discussed by Mr. Zontini. Both permit requests and Liquor License Transfer Request were moved forward and they will be up for a Public Hearing regarding those permits on May 23 2006. Since there were some items referred into his committee he was going to be scheduling a meeting within the next week.

Mr. D'Ambrosio made the following Motion.

Legislative Recommendation

<u>MOTION:</u> I hereby move to approve, and send back to Columbus, Ohio with no objections, the liquor license transfer request from Three S Entertainment, Inc., to Lin-E of Eastlake, Inc., 33329 Vine St., Eastlake. Mr. Zontini seconded

ROLL CALL: Yeas: Unanimous

Motion carried. The Liquor License Transfer was approved at this evening's meeting.

Mr. D'Ambrosio: This concluded his report and he was open for questions.

Mr. Elshaw: Regarding the Storm Water Management Committee – how is that being set up?

Mr. D'Ambrosio: I talked with Mr. Semik, the Service Director, because he is the Chairman of that Committee a while ago. Mr. Semik had to have major surgery and I've talked with him and he is recovering fine. He should be back to work towards the middle of this month and I will get together with him when he returns to work and we will try to get the Committee going again.

Mr. Elshaw: Mr. Guard you are also a member of the Storm Water Management Committee, correct.

Mr. Guard: That's correct.

There were no questions of Mr. D'Ambrosio.

RECOGNITION OF THE PUBLIC

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

Lenny Mullen, 1323 E. 346th St.

Mr. D'Ambrosio I would like to thank you for returning my call. Mr. D'Ambrosio you are a good guy. The rest of Council are all right. But you people still haven't understood what is going on in this community. You keep asking for money that the people don't have. You have 30 acres you are using for some commercial industrial park. I still haven't seen any advertisements for that area. In order for us to get anything in this area you have to advertise. There are people out there who want to build buildings. You need to set up a Building Commission. You don't have roads in there yet - you don't have any power in there yet - how do you expect people to come in here if they don't have anywhere to go? They don't want to wait a year or two years down the road to get into a building that we don't have. You don't have a Community Center, which is a good place for the kids or for the people who square dance. The part of the concession was that the people would clean the place for the rent, but now ever since we have been over there they have hassled the gymnastics people to death. Ever since the Mavor took over he has tried everything he could and he is succeeding with getting the gymnastics people out of the Community Center. I think that is a shame because they are kids. If you spent more time in trying to work with this community instead of agitating the people in the community you would be better off.

You came to the Senior Center and you got them all upset because you are closing the Senior Center in December. You had the money - now you don't have the money. We don't have the money, because first of all the Seniors we have over there are at their bare minimum now, and instead of trying to help them out yourg idea was threats. Well your threats didn't work and the levy failed. It failed because the people are tied in with school levies, their own house projects and gas getting more expensive. Yet, you still don't care you still want us to pay for the stadium that is loosing money. I did not vote for that stadium. I didn't have the right to vote for that stadium like I didn't have a right to vote for the garbage increase. And I'm supposed to just take it. Enough is enough. It you want to take it why don't you call the Ohio Lottery and see if you can't get money from them because the money was suppose to be for the kids. It wasn't for the General Fund. But nobody seems to care about the money in the General Fund. I'm going to say this to Council and this Mayor get your heads and get down to Columbus and ask for the money and keep the people and these kids where they are suppose to be. And, not threatening the seniors and closing their Senior Center - it's time to get a levy for them.

Mr. Elshaw: Mayor, would you like to say anything regarding the advertisements for the Industrial Park off Erie Rd., the Senior Center and the Stadium?

Mayor Andrzejewski: Mr. Mullin you left last time before you heard my response but I'll repeat it again. The park you keep referring to is the Industrial Park off Erie Road – that is the place that you keep reading about regarding the trial for Mr. Chippetta and the Mayor. That Industrial Park is owned by the State of Ohio and it is under receivership. We do not own that land – we do not have any jurisdiction over that land. We couldn't sell it if we wanted to sell it. What we can do is work with the receiver to try to show interest to parties what is available there rather than selling it to a developer who wants to put condos there. As I reported last time recently we had a company come in and bought 300 acres of land from the receiver to build a building and bring over plenty of jobs from Mentor. The City does not own that Industrial Park that you keep referring to, we can't do anything with it, we can't sell it is own by the State of Ohio for payment for the three million dollars that turned out be such a fiasco.

Babett Taylor, 38365 North Lane, Willoughby

Ms. Taylor: Most of the people in Eastlake already know me. You know that I am in the PAL Program and that is why I am here tonight. I'm not here to yell at anyone, or scream at anyone, or accuse anyone or tell you how to do your job. That's not why I'm here. That's not what we teach the children and that's not what we tell their parents. We try to keep everything on a positive note. We try to find the good things out of difficult situations. The reason we are here tonight because Officer Little is being reassigned. Officer Little is the Community Projects Officer and is also the Treasurer of PAL. When Officer Little was assigned to the PAL Program he felt that he had found a place where he could make a difference and he surely has - he has worked on projects with us such as the Fourth of July and the dances. We want you to know with his help the PAL Program is working. He has really worked, diligently, to bring in the funds for the youth of Eastlake and makes sure they have the things that they need. The things that we have passed out are just a few of his duties as Community Project Officer and also in the hallway of City Hall we have informational posters up that show the different things that PAL has achieved and, basically, want to keep achieving. All of you know that Officer Little is very good at getting funds for us. If he thinks that the kids need something for example: when we found out that a lot of the children did not have the internet on their computers at home to do school projects, and that they had to sign up at school or the library to be able to do those projects, he went out and found the grant to get those funds. He made sure he got the things that they needed. Now, everyday at the PAL Center they come in and do their homework and we have all the supplies because Officer Little knew there was a need for that and he went out there to found it.

We found out that over the years that PAL has been here there has been quite a few changes – ups and downs. You can see from when PAL started how many officers and people were involved in the PAL Program. It has now tripled to 80 to 100 children every night at the PAL Center. When we started charging we thought it was going to go down but it didn't and it keeps increasing. And now that our City has been forced to, because of financial reasons, cancel things for our youth including our pools – PAL has been the place that these children come to. We make sure that there is soup, hot chocolate or some type of drinks there and some place cool to be in the summer and some place warm to be in the winter.

We feel it is the formula that we have right now and the people that make the difference. Officer Little is definitely a huge part of it that is making these things possible. That in the summer, whenever, our kids need somewhere to go they will come to the PAL Center. We are asking you to please help our Chief of Police to come up with a solution. We know that there is a solution and we know that there is someone else other than Officer Little to become a patrolman because he is on the lower pay scale. Anything that you can do to help our Chief of Police see how important Officer Little is to the PAL Program we would appreciate.

Mr. Elshaw: Mayor as Director of Public Safety do you have any comment?

Mayor Andrzejewski: Ms. Taylor and I have talked and I think PAL is a great organization. As a Councilman and Mayor I have done every thing I can to support PAL and will continue to do that. The decision that she is talking about is not under my control. It is a decision that the Police Chief had the authority to make.

(*Mr. Klammer has asked that the addresses not be put in the records.*) Kalin Gilbert and Jessica Workman

Jessica: I didn't know what the PAL Program was until my friend got me involved in it. Before I got involved with the PAL Program I was on the computer all the time or on the phone at home. When PAL started I had somewhere to go and something to do. I made new friends my age that I could hang out with and have good fun. We went to the Cavs' basketball game and they also provided a lot of other trips. But without PAL I'll have no where to go and will just hang out at home and be on the computer or on the phone with my friends.

Kalin: I like the PAL Program because it is a second home to me. When we have nothing to do we go to the PAL Center and we meet new people and have good fun and it keeps us out of trouble. It's like having a second family. We go there to do our homework and it has helped me improve my grades because I was failing and now I go and do my homework at PAL and it has helped me increase my grades.

Kelli Honer, 33971 Willowick Drive:

Excuse me for being so emotional. We can't let our kids down. The PAL Program is a wonderful and wholesome place for our teenagers and kids. Our pools are closing and PAL will be the only place for our kids to hang out. We are all adults and I'm sure that we can all come up with something to keep Officer Little there and keep it going. To keep it going and keep a place for the young kids and the teenagers – to keep them focused with a wholesome atmosphere. My daughter loves it and the kids love it. I love to go up there and visit all the kids at the PAL Center. Not many communities have these programs and when I tell other people that Eastlake has this program their comments are "I wish we had a program like that in our community." I think it is such a shame for us to let this program go, over something like keeping an officer or money. If we keep it a non-profit organization it should not be that hard for all of us to keep it going. I'm a member of this community and I will do everything to keep it going. Thank you for your time.

(*Mr. Klammer has asked that the address not be put in the records.*) Alex Febres

The PAL Center to me is probably the best establishment the City has. It might be old and rickety and the appearance isn't what is beautiful about it. The people within it are what makes it great. I think if the residents came there they would come back because of the care and because we love each other like we were a family. And if you take Officer Little away from us, the family we have built will progressively recede until there is nothing left - no PAL, no kids no more Babitt and no more family. You might not know but PAL isn't just a recreation center for some of us it is a home away from home. Kids come here because they feel a part of something and Babitt and Officer Little are the reasons. They keep the kids to stay out of trouble and they are always there for us if we need help. If you take away Officer Little sooner or later all that would be left is an empty building and 900 kids with days to waste and getting into trouble. The people who work there don't just work there – they live there – they care there. If you care about the kids then you will let Office Little stay and continue to be the great role model he is.

Laura McGuire, 582 Waverly Drive: Mr. Rydzinski: She stepped out.

Mr. Elshaw: If anyone wants to hand in their reports that they just read they can hand them to the Council Clerk to get them in the minutes.

Mark Miller, 869 Woodstock:

I have seen the Community go through good times and bad times. We have lived here for almost 20 years. The levy failed and we understand. But, I think for the first time you've seen a lot of the community here, before you may have had only six or eight people here. I think we are overlooking our children. As far as not having extra money, we all don't extra money, but as far as keeping Officer Little I think that would be a small price to pay to keep these kids off the street. There is nowhere else to go – they are going to go to an empty pool and cause trouble or an empty ballpark where nobody is. Here we have something that the kids care about as much as the adults. My son has a something to focus on to achieve his homework – he gets his jobs done at home – so he can go to the PAL Center. At eight I couldn't have cared less about anything. But, you have a sixteen-year-old boy that just talked before me and said how much PAL meant to him. I think that it says a lot about the community that we have and the community that we will have in the future as long as you are on the right path. It is as simple as keeping Officer Little and being able to talk with Chief Ruth. We are willing to work anyway we can. I don't know how this works but he has you to tell him if there is an extra person so we can keep Officer Little. That is all I have.

Jodie Knuchel, 34823 Roberts Road:

I just wanted to say that all of you that have raised children - you know what a difficult job it is and for a community of children that come together you just have no idea that raising children is a messy process. Some children get in fights, they are depressed, they are cutters, and they are suicidal. But, if you could go down to the Pal Center and watch the positive experience that these children get - you just can't replace that. Officer Little has a lot to do with that. I've also worked at the PAL dances for seven years. The PAL Center gives these kids something to do because when kids are bored and they want some excitement they don't think twice about what they are doing. They just think it would be fun and they just do it. If you could imagine with that number of kids on the streets how much mischief they can get themselves into. It's not a budget savings to the City of Eastlake to take Officer Little away because it is going to cost the City so much more with what the police are going to have to do to keep these kids off the streets. Instead of being proactive you are going to be making more arrests with the kids because for example behind Jakse's park in the woods they are getting into all kinds of mischief. If they don't have a constructive place to go it is not going to get better. I live in this community and maybe the people who are in charge of this decision don't have a future here. I don't know why anybody would choose to make this decision because it is not the best decision for this community.

Ted Beres, 36706 Lakehurst Drive:

I wanted to say that the majority of the voters didn't even go out and vote. I estimated at least 8,000 residents stayed home on that day. I don't know if they don't just care or what, but that is a sad thing. Also, I do not believe in the service cuts but I was against Plan A. I thought that it should be an Income Tax increase not a Property Tax increase. They should tax the workers - I am on a fixed income. The Mayor's claiming the levy defeat directly to the former Mayor and the ballpark. Councilman Mr. Morley and Mr. Lajeunesse say that it's due to economy. These

are valid points. Having attended a couple of these levy meetings they keep bringing up the sewer levy that they overcharged and the garbage fee. The people feel that they are being ripped off so they are not going to vote for a levy. And when you add the situation with Detective Doyle and Mr. DiLiberto's plea bargaining and getting probation. We keep hearing horror stories. I've stood here on two occasions to talk about the high salaries of Administration. They aren't willing to take a pay cut. The Administration is willing to disenfranchise the elderly and the children of this community in their Plan B. To take away the PAL Center from the kids I find shameful.

Mayor Andrzejewski: We need to make some clarifications here for those of you who don't know how the system works. The City of Eastlake had nothing to do with the decision of the Mr. DiLiberto. That decision made by the Lake County Prosecutor was the best thing to do. What our residents have to understand is the Mayor, the Law Director and Council had no say, whatsoever, our Police Department did a fine job. Our Detective Bureau helped to bring in all the evidence to the Lake County Prosecutor involving Mr. Chippeta, who now has been found guilty of taking approximately \$650,000.00 to \$3 million dollars from Eastlake and from the State of Ohio. Mr. DiLiberto pled guilty to a felony he is now a convicted felon and all the implications that go with it. Yet, our residents still want to blame Council and the Administration for Mr. DiLiberto's issues. I'll say it publicly here "We had nothing to do with how Mr. DiLiberto's case was finally resolved."

As far as the other case involving Detective Doyle. Again, the City of Eastlake is being blamed for things that are out of our control. I would like to explain to you what is under our control and what is not under our control. There are charges that are pending from the Ashtabula County – that's where the alleged incident took place. Not Lake County – not the City of Eastlake. So any charges that remain for Detective Doyle have to come from the Highway Patrol and Ashtabula's County Prosecutor. It doesn't have anything to do with Eastlake. If we wanted to we couldn't press charges on him. So what we decided to do was not wait for the Ashtabula County Highway Patrol. We decided to put the disciplinary action to Detective Doyle based on the evidence we have. He was found to be in violation of three department rules and was given a very stiff penalty by the City, which included six weeks of no pay after he was ready to come back to work. An additional three weeks if he commits any other infraction. Now, if you work for a company, or a business, or a city, or a school, or the government for 25 years and you do a good job – does one infraction whether it be a major or minor, whatever, cost you to loose your job? The answer is no. And everybody was calling for his head. We gave him a very stiff penalty because he has to use his sick time and he has six weeks without pay. Over the years the stiffest penalty has been 10 days and we tripled that. I hope that answers some of the questions. The main thing I want to point out is that we will take the heat, but we will take the heat for what we have control over. If we don't have control over it, put the heat where it belongs, do not blame the City Officials if they don't have anything to do with that particular incident.

Denise Wittig, 1474 E. 337th St. Apt. 10, Eastlake:

My son and I have moved to Eastlake last June, 2005 and that is when he became involved with the PAL Program. That's one place where Officer Little is wonderful with the kids. Recently moving back to the community I had no idea what was going on. All I know that I understand the delimia the Police Department has with Officer Little. I have seen PAL grow because I have been chaperoning the dances from the end of August, 2006. My son wanted to play freshman football last year, unfortunately, I couldn't buy cleats for him – PAL bought cleats for my son in order to him to play for North High School. I wanted you to know how much Officer Little

means to the PAL Program. Thank you.

Mr. Elshaw: Mr. Rydzinski is Ms. Laura McGuire here to speak?

Mr. Radinsky: No.

There was no one else who wished to speak.

Mr. Elshaw: I would like to thank everyone for coming and please drop off your reports to the Asst. Council Clerk.

LEGISLATION PROPOSED - First number will be 2006-038

	<u>ORDINANCE NO.: 05-09-(01)</u>		
Requested by: Building Administrator	An Ordinance amending the City Ordinance Section		
Joe Voros	1301.02 "Electrical Fees," and declaring and		
Sponsored by: Mike Zontini	emergency.		
MOTION: Mr. Zontini moved to suspend the rules requiring three 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 Ordinance No. 2006-038.

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ORDINANCE NO \cdot 05-09-(02)

	$\underline{ORDINANCE NO.: 05-07-(02)}$		
Requested by: Building Administrator	An Ordinance amending City Ordinance Section		
Joe Voros	1301.03 "Plumbing Fees," and declaring an		
Sponsored by: Mike Zontini	emergency.		
MOTION: Mr. Zontini moved to suspend the rules requiring three separate readings and reading			
in full. Mr. Morley seconded.			

ROLL CALL: Yeas unanimous.

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

Motion carried. Legislation is adopted as Ordinance No. 2006-039.

 Requested by: Building Administrator Joe Voros
 ORDINANCE NO.: 05-09-(03) An Ordinance amending City Ordinance Section 1301.04 "Heating and Air Conditioning Fees," and and declaring an emergency.

 MOTION: Mr. Zontini moved to suspend the rules requiring three 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 Ordinance No. 2006-040.

Requested by:Building Administrator
Joe VorosORDINANCE NO.: 05-09-(04)
An Ordinance amending City Ordinance Section
1301.99 "Penalty," and declaring an emergency.Sponsored by:Mike Zontini
MOTION:
Mr. Zontini moved to suspend the rules requiring three separate readings and reading
in full.

ROLL CALL: Yeas unanimous.

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

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Ordinance No. 2006-041.

Requested by:		ORDINANCE NO.: 05-09-(05) An Ordinance amending City Ordinance Section
	Joe Voros	1361.03 "Fence Permit; Application," and
Sponsored by:	Mr. Zontini	and declaring an emergency.
MOTION: Mr	. Zontini moved to suspend th	e rules requiring three 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 Ordinance No. 2006-042.

		<u>ORDINANCE NO.: 05-09-(06)</u>
Requested by:	Building Administrator	An Ordinance enacting new City of Eastlake
	Joe Voros	Ordinances Section 1301.041 "Fire Protection

Sponsored by: Mike ZontiniSystems," and declaring an emergency.MOTION: Mr. Zontini moved to suspend the rules requiring three separate readings and readingin 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 Ordinance No. 2006-043.

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Requested by:	Building Administrator	ORDINANCE NO.: 05-09-(07) An Ordinance enacting new City of Eastlake
Sponsored by:	Joe Voros Mike Zontini	Codified Ordinances Section 1301.17 "Additional Fee for Inspections During Non-Regular Hours," and declaring an emergency.

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

ROLL CALL: Yeas unanimous.

MOTION: Mr. Zontini moved to adopt. Mr. D'Ambrosio seconded. ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Ordinance No. 2006-044.

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Requested by: Planning Commission Sponsored by: Mr. D'Ambrosio ORDINANCE NO.: 05-09-(08)

An Ordinance authorizing the issuance of a Conditional Use Permit to Ed Hazelbaker, Agent For K-Mart #4263, 33752 Vine Street, Eastlake, Ohio, and declaring an emergency.

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

ROLL CALL: Yeas unanimous.

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

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Resolution No. 2006-045.

Requested by: Planning Commission

ORDINANCE NO.: 05-09-(09) An Ordinance authorizing the issuance of a Sponsored by: Mr. D'Ambrosio

Conditional Use Permit to Robert Krupitzer, dba Persistence Tattoo, 36119 Vine Street, Eastlake, Ohio, and declaring an emergency.

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

ROLL CALL: Yeas unanimous.

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

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Resolution No. 2006-046.

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<u>LEGISLATION PENDING</u> (Placed on First Reading 04-11-06)_ (Placed on Second Reading 04-25-06) (Placed on Third Reading 05-09-06)

ORDINANCE NO: 04-11-(02)

An Ordinance amending Section 155.26, "Bond", of The Codified Ordinances of the City of Eastlake, and declaring an emergency.

Was read for the third time.

ROLL CALL: Nays unanimous

Legislation failed as Ordinance No. 04-11-(02).

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UNFINISHED BUSINESS

Mr. Elshaw: At the last Regular Council meeting C & C Auto was entered into New Business. Mr. Voros would you please give us an update on C & C Auto.

Mr. Voros: I sent C & C the violation letter for not signing the Conditional Use Permit and they acted on the violation letter. Mr. Shriver, III signed the Conditional Use Permit. They agreed to all the terms.

Mr. Elshaw: Was there any objections from the Administration on this?

Mayor Andrzejewski: Mr. Shiver, the owner, had called me and I had advised him that all we wanted him to do was review the Conditional Use Permit and agree to all the conditions and he said he would. We will be monitoring him making sure that he does adhere to the number of cars that can be put outside.

Mr. Elshaw: We will remove that from the Unfinished Business.

NEW BUSINESS

No new business.

MAYOR/SAFETY DIRECTOR - Ted Andrzejewski

Mayor Andrzejewski: There are a couple of things to report. First of all did you notice the flags were done this weekend? We really want to send out a great deal of gratitude to the Flag Committee head members who are Mr. Jim Strand and Mr. Joe Barckley and the Girl Scout Troops who helped with the flags this past Saturday and Sunday. I would like to mention Troop 1226, Troop 1805, Troop 320 and all the other Girl Scout Troups that painted the poles as far as they could reach. And helped put up the flags. We really appreciate your efforts because it really looks nice out there.

Secondly, Mr. Ken Hoefle, who is sitting in the back room will be having a City Beautification Day, where they are going to be planting flowers and do mulching, pull out leaves and make the City Hall grounds look really nice. We appreciate that volunteer effort also. There are about 20 -27 volunteers coming and all that helps. Obviously, we are short of cash and short of manpower.

Thirdly, I don't know if anybody saw it but we announced an agreement with the Captains. The Captains are now going to assume all the outside maintenance of the Stadium. They are going to work with an Eastlake Company, Kenson Landscaping. What that will do, with the unions approval, will free up having our guys having to go there and cut the grass, mulch and plant flowers, etc. We estimated approximately \$10,000.00 in savings to Eastlake. It would have been the time and materials that we would have had to spend on outside maintenance. The Captains are allowing Kenson Landscaping to put a sign up on the outfield in return for their services. That's a good deal for the Captains and for the City workers because it will free up the workers to help then try to keep up with all the work that needs to be done around here.

We have come to an agreement and will recommend a candidate for our Finance Director. He is a very experienced candidate. Hopefully, you can assign that to a committee in executive session and get that going. Mr. Elshaw, I will get a letter and his resume to your attention. We don't want to announce who it is, obviously, until Council's approves it. We want to make sure everything is in line and we feel very strongly, Mr. Vuckovich and I, thought that both candidates were very close.

Mr. Elshaw: We look forward to talking with him.

Mayor Andrzejewski: Mr. Lajeunesse, I know you don't know this – and it is very important and this just happened the last day or two. I had been talking to Mayor Ruffner, from Wickliffe, and also to Ms. Cindy Garrett, I talked with her for a little bit about the swim team. The City of Wickliffe has graciously offered us the opportunity to use their pool on the north side of their city – it is off of Worden Rd. where the recreation center school was torn down. We had some preliminary talks and we are going to proceed with it. His Council must approve it. But, basically, it would work like this. If our residents want a place to go to swim, Wickliffe will offer that City pool to sell the residents a pool pass for \$90.00. Ms. Garrett will talk to him about the swim team and see if she can work with him to get some swim time for them. This will help the City of Wickliffe because most of their residents are going to their new aquatic center. They were think of closing the pool because only six to ten people in the summer came to that pool. So, it would be available for the Eastlake residents to use and we will pursue that offer. The reason I say that, Mr. Lajeunesse, is because I know you have been working hard with trying to find the swim team a place to swim. This just came about recently - as a matter of fact today.

As for Roberts Road, we will be getting a meeting together with the residents in the next couple of weeks, because we are going to proceed with the redoing of Roberts Road. Mr. Guard will mention this in his report.

We, also, have notification that next year we are putting in the paperwork and the State has contacted us to resurface Rt. 91 from the Willoughby line to Eastlake. Which, sorely, needs to be done and they will pay most of the cost of that.

That concludes his report and he is open for questions.

Mr. Lajeunesse: Mayor, a few months, ago, I sent you a memo in regards to accident investigations by the Police Department. I received a memo by Chief Ruth saying that he sent his research over to you. Do you know where that might be?

Mayor Andrzejewski: Mr. Lajeunesse, I haven't had a chance to look into that. I am not neglecting it, but with the levy, interviewing for a new Law Director and everything else that is going on I haven't had a change to look into that.

Mr. Lajeunesse: Mayor, I understand that you have been very busy, but can you give me a rought estimate as to when I might receive that research?

Mayor Andrzejewski: Mr. Lajeunesse, why don't you allow me to give you a preliminary thought process by the first of June. How's that – if not sooner?

Mr. Lajeunesse: I would appreciate that. Thank you.

Mr. Elshaw: What needs to be done - do you just need to read it?

Mr. Lajeunesse: Yes, he has it on his desk.

Mr. Elshaw: One of the initiatives that we were looking at before the levy, was the possible regionalization of Channel 12.

Mayor Andrzejewski: We need to pursue that, also.

Mr. Elshaw: We want to stay on top of that and stay involved. Mr. Morley and Mr. Knuchel are, also, involved in that.

There were no further questions for Mayor Andrzejewski.

LAW DIRECTOR – Randy Klammer

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

There were no further questions for Mr. Klammer.

ASSISTANT FINANCE DIRECTOR – Mike Vuckovich

Mr. Vuckovich: I have nothing new to report. We are having our City auction on Saturday May 13, 2006. We are always look for volunteers.

This concluded his report and he was open for questions.

Mr. Elshaw: Mr. Vuckovich, the Financial Recovery Plan with the State is suppose to be recast. I know there is a meeting, Thursday, this is supposed to include, if my understanding is correct, the Plan B service reductions. I'm sure that will be discussed at the meeting. Have you had any further discussions with Ms. Eunice Smith from the State Office?

Mr. Vuckovich: I have not talked with her.

Mr. Elshaw: I believe they are going to want to see that, but we will wait until that meeting to find out.

Mayor Andrzejewski: Mr. Paul Marshall was going to give us a little more time since we lost our Finance Director. The last conversation I had with him a couple of days, ago, was that we were going to talk about Plan B, because at the Recovery Plan Meeting, on Thursday, they insist that we will have to revise it.

Mr. Elshaw: I will wait for the feedback on that and Mr. Knuchel if you would give Council an update when we get it.

Mr. Elshaw: Mr. Vuckovich, the other item is the garbage fee analysis. Mr. Slocum was putting it together. We talked about it at the last Council Meeting.

Mr. Vuckovich: I apologize, I found it and I forgot to bring it with me. I will forward it on to you.

Mr. Elshaw: Is it completed?

Mr. Vuckovich: As far as I know it is completed. It shows what it costs us.

Mr. Elshaw: I will have to take a look at it because, basically, that's what we will be basing our fee on. Obviously, we will have to reduce it because of the recycling being removed.

Mr. Morley: Mr. Vuckovich, one other item I know, Mr. Slocum, was working on the small Eastlake Post Office. Do they plan on paying for that?

Mr. Elshaw: Do you mean Mr. LaTourette?

Mayor Andrzejewski: We received a call from Mr. Bill Bix.

Mr. Vuckovich: We, also, talked to the officer in charge at the Willowick Post Office, she is in contact with the gentlemen in North Carolina, who is handling this. But, are they trying to take it over? I'm not sure.

Mayor Andrzejewski: We are still pursuing it because it is still a viable option.

Mr. Morley: The reason I asked is because under Plan B it will close June 1, 2006.

Mr. Vuckovich: That's correct.

Mr. Elshaw: Good point.

There were no further questions for Mr. Vuckovich.

<u>TAX ADMINISTRATOR – Angela Keneven-Zanella</u> Tax Administrator was absent and excused.

<u>SERVICE DIRECTOR – Mike Semik</u> Service Director Mike Semik is out on leave.

BUILDING DEPARTMENT – Joe Voros

Mr. Voros: I have no report that has been filed. I really would like to thank you for working with the Building Department for the changes on the Building Department's Ordinances. It was a long time coming and I appreciate your help.

That concluded his report and he was open for questions.

Mr. Lajeunesse: Mr. Voros, regarding Scorchers situation with their parking. It is really a bad situation with USA Management and Scorchers.

Mr. Voros: There is a big difference between Scorchers and C & C Auto CUP's. The difference is C & C moved into an existing location assuming the pre-existing CUP, where there was a clear violation of the Ordinance. With Scorchers I really don't have an Ordinance that they violated so the Building Department cannot cite them under a violation that they haven't created.

Mayor Andrzejewski: We were told by Mr. D'Ambrosio's Committee and the other Committees to give them the Conditional Use Permit. Remember about the signs that several Council

members went out to look at to make sure that there were signs for parking across the street. I understand the predicament there, but I said it before and I'll say it again "This is another one from the previous Administration that we have to live with." I talked to the people that own the Centennial Plaza and they have done everything they can – they put up signs. They told me that they have towed over 200 cars last year and the people still won't listen to the signs that say "If you park here your car will be towed." People park just where they want to park.

Mr. Elshaw: I guess they should just start towing.

Mayor Andrzejewski: They did tow 200 cars last year.

Mr. D'Ambrosio: Correct me if I'm wrong, Mr. Klammer, the written agreement between Handy Rents and Scorchers was that the patrons could park in the Handy Rents parking lot area. That is where is was pretty much left when we move it out of the Committee.

Mayor Andrzejewski: The problem, Mr. D'Ambrosio, is that the City cannot encourage a business to have parking permitted when people have to cross the State highway.

Mr. D'Ambrosio: That's why we suggested it being at Handy Rents.

Mayor Andrzejewski: Mr. D'Ambrosio we have to stay out if it as a City.

Mr. Klammer: You are confusing the two issues. Off premises parking has to be a recorded document. I talked to the tenant and explained that and said if you want to do that, I would give them and the Mayor a legal opinion regarding the lease agreement for that space and getting a recorded document. I think, arguably that phrase refers to a deed research. I would go so far as to say that a lease agreement would work to solve this problem.

The second issue is whether off premises parking can occur across the major thoroughfare, which our Ordinances now suggest they cannot. Though, we are really in a horrible position – but that being said the Mayor is right. They were granted their Conditional Use Permit despite not having sufficient parking. They have not violated any terms, as far as I am aware of.

Mr. Elshaw: If my memory is correct, it was referred out of Committee to wait for that written document, correct me if I'm wrong Mr. D'Ambrosio. I would suggest that it be referred back into Committee so we can discuss this further.

Mr. Klammer: I had conversation with the property owner and Mr. D'Ambrosio may have had conversations with him, too, and plainly told him that he needed to give this parking problem more attention than you are giving it. I'm sorry it is going to cost you attorney fees, but this is what I am asking that you give this more attention. I don't think he is giving it the level of attention that he needs to which he has put the Mayor and Mr. Voros in a horrible position. The business does exists and it is operating with the conditions of the Conditional Use Permit – but there are parking concerns and a hazard for the people parking across the street.

Mr. Elshaw: I would say resubmit.

Mr. Lajeunesse: The only reason why I'm bringing this up, again, is because the owners of two establishments came into our community as business people under the assumption that things

were going to be done the right way. Right now you have two disgruntled owners. According to what I was told that nobody from the City has contacted them regarding the parking problems. I could be wrong.

Mr. Razov: Are these two private businesses that we are talking about?

Mayor Andrzejewski: Yes, there are.

Mr. Razov: Why are we even talking about it then? A very similar situation occurred with Anthony's Family Restaurant about five years ago. These are two private businesses, which we have nothing to do with. Why are we even discussing this or putting this into Committee?

Mr. Elshaw: It was never approved by Council.

Mayor Andrzejewski: There is nothing more we can do because it was approved as a business by the former Administration and Mr. Voros and I have looked at it extensively with Mr. Klammer's help and there is nothing we can do.

Mr. Razov: So, what is the problem?

Mr. Elshaw: It's up for a Conditional Use Renewal Permit so it went to Planning.

Mr. Razov: It's a parking issue between two private businesses. We have, absolutely, nothing to do with that. It has nothing to do with us.

Mayor Andrzejewski: Mr. Razov is exactly right. I talked with the owners of Centennial Plaza, yesterday, for about 45 minutes, Mr. Lajeunesse. They want us to resolve a problem between business "A" and business "B" – both of whom have valid points and both of whom are very stubborn. We tried to help Centennial Plaza by putting up signs and putting up the regulation that says "If you park here you are subject to being towed." We thought that would solve the problem, it didn't, people park there anyway. So that is the problem that those two businesses are going to have solve. The City cannot help anymore than we have.

Mr. Lajeunesse: Mayor, I agree with both you and Mr. Razov. I guess the problem is that when you walk into there and you get in a conversation they say this or they say that with the two businesses. I was wondering if we sent them a letter that it is not the City's responsibility to handle these two problems because they don't see it.

Mayor Andrzejewski: I told both of them that.

Mr. Klammer: I have had conversations with the owner of Beef O'Brady's attorney and they have expressed that they are going to object any approval of the renewal of any Conditional Use Permits because they are just not satisfied with the City's Ordinances with regards to parking. That is the reason it is before Council. I don't know why it was referred out – I don't really recall as we sit here now. But there is a Conditional Use Permit up for renewal right now that someone needs to make a decision on. We've tried to get you all the information that we can to make an exception at least to be as flexible as possible in this specific case because of what the prior Administration has created. I think that's where it was and you can assume at this point that he is not going to get us a written agreement with regards to parking. Council should give

this some consideration and it is probably a good time to consider whether the parking regulations along Vine Street need to be revised, anyway, because I think you are going to have an Economic Development Area there to some degree. It might be a nice opportunity to consider both at the same time and, maybe, solve both problems at once.

Mr. Elshaw: Where we are at on this is that the renewal has to be approved by Council. We will refer it back into the Planning Committee and vote on it.

Mayor Andrzejewski: You might want to invite the owners of Scorchers one more time to see if Council can reason with them a little bit. That would be the only other suggestion that I would make.

There were no other questions for Mr. Voros.

<u>CITY ENGINEER – Steve Guard</u>

Mr. Guard: I have a few items to discuss. Tomorrow I have a meeting with ODOT in Garfield Hts., on May 10, 2006 at 10:00 a.m. to discuss their plans for the improvements for State Rt. 2 and on how it will impact the City of Eastlake. It will effect the entrance rams and exit rams going to Rt. 2 on Vine St. near the Willoughby Corporation line on the easterly end of the City. That's something they did mention, but they are, also, going to be offering some comments and general information for me to bring back to the Administration and to Council as to where the status of that project is.

They, also, have a pre-construction meeting scheduled for the Lakeshore Boulevard/Chagrin River Bridge Project on May 17, 2006 at 10:00 a.m. I will be attending a pre-construction meeting with the ODOT contractor to hear discussions on replacing the bridge deck of this structure. That is an ODOT funded project and the City does not have any money involved in that project. We are not involved, meaning the City and CT Consultants, that was prepared by their consultants and construction was prepared by the ODOT Construction staff.

We have been corresponding with ODOT, the Law Director and the Lake County Captains regarding permitting requirements for signage on the S.R. 91 Pedestrian Bridge. I will write a letter to ODOT requesting guidance on those requirements, if any, are applicable. I've been working with the Lake County Captains regarding signage requirements for the S.R. 91 Pedestrian Bridge with discussions about concerns of elimination of the signs, the wording and the messaging on the signs, and so forth, I've been trying to provide them with some history of that information. We've been corresponding back and forth regarding this information.

Regarding Roberts Road, as the Mayor, made mention before - we will be submitting Issue 2 applications for the funding and that project is due at the end of May, 2006. We will, also, be holding a public meeting to show the residents of Roberts Rd. the alignment and the widening of the road. Primarily, we believe the concerns will be as they were in Phase I, on the proposed side on the location where the trees may be proposed to be removed or taken down, those seem to be the primary concerns. We have the information to present to the public and to give feedback to them. We, also, have the ability to revise those plans accordingly, within, reason as to what those concerns are to the public. We will be holding that meeting in the next week or two. The Mayor will be scheduling a date, also.

Mayor Andrzejewski: Probably, the third week of May. Mr. Guard, suggested the best thing for us to do, Mr. Knuchel, is hand deliver the notice meeting.

The next item is the Lakeshore Boulevard Force Main Project. That is the combined effort that both the Cities of Willoughby and Eastlake are funding. That project is being advertised May 11, 2006. The bids are scheduled to be open, approximately, on June 1, 2006. The first phase of that project will begin in thirty days, once all the contracts are signed.

We have received the Permit-to-Install for the Bruce Yee Pump Station Project. I will be sending out a letter request to the Mayor to ask Council to advertise for bids for that project. Our schedule that we committed to EPA was to have that project completed by November of this year.

Lastly, we have completed a draft of the Pump Station Evaluation Study that was requested by the Mayor and the Service Department. As some of you may know most of the pump stations in the City are well over 20 years old and there hasn't been much money invested in those pump stations for many, many years. We have done an evaluation and prioritized the needs of the pump stations for the City to review, in particularly, since we do have the renewal of Issue 1 OPWC Fund. This is a good opportunity for the City to consider to use those funds to do some improvements to those pump stations. Those are ideal projects to use the grants and loan money for the upgrading of those pump stations. We strongly suggest that you consider that.

That concluded his report and he is open for questions.

Mr. Lajeunesse: In regards to the Bruce Yee Project approximately how much would that be?

Mr. Guard: The original budget was \$75,000.00 and I don't believe that will be exceeded at this point. But we will do a final up-date on the estimate and give it to Administration.

Mr. Lajeunesse: As far as the physical audit, I sent the Mayor a letter in regards to that. Do you know when we will be receiving the information on that? What kind of time it will take?

Mr. Guard: I will be able to respond to that at the next Council Meeting.

Mr. Lajeunesse: I would appreciate that.

Mr. Zontini: Mr. Guard and Mr. Klammer, I would like to thank you for your quick response to the sign issue on the Pedestrian Bridge. Mr. Klammer, since we make money off of that – if they have not received the necessary permits to do that - are we exposed and are we liable here if something was to happen?

Mr. Klammer: Are you talking about an auto accident? I don't feel that we are liable for that.

Mr. Guard: We've talked to, and maybe other people, have talked to the ODOT Engineering staff and have received a response that there are no permits that are necessary for the work that we did. I sent an e-mail to the Mayor in response to Mr. Juliano's request. We have sent a letter to the Deputy Director, Mr. David Coil, asking him to clarify any issues that may be necessary

for the City of Eastlake and the Lake County Captains that would be required as far as permits are concerned saying, "Please clarify this issue for us. Is there anything that we need to do that we have not done?" I don't believe there is because I have had previous communications with ODOT, but that was suggested to us by the staff engineers to ask the Deputy Director to address this issue and we would give you a formal response and I have done that.

Mayor Andrzejewski: Mr. Guard, go back to last year when we were first looking at this project.

When we contacted ODOT their response was to make sure we got a hold of the personnel in charge of the pedestrian bridge to determine how much weight we could have on the bridge.

Mr. Guard: There were two issues – the weight and the repair of the paving system which we addressed in our correspondence to the Captains and they did take care of it.

Mayor Andrzejewski: And that was all that ODOT required.

Mr. Guard: That is correct.

Mr. Elshaw: Mr. Guard, one more question on the Erie Road Trunk Line? Did we determine if we were going to do a third? Were you in discussion with the Mayor on what has to be done?

Mr. Guard: For the cleaning of Erie Road?

Mr. Elshaw: Yes.

Mr. Guard: I don't think that we have had any further discussions on how we are going to participate in that project. It is a joint facility so we need to sit down and talk about that.

Mr. Elshaw: When you get a chance would you because it sounds that it was pretty bad and it hadn't been cleaned for 20 years.

Mr. Guard: Right.

Mr. Elshaw: If we did it a third at a time. After you have discussed this further please let Council know what you have decided to do.

Mr. Guard. I will get back to you on this matter.

There were no further questions for Mr. Guard.

<u>POLICE DEPARTMENT – Acting Police Chief Lt. Gutowski:</u> Lt. Gutowski: I do not have a formal report but I am open for questions.

There were no questions for Lt. Gutowski

<u>FIRE CHIEF – Rich Sabo</u>

Fire Chief Sabo is not here tonight.

Additional Comments Regarding the Pedestrian Bridge:

Mr. Klammer: Mr. Guard, the official construction of the pedestrian bridge, itself, had concerns regarding the intersection lights. That could be a part of Mr. Zontini's concern with the traffic safety.

ADJOURNMENT

The Regular Council Meeting was adjourned at approximately 8:17 p.m.

DEREK W. ELSHAW, COUNCIL PRESIDENT

APPROVED: _____

ATTEST: ______ CAROLYN RYANS, ASST. CLERK OF COUNCIL