

**EASTLAKE CITY COUNCIL  
REGULAR COUNCIL MEETING MINUTES  
NOVEMBER 23, 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 7:13 p.m.

The Pledge of Allegiance was led by Mr. Lajeunesse

**ATTENDEES**

Members of Council in attendance were Mr. Lajeunesse, Ms. Vaughn, Mr. Knuchel, Mr. Hoefle, Mr. D'Ambrosio and Council President Mr. 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, City Engineer Gwydir, Police Chief Ruth and Fire Chief Whittington.

**APPROVAL OF MINUTES**

**PUBLIC HEARING MEETING – NOVEMBER 9, 2010**

Re: Conditional Use Permit: Key Bank, 35401 Vine Street, Eastlake  
MOTION: Mr. D'Ambrosio moved to approve the minutes of the Public Hearing of November 9, 2010 regarding a Conditional Use Permit for Key Bank, 35401 Vine Street, Eastlake. Mr. Knuchel seconded.

ROLL CALL: Yeas unanimous.

Motion carried. The minutes were approved.

**REGULAR COUNCIL MEETING – NOVEMBER 9, 2010**

MOTION: Mr. D'Ambrosio moved to approve the minutes of the Regular Council Meeting of November 9, 2010. Ms. Vaughn 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, December 14, 2010 at 7:00 p.m. The Regular Council meeting will be convened immediately following the adjournment of the Council-as-a-Whole Committee meeting.

I would also like to thank all the volunteers who showed up on Saturday when we took the flags down. We had approximately 75 who came out to help us. We were actually done in about one half hour. We did take the torn flags down and will dispose of them appropriately.

I would also like to wish everyone a Happy Thanksgiving.

#### COMMUNICATIONS & PETITIONS

A 2011 membership invoice was received from the Ohio Municipal League. This was referred to Finance Committee.

A communication was received from Finance Director Slocum regarding a bid award for City property located at 773 East 347<sup>th</sup> Street. Mr. Morley explained that this was discussed in Council-as-a-Whole Committee and would be added to the evening's agenda as Legislation No. 11-23-(15).

The NOACA Road Safety Audit, issued May, 2010. This was referred to Safety Committee.

A communication was received from the Administration regarding Lake County's All-Hazards Mitigation Plan. This was referred to Council-as-a-Whole Committee.

A communication was received from the Administration regarding a State Contract Lease Purchase of a Sewer Vac. This was referred to Finance Committee.

A communication was received from the Walter Drane Company regarding the November, 2010 replacement pages and an invoice for services rendered. This was referred to Finance Committee.

#### COMMITTEE REPORTS:

##### SAFETY COMMITTEE – Mr. Lajeunesse

Mr. Lajeunesse: The Safety Committee has not met since our last regularly scheduled Council meeting. Therefore, there is nothing to report this evening. However, I just had an impromptu discussion with a resident in regards to a piece of property within the Community as well as – and maybe someone from the Administration can help me clarify – I understand there was some discussion regarding the mansion across the street from City Hall with the veterans helping veterans. Maybe someone can enlighten me as to why this contract is not going through. I believe the annual tax value is \$8,408 – whatever part of that per year is the City's to me is monies that could come into the Community – any would be better than none. Is there anyone from the Administration so I don't ask anyone directly who would be able to enlighten me as to why this has not proceeded?

Mayor Andrzejewski: This is very inappropriate for this body. I would be happy to discuss that with Mr. Lajeunesse anytime he wants by telephone or in my office. However, I am going to answer the question. Mr. Lajeunesse, that is a residential area and when that Veteran's Home came in here we sat down and talked with them – listened to what they had to say. Mr. Stigalt, will be you please tell Mr. Lajeunesse who as a Councilman should be familiar with our ordinances...

Mr. Morley: Okay.

Mayor Andrzejewski: What the ordinance...

Mr. Morley: Mayor, no.

Mayor Andrzejewski: What this ordinance calls for...

Mr. Morley: No, you are out of order.

Mayor Andrzejewski: What the ordinance calls for...

Mr. Morley: You are out of order.

Mayor Andrzejewski: I get to answer his question.

Mr. Morley: You are out of order.

Mayor Andrzejewski: It is a residential area.

Mr. Morley: I told you we were not going to do this.

Mayor Andrzejewski: He asked a question.

Mr. Morley: He met with a realtor...

Mayor Andrzejewski: Who met with us and was told why he cannot do it. It does not meet the ordinances.

Mr. Morley: Okay. I am fine with your answer but to start an attack about he should know where it is zoned and all that.

Mayor Andrzejewski: Would you please ask Councilman Lajeunesse when he has a question of that nature – as we have said many times – we would be happy to answer it by telephone or in – neither you nor I knew this was coming tonight. This was done for one reason – to try to pin me down on something. That is all. The realtor in question knew why it was not going to go through – because of the ordinance and because it is a residential area.

Mr. Lajeunesse: Actually, I did notify our Council President that I was going to have this conversation – it was actually about another piece of property within the Community and this other subject came up. I just came from there. Obviously, I am not even dressed for the meeting. This has nothing to do with you personally. I was just asking a question.

Mayor Andrzejewski: All you had to do was pick up the phone – we would have answered.

Mr. Morley: I found out right before the meeting he was meeting with this same person about Green Road and all that and it came up. We are done with it. Are you okay, Mr. Lajeunesse?

Mr. Lajeunesse: If you would like to direct any memos to me in regards to this?

Mayor Andrzejewski: There will be no memos. I said we had a meeting with the realtor and the organization proposing it. We sat down, listened to them, showed them the ordinances and explained it is a residential area. If they want a business of that sort in a residential area they have to conform with the ordinances. The property is not of sufficient acreage to accommodate that type of organization.

Mr. Morley: I know they would have to rezone.

Mr. Knuchel: The same person you spoke with, Mr. Lajeunesse has approached me on several occasions. I did have a talk with the Mayor and the realtor. Basically the same issue came up and it is zoning. I believe it is an R-60 and that type of business is not allowed in that area. This is a well known fact to this realtor.

Mr. Lajeunesse: I just wanted to ask the question – I just found out about it. It was money that could come into the City. If that is the answer that is fine – I am fine with it.

Mr. Knuchel: As it stands that was the last I heard of it. Looking to rezone that single area would probably not be in the best interest of the people of the City of Eastlake.

Mr. Lajeunesse: That is a good answer for me Mr. Knuchel, thank you very much. This concludes my question and answer period.

Mayor Andrzejewski: So, when this comes up again. That house in that area is a residential area. It is no different than Roberts Road, Glen Drive – any street in Surfside. It is zoned for residential use. When they moved that house over there 20 years ago they knew it could only be sold as a residence.

There were no further questions of Mr. Lajeunesse.

#### RECREATION COMMITTEE – Mr. Hoefle

Mr. Hoefle: The Recreation Committee has not met. Nothing has been placed in my Committee so I will not be scheduling anything in the near future. I would like to say it was an honor to be present at the Grand Opening of Walgreens on Friday. It is a great addition to that corner. Growing up as a kid all I remember is the junk yard. It is a real nice addition plus with Key Bank coming in it will really dress up that corner. I am open for questions.

There were no questions of Mr. Hoefle.

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

Mr. D'Ambrosio: The Planning Committee met on November 16<sup>th</sup> with all members of Council present except for Mr. Lajeunesse who was absent and excused. In attendance from the Administration were Mayor Andrzejewski, Finance Director Slocum, Law Director Klammer, Service Director Semik and CBO Stigalt. There were four items on the agenda that evening with the first two being Conditional Use Permit amendments and renewals – we discussed those in Council-as-a-Whole Committee. I will be making a Motion on those except for the first one which I suggest be placed on First Reading. The other two items on the agenda were Conditional Use Permits with the first being for One Wellness, LLC, 34650 Melinz Parkway. This was previously the Lakeshore Health Club and at one time was called Club Ultimate. It is a CUP for the recreation aspect of the business. The other business for a Conditional Use Permit was Rolling the Dice, LLC dba Circle Lounge, 34598 Lakeshore Blvd. This was purchased and it will remain the same as it always has been. It is a newer business now but will remain identical to what it has been. They have to apply for a new Conditional Use Permit. There will be public hearings on both of these December 14<sup>th</sup>. I will make a Motion:

#### Conditional Use Permit Renewal

#### Creative Learning & Child Care Center, Inc.

MOTION: I hereby move to approve the Conditional Use Permit renewal for Creative Learning & Child Care Center, Inc. 36100 Portage Drive, Eastlake. Mr. Knuchel seconded.

ROLL CALL: Yeas unanimous.

Motion carried. The Conditional Use Permit renewal request for Creative Learning & Child Care Center, Inc., 36100 Portage Drive, Eastlake is approved.

#### Additional Comments

Mr. D'Ambrosio: I would also like to wish everyone a Happy Thanksgiving. I hope you enjoy the time with your families. That concludes my report and I am open for questions.

There were no questions of Mr. D'Ambrosio.

#### FINANCE COMMITTEE – Mr. Knuchel

Mr. Knuchel: The Finance Committee met on November 16, 2010 at approximately 7:14 p.m. In attendance was everyone from Council with the exception of Mr. Lajeunesse who was absent and excused. In attendance from the Administration were Mayor Andrzejewski, Finance Director Slocum, Service Director Semik and CBO Stigalt. Six items were on the evening's agenda - all six of which were discussed thoroughly in Council-as-a-Whole Committee and will be looked at this evening. We had an Audit Review Committee meeting this past week with everyone from the Audit Review Committee in attendance, plus Mr. Slocum and me. I was a very fruitful meeting and we have one item we will be looking at sometime after the first of the year which dealt with the billing and money received from our ambulance calls. We will get together after the first of the year sometime to discuss those items. We will also not be having an Economic & Community Development Council meeting in December due to the holidays. I will be making a Motion:

### Legislative Recommendation

#### Legislation No. 11-23-(15)

MOTION: I hereby move to add Legislation No. 11-23-(15) to the evening's agenda authorizing and directing the Mayor and Director of Finance to enter into an Agreement with James R. Nason, the sole bidder, for the sale of real property found on "Exhibit A", attached hereto and incorporated herein, for the total amount of Ten Thousand Dollars (\$10,000.00). Mr. D'Ambrosio seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation No. 11-23-(15) is added to the evening's agenda.

### Additional Comments

Mr. Knuchel: I would like to wish everyone a Happy Thanksgiving and thank people for coming out to the Food Bank this past weekend to help out. They had a few church groups and a group from North High and it was a very good time and we helped a lot of people. That 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 November 16<sup>th</sup> with all members of my Committee present along with everyone else on Council except for Mr. Lajeunesse who was absent and excused. Also members of the Administration were present. We discussed the new enactment of City Ordinance Section 1147.15(g) "Exception for Existing Lots of Record in Business Districts" which had been reviewed by the Economic and Community Development Council. It will make it a little easier for businesses to have appropriate frontage on Vine Street and may improve the climate for the business community and appears on the evening's agenda as Legislation No. 11-23-(14). I would also like to give a little plug for the Eastlake Historical Society that is here at City Hall on Thursdays from 3:00 p.m. to 5:00 p.m. I had an opportunity to meet with those people and talked to Marie Tompko. They are working very hard to bring our history to light and I heartily recommend everyone to stop in on Thursdays to take a look at some of their displays. 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.

### 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.

Charles Carter, 1306 East 357<sup>th</sup> Street, Eastlake

Mr. Carter: Tonight I want to talk about two subjects – enforcing the City laws. Sometime ago the City of Eastlake sued me for unsuitable dirt in my yard. Since that lawsuit there have been many people from the City that have told me I have the most beautiful yard in my Ward. I try to keep it up – I am getting a little older now and I don't keep it up as much as I have had before. My other problem is that my neighbor is running a business there and I have talked to my Ward Councilman, CBO Stigalt, Service Director Semik and the Mayor. I have talked to all of them about this and nothing has been done about stopping this man from doing a business in a residential area. His business is that he builds race cars and I am talking about drag race cars. Just yesterday was the last drag race car that went into his garage and I gave CBO Stigalt 76 pictures of evidence of him doing business over there building race cars. And I have some more pictures tonight that I have taken since then. This continues on – he won't stop. He builds these race cars over there. Just recently – two weeks ago – he had a big fire over there. I came that close to calling the Fire Department. I got in my car and drove up a little ways so I could see what was burning and it was some kind of a motor that he was working on. It was not anything on fire that I could see unless that motor caught on fire. And, it sure looked like it because I could barely see his garage because of the smoke. I want someone to do something about this man. He has had explosions over there and if anyone knows anything about racing fuel they know racing fuel don't burn it blows up. I would definitely want someone to do something about stopping him from building these race cars. He works on anything that has a motor. I have pictures of boats, tractors, bulldozers, many race cars, race cars on these big, long trailers that are pulled up there in front of his yard or in his yard. And, as yet nothing has been done to stop him and I would like for someone to stop him before something terrible happens in my neighborhood.

Mr. Morley: Are there any comments from the Administration?

Mayor Andrzejewski: Mr. Stigalt is looking into it.

Mr. D'Ambrosio: Mr. Carter, thank you for coming back. Mr. Stigalt, you are going to look into this again? I know you have been there several times. I have been there a couple of times. You said you gave Mr. Stigalt 76 new pictures?

Mr. Carter: Yes. I gave Mr. Stigalt 76 pictures and I have some more right here.

Mr. D'Ambrosio: Mr. Stigalt, maybe I will stop by after work tomorrow – I would like to see them also.

There was no one else who wished to speak.

LEGISLATION PROPOSED - First number will be 2010-117

Requested by: Administration  
Sponsored by: Mr. D'Ambrosio

ORDINANCE NO.: 11-23-(01)

An Ordinance amending Ordinance No. 2006-108, adopted October 24, 2006, and authorizing the issuance of a Conditional Use Permit to JEC Properties, LLC, dba Chicks Auto, 1422 East 361<sup>st</sup> Street, Eastlake, Ohio 44095, and declaring an emergency.

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

Legislation No. 11-23-(01) is placed on First Reading.

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Requested by: Administration  
Sponsored by: Mr. D'Ambrosio

ORDINANCE NO.: 11-23-(02)

An Ordinance amending Ordinance No. 2005-101, adopted October 11, 2005, and authorizing the issuance of a Conditional Use Permit to Creative Learning Child Care Center, Inc., 36100 Portage Drive, Eastlake, Ohio, 44095, and declaring an emergency.

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

ROLL CALL: Yeas unanimous.

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

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Ordinance No. 2010-117.

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Requested by: Administration  
Sponsored by: Mr. Knuchel

ORDINANCE NO: 11-23-(03)

An Ordinance Providing for the Issuance and Sale of Bonds in the Maximum Principal amount of \$3,520,000 for the purpose of refunding at a lower interest cost certain of the City's outstanding Capital Facilities Bonds, Series 2002, dated as of December 1, 2002, and declaring an emergency.

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

ROLL CALL: Yeas unanimous.



MOTION TO AMEND:

Mr. Knuchel moved to amend Legislation No. 11-23-(03) providing for the issuance and sale of bonds amending the maximum principal amount from \$3,520,000 to \$3,550,000 for the purpose of refunding at a lower interest cost certain of the City's outstanding Capital Facilities Bonds, Series 2002, dated as of December 1, 2002. Mr. D'Ambrosio seconded.

MOTION TO ADOPT AS AMENDED: Mr. Knuchel moved to adopt as amended. Mr. D'Ambrosio seconded

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is amended and adopted as Ordinance No. 2010-118.

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Requested by: Administration  
Sponsored by: Mr. Knuchel

ORDINANCE NO: 11-23-(04)

An Ordinance Providing for the Issuance and Sale of Bonds in the Maximum Principal amount of \$6,760,000 for the purpose of refunding at a lower interest cost certain of the City's outstanding Capital Facilities Bonds, Series 2004, dated as of December 1, 2004, 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 TO AMEND:

Mr. Knuchel moved to amend Legislation No. 11-23-(04) providing for the issuance and sale of bonds amending the maximum principal amount from \$6,760,000 to \$6,800,000 for the Purpose of Refunding at a lower interest cost certain of the City's outstanding Various Purpose Bonds, Series 2004, dated as of December 1, 2004. Mr. D'Ambrosio seconded.

MOTION TO ADOPT AS AMENDED: Mr. Knuchel moved to adopt as amended. Mr. D'Ambrosio seconded

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is amended and adopted as Ordinance No. 2010-119.

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Requested by: Service Director Semik  
Sponsored by: Mr. Knuchel

RESOLUTION NO.: 11-23-(05)

A Resolution authorizing and directing the Mayor and Director of Finance to enter into a Contract with Aero-Mark, Inc., the most responsible and lowest and best bidder, for Pavement Lane Marking for 2011, as listed for the costs as outlined, 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. 2010-120.

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Requested by: Administration  
Sponsored by: Ms. DePledge

RESOLUTION NO.: 11-23-(06)

A Resolution authorizing and directing the Chief Building Official to advertise for bids for Primary Services for Trash Pickup and Mowing and Trimming of Grass, Brush, Weeds, and other Vegetation, said bids to be in accordance with specifications on file in the Office of the Chief Building Official, 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. Hoefle moved to adopt. Mr. D'Ambrosio seconded

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Resolution No. 2010-121.

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Requested by: Administration  
Sponsored by: Ms. DePledge

RESOLUTION NO.: 11-23-(07)

A Resolution authorizing and directing the Chief Building Official to advertise for bids for Backup Services for Trash Pickup, Mowing and Trimming of Grass, Brush, Weeds, and other Vegetation, said bids to be in accordance with specifications on file in the Office of the Chief Building Official, 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. Hoefle moved to adopt. D'Ambrosio seconded

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Resolution No. 2010-122.

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Requested by: Administration  
Sponsored by: Ms. DePledge

RESOLUTION NO.: 11-23-(08)

A Resolution authorizing and directing the Director of Public Service to advertise for bids for Citywide Recycling for the term beginning January 1, 2011 through March 31, 2013, said bids to be in accordance with the specifications on file in the Office of the Director of Public Service, 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. Hoefle moved to adopt. Mr. D'Ambrosio seconded

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Resolution No. 2010-123.

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Requested by: Administration  
Sponsored by: Mr. Knuchel

RESOLUTION NO.: 11-23-(09)

A Resolution authorizing and directing the Mayor and Director of Finance to enter into a Contract with AdsLED, Inc., the most responsible and lowest and best bidder, for the alternate bid for a Double-sided TruColor Model #s218-6-LED Sign System to be located at the intersection of S.R. 91 and Vine Street for the total amount of Twenty Thousand Nine Hundred Thirty-Three Dollars (\$20,933.00), 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. 2010-124.

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Requested by: Administration  
Sponsored by: Mr. Knuchel

RESOLUTION NO.: 11-23-(10)

A Resolution authorizing and directing the Mayor and Director of Finance to ratify the Contract, awarded by the Ohio Department of Transportation on July 8, 2010, to purchase under its State Contract, Rock Salt for the 2010-2011 winter season, 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. 2010-125.

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Requested by: Finance Director Slocum  
Sponsored by: Mr. Knuchel

ORDINANCE NO: 11-23-(11)

An Ordinance to reappropriate for the expenses of the City of Eastlake, State of Ohio, for the period beginning January 1, 2010 and ending December 31, 2010, 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. 2010-126.

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Requested by: Finance Director Slocum  
Sponsored by: Mr. Knuchel

RESOLUTION NO.: 11-23-(12)

A Resolution authorizing the Director of Finance to transfer funds, with said funds to be transferred in the amounts listed from the listed Funds into Fund #301 "General Bond Retirement Fund", 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. 2010-127.

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Requested by: Finance Director Slocum  
Sponsored by: Mr. Knuchel

ORDINANCE NO: 11-23-(13)

An Ordinance to reappropriate for the expenses of the City of Eastlake, State of Ohio, for the period beginning January 1, 2010 and ending December 31, 2010, 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. 2010-128.

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Requested by: CBO Stigalt  
Sponsored by: Ms. Vaughn

ORDINANCE NO.: 11-23-(14)  
An Ordinance enacting new City  
Ordinance Section 1147.15 "Exception for  
Existing Lots of Record in Business Districts,  
specifically subsection (g)" 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. 2010-129.

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Requested by: Administration  
Sponsored by: Mr. Knuchel

RESOLUTION NO.: 11-23-(15)  
A Resolution authorizing and directing the  
Mayor and Director of Finance to enter into an  
Agreement with James R. Nason, the sole  
bidder, for the sale of real property found on  
"Exhibit A", attached hereto and incorporated  
herein, for the total amount of Ten Thousand  
Dollars (\$10,000.00), 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. 2010-130.

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### LEGISLATION PENDING

There was no Legislation Pending.

### UNFINISHED BUSINESS

There was no Unfinished Business.

### NEW BUSINESS

There was no New Business.

### RECOGNITION OF THE PUBLIC, con't

Lee Rodenfels, Brilliant Electric Sign Company, Brooklyn Heights, Ohio

Mr. Rodenfels: I need clarification regarding this sign that was just voted on. There was a question as far as it being two color. There is no two color sign on the electric message center signs. They are either one color which is called monochrome – it is red or it would be amber. If it is not a one color it is a full color and I need clarification because I was there at the opening of the bids and I need to know if that was a monochrome – one color or a full color sign.

Ms. Cendroski: In the Finance Committee minutes Service Director Semik has mentioned that it was a multi-colored sign. I did not correct the Mayor when he stated it was only two colors but in the minutes Mr. Semik said it was multi-colored.

Mayor Andrzejewski: It is two sided.

Mr. Rodenfels: I understand it is two sided but you are saying it is a multi-colored sign.

Ms. Cendroski: A multi-colored sign.

Mayor Andrzejewski: There was an alternate bid and it was for the multi-colored sign. It was in the bid package. The bidders submitted a bid and an alternate bid.

Mr. Rodenfels: That clarifies it because if there was an alternate bid it is full color. Thank you.

### ADMINISTRATIVE REPORTS:

MAYOR/SAFETY DIRECTOR – Ted Andrzejewski

Mayor Andrzejewski: Mr. Hoefle, I appreciate you saying that about Walgreens. I agree. I think it really spruces up that corner. As it has been said before it is spurring activity there – with Key Bank going in shortly and hopefully it will continue to spur interest in that area. The Captains made their rent payment. Mr. Slocum has enough now to make the bond payment for December 1<sup>st</sup>. Leaf pickup is going well - the weather is going in our favor with only a few rainy days. This is the third week so next week will be the final week and after that we will go around the City for a second pickup. So if anyone is getting questions regarding us missing leaves or residents not getting their leaves out yet tell them not to worry about it. We will go around again – especially in the heavier areas – they will be picked up as long as the ground is not covered by snow. The lighting ceremony is Sunday at 7:00 p.m. at

the Fire Station. I know the guys have done a pretty good job so far in our attempts to light up Vine Street. We sent a letter to all the businesses on Vine Street asking them to help in putting up some lights on their own to make Vine Street really look nice. We will see if anyone is going to cooperate. That is it.

Mr. Hoefle: Regarding the Key Bank building where the old used car lot is – the building next door where Biagio's was – is that part of the whole thing? There is a sign in front of there that says it will be Key Bank Plaza. That is why I was inquiring if that building was going to be leveled as well.

Mr. Stigalt: From what I know Key Bank is going to be the anchor so to speak. They are going to name the plaza after it. I believe they will be doing a façade upgrade. That is all I know right now.

Mayor Andrzejewski: The same individual owns both pieces of property.

Mr. Knuchel: Yard waste pickup ceases December 1<sup>st</sup>?

Mayor Andrzejewski: We will run through that Friday.

Mr. Hoefle: The Haunted House stuff that is at the back of the Captains parking lot – there is quite a bit. I have had several questions as to the time frame for removal.

Mayor Andrzejewski: It is past. They had until November 12<sup>th</sup> to remove it. Since they did not remove it under the advice of our attorney we removed it and put it neatly in the corner and covered it up. I will send them a letter telling them that they have "x" amount of time to remove it otherwise we will. That will be the last Haunted House at the stadium.

There were no questions of Mayor Andrzejewski.

#### CHIEF BUILDING OFFICIAL – John Stigalt

Mr. Stigalt: We have been getting new plans for homes. We have another new building going for East 359<sup>th</sup> Street. The Walgreens has opened up and we have the finalized prints for Key Bank and should have them reviewed and issue a permit in the next couple of weeks. We have about 220 foreclosed homes and in the last two months 50 of those homes have been transferred to individuals or corporations who are buying them to rehab them. We took six down so that list has shrunk which is a good sign that people are reinvesting – buying and selling. Some will be owner occupied. WalMart is going on with their plans – there construction date will be sometime in the spring. I am open for questions.

Mr. Morley: Is there a new business going in next to Convenient on Lakeshore Blvd?

Mr. Stigalt: That vacant space is being demoed and cleaned up. There is no one going in there at this time. They are just doing some general cleanup.

Mr. Morley: Do we know when WalMart will start tearing down the building?



Mr. Stigalt: Not yet.

Ms. Vaughn: Do you happen to know when that Blue Planet coffee shop will open?

Mr. Stigalt: They were supposed to open September 16<sup>th</sup>. They had some delays getting some equipment in – some specialized equipment they ordered had a backlog. I have not had any conversations with the owner since September 16<sup>th</sup>. They are ready to go from the Health and Building Departments.

There were no further questions of Mr. Stigalt.

LAW DIRECTOR – Randy Klammer

Mr. Klammer: Mr. Carter, thank you for being pleasant. I always try to make a comment when residents are frustrated and nonetheless pleasant and I appreciate it. I will get with CBO Stigalt and see if I can help him. I don't have a lot to report. I know Mr. Slocum's niece and some colleagues are back there so if they have a pen and paper ready I will give them 10 seconds on local City government to help them with their paper. The City of Eastlake is known as a Chartered Municipality and under the Ohio Constitution we have the right to declare Home Rule. We are called a Home Rule Municipality. Our Constitution is defined as our Charter. We are considered a Chartered Municipality. You will have heard the Council Clerk and Council President in very eloquent terms refer to a "waiver of three readings and reading in full." Under our Charter every ordinance is required to be read three times with the whole text of the ordinance read in its entirety unless that is waived. Per our Charter you need  $\frac{3}{4}$  of the vote of Council to waive the three readings requirement. You also heard the Council President and the Council Clerk reference "declaration of an emergency." That too is held in our Charter and allows for ordinances to have an immediate affect whereas if there was no declaration of an emergency they would not take effect for 30 days. A "declaration of emergency" requires  $\frac{2}{3}$  vote of all members of Council. You heard that throughout tonight's meeting for every piece of legislation – waiving the three readings by  $\frac{3}{4}$  and declaring an emergency by  $\frac{2}{3}$ . Everything at that point will go to the Mayor for signature and he has the right to veto or not sign the legislation and at that point there are procedures for them coming back to City Council. That, ladies and gentlemen, for your class, is 30 seconds on local City government that is the City of Eastlake. I wish you well with your studies. I am open for questions.

Mr. D'Ambrosio: For the people in the audience instead of trying to write all that down it will be in the minutes and Mrs. Cendroski should have them by the end of next week - just copy off of that.

There were no questions of Mr. Klammer.

FINANCE DIRECTOR – Mike Slocum

Mr. Slocum: I have two things. The first thing is from the Slocum family. I would like to wish everyone a Happy and Healthy Thanksgiving. The second thing is to welcome my niece, Becky Slocum, who is a resident of Eastlake. She is actually in the PSEO program.

She is a senior at Eastlake North and is attending Lakeland College during the day. I have nothing new to report since last week and I am open for any questions.

There were no questions of Mr. Slocum.

TAX ADMINISTRATOR – Angela Keneven-Zanella

Mrs. Keneven-Zanella was absent and excused.

CITY ENGINEER – Tom Gwydir

Mr. Gwydir: We are generally working on cleaning up some of the past projects and getting those wrapped up for Mr. Slocum. We recently started Edison/Mondamin and hope to have that concluded before the holidays - Quentin Road as well. I am open for questions.

Mr. D'Ambrosio: Anything on Edwards or is it still in the waiting process?

Mr. Gwydir: The final applications have been made for Edwards and we anticipate hearing from the Board later in the year that we are approved and we will move forth in July.

Mayor Andrzejewski: Don't say anything yet, Mr. D'Ambrosio.

Mr. D'Ambrosio: Well, the residents do know we sent in the final application.

There were no further questions of Mr. Gwydir.

SERVICE DIRECTOR – Mike Semik

Mr. Semik was absent and excused.

POLICE CHIEF – John Ruth

Chief Ruth was absent and excused.

FIRE CHIEF – Ted Whittington

Chief Whittington was absent and excused.

ADJOURNMENT

The meeting was adjourned at approximately 8:00 p.m.

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DENNIS MORLEY, COUNCIL PRESIDENT

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

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