

**EASTLAKE CITY COUNCIL
REGULAR COUNCIL MEETING MINUTES
OCTOBER 28, 2008**

The Regular Meeting of the Eastlake City Council was held at Eastlake City Hall, 35150 Lakeshore Boulevard. The Meeting was called to order by Council President Mr. Elshaw at approximately 7:30 p.m.

The Pledge of Allegiance was led by Mr. Knuchel.

ATTENDEES

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

Those attending from the Administration were Mayor Andrzejewski, Finance Director Mr. Condron, Law Director Mr. Klammer, City Engineer Mr. Gwydir, Police Chief Ruth and Fire Chief Whittington.

RECOGNITION OF SPECIAL POLICE OFFICER BOB DAVIS

Special Police Officer Bob Davis was recognized for his 50 years of service to the Police Department and City of Eastlake.

APPROVAL OF MINUTES

PUBLIC HEARING – SEPTEMBER 23, 2008

Public Hearing – October 14, 2008

Re: Conditional Use Permit: Bokmann's Automotive, 1935B East 337th Street, Eastlake.

MOTION: Mr. D'Ambrosio moved to approve the minutes of the Public Hearing regarding a Conditional Use Permit for Bokmann's Automotive, 1935B East 337th Street, Eastlake. Mr. Zontini seconded.

ROLL CALL: Yeas unanimous.

Motion carried. The minutes were approved.

REGULAR COUNCIL MEETING – OCTOBER 14, 2008

MOTION: Mr. D'Ambrosio moved to approve the minutes of the Regular Council Meeting of October 14, 2008. Mr. Zontini seconded.

ROLL CALL: Yeas unanimous.

Motion carried. The minutes were approved.

COUNCIL PRESIDENT’S REPORT – Mr. Elshaw

Meetings Scheduled

Mr. Elshaw: A Council-as-a-Whole Committee Meeting is scheduled for Tuesday, November 11, 2008 at 7:00 p.m. The Regular Council Meeting is scheduled for Tuesday, November 11, 2008 at 7:30 p.m.

An Economic & Community Development Council meeting is scheduled for Monday, November 17, 2008 at 6:30 p.m.

Appointments

Mr. Elshaw explained that Mr. Lajeunesse will be taking Ms. Vaughn’s place as the City’s liaison to the Eastlake Port Authority.

Mr. Elshaw asked for Motions to approve re-appointments and appointments to the Economic & Community Development Council

Mr. Zontini made the following Motions:

Economic & Community Development Council Re-Appointments

MOTION: I hereby move to approve the re-appointment of Mr. Mark Cain, Mr. Domineck DeFranco, Mr. Derek Elshaw to the Eastlake Economic & Development Council, with said term to expire November 1, 2013. Mr. D’Ambrosio seconded

ROLL CALL: Yeas unanimous.

Motion carried. Mr. Mark Cain, Mr. Domineck DeFranco, and Mr. Derek Elshaw are re-appointed to the Eastlake Economic & Development Council, with said term to expire November 1, 2013.

Economic & Community Developments Appointments

MOTION: I hereby move to appoint Mr. Robert P. Majikas to the Eastlake Economic & Development Council, with said term to expire November 1, 2013. Mr. D’Ambrosio seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Mr. Robert P. Majikas is appointed to the Eastlake Economic & Development Council, with said term to expire November 1, 2013.

COMMUNICATIONS & PETITIONS

A communication was received from City Engineer Mr. Gwydir regarding a proposed amendment to City Ordinance Section 939.27 “Wastewater Discharge Permit Fee.” This was referred to Ordinance Committee.

A sponsorship request was received from the Eastlake Youth Basketball League. Mr. Elshaw explained this is for each Council person’s individual consideration.

COUNCIL COMMITTEE REPORTS

FINANCE COMMITTEE – Mr. Knuchel

Mr. Knuchel: The Finance Committee met on October 21, 2008 at 6:30 p.m. with himself, Mr. D'Ambrosio and Mr. Lajeunesse present from the Committee. In attendance from the Committee were Mr. Zontini, Mr. Morley and Ms. Vaughn. In attendance from the Administration were Finance Director Condron, Service Director Semik and Fire Chief Whittington. The Committee discussed five items on the agenda. The first was to approve bid recommendations for the 2009 Housekeeping Supplies – this was discussed in Council-as-a-Whole Committee and the items were moved forward to tonight's Council meeting. The second item to be discussed was a bid recommendation for the Surfside Pool demolition for \$18,999 – this item was also moved forward to this evening's agenda. We also looked at re-appropriations for the Surfside Pool demolition – this was discussed at Council-as-a-Whole and we will be amending that legislation at the next Council meeting. The fourth item on the agenda was the Agreement renewal between the City of Eastlake and Jean Chase Memorial Fund, Inc. – the bingo that runs out of the Community Center – this was also moved forward to this evening's agenda. The fifth item on our agenda was the Fire Ambulance Trust Fund – we had discussed this earlier in the year – this has to do with the use of the money from the Fire Ambulance Trust Fund to offset overtime for the Fire Department. We have discussed this on several occasions – I met with Chief Whittington and as there will be little or no training taking place for the remainder for the year due to injuries in the Fire Department we decided to refer this out of Committee with no action taken. The meeting was adjourned at 7:27 p.m. This concludes my report and I am open for questions.

There were no questions of Mr. Knuchel.

ORDINANCE COMMITTEE - Ms. Vaughn

Ms. Vaughn was absent and excused.

SERVICE/UTILITIES COMMITTEE – Mr. Zontini

Mr. Zontini: I have no formal report as we did not meet since the last Council meeting but I will be making the following Motions:

Legislative Recommendation

Legislation No. 10-28-(10)

MOTION: I hereby move to add Legislation No. 10-28-(10) to the evening's agenda authorizing and directing the Finance Director to re-advertise for bids for the sale of HUD property located at 773 East 347th Street, Eastlake, Ohio, P.P. #34A014J000840 as found on "Exhibit A," attached hereto and incorporated herein, there will be no bid accepted under Twenty Thousand Dollars (\$20,000.00), said bids to be in accordance with specifications on file in the Office of the Finance Director. Mr. Morley seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation No. 10-28-(10) is added to the evening's agenda.

Legislation No. 10-28-(11)

MOTION: I hereby move to add Legislation No. 10-28-(11) to the evening's agenda authorizing and directing the Finance Director to advertise for bids for the sale of HUD property located at 259 Courtland Blvd., Eastlake, Ohio, P.P. #34B025D000620 found on "Exhibit A,"

attached hereto and incorporated herein, there will be no bid accepted under Fifteen Thousand Dollars (\$15,000.00), said bids to be in accordance with specifications on file in the Office of the Finance Director. Mr. Morley seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation No. 10-28-(11) is added to the evening's agenda.

Additional Comments

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

There were no questions of Mr. Zontini.

SAFETY COMMITTEE – Mr. Morley

Mr. Morley: The Safety Committee has not met since the last Council meeting, but a meeting is scheduled for Wednesday, November 5, 2008 at 6:00 p.m. at which we will discuss the Nestor Traffic System again. The gentleman from Nestor will be here at 5:30 p.m. to set up a system outside for a demonstration. This concludes my report and I am open for questions.

There were no questions of Mr. Morley.

RECREATION COMMITTEE – Mr. Lajeunesse

Mr. Lajeunesse was absent and excused.

PLANNING COMMITTEE – Mr. D'Ambrosio

Mr. D'Ambrosio: The Planning Committee met on October 21, 2008 at 6:00 p.m. with all members of Council present. In attendance from the Administration were Finance Director Condron and Service Director Semik. The Committee reviewed three Conditional Use Permit Renewals and all three were moved forward for approval by Motion this evening. Also discussed was a Conditional Use Permit for Classic Billiards, 34525 Vine Street, which was approved and a public hearing is scheduled for November 11, 2008. The last item on the agenda was a Resolution of Support for the Eastlake Priority Development Area and Priority Conservation Area Designations – this was forwarded to Committee by the Eastlake Economic & Community Development Council and it was discussed in Council-as-a-Whole.

Mr. D'Ambrosio made the following Motions:

Conditional Use Permit Renewal Recommendations

Kordal Pastries & Coffee

MOTION: I hereby move to approve the Conditional Use Permit renewal request for Milka Skirta dba Kordal Pastries & Coffee, 34900 Lakeshore Blvd., Unit A, Eastlake, Ohio.

Mr. Zontini seconded.

ROLL CALL. Yeas unanimous.

Motion carried. The Conditional Use Permit Renewal was approved.

Creative Learning Child Care Center

MOTION: I hereby move to approve the Conditional Use Permit renewal request for Creative Learning Child Care Center, Rea Wedekamm, Agent, 36100 Portage Drive, Eastlake, Ohio. Mr. Zontini seconded.

ROLL CALL. Yeas unanimous.

Motion carried. The Conditional Use Permit Renewal was approved.

Little Learners Too, Inc.

MOTION: I hereby move to approve the Conditional Use Permit renewal request for Little Learners Too, Inc., Betty Baker, Agent, 36721 Lakeshore Blvd., Eastlake, OH. Mr. Zontini seconded.

ROLL CALL. Yeas unanimous.

Motion carried. The Conditional Use Permit Renewal was approved.

Additional Comments

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

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 3-minute limit for their comments; all comments are to be directed to the Chair and not include any personalities or individuals.

There was no one who wished to speak.

LEGISLATION PROPOSED - First number will be 2008-082

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

RESOLUTION NO.: 10-28-(01)

A Resolution authorizing and directing the Mayor Director of Finance to enter into a Contract with Ronyak Paving, Inc., the sole bidder, for Planings & Grindings for 2009, with a one (1) year option for 2010, as listed for the costs as outlined, and declaring an emergency.

MOTION: Mr. D'Ambrosio moved to place on First Reading. Mr. Knuchel seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation No. 10-28-(01) is placed on First Reading.

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RESOLUTION NO.: 10-28-(02)

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

A Resolution authorizing and directing the Mayor and Director of Finance to enter into a Contract with Chardon Oil, the lowest & best bidder, for the purchase of Motor Oil and Grease as listed for the cost as outlined, and declaring an emergency.

MOTION: Mr. Knuchel moved to place on First Reading. Mr. D'Ambrosio seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation No. 10-28-(02) is placed on First Reading.

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RESOLUTION NO.: 10-28-(03)

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

A Resolution authorizing and directing the Mayor and Director of Finance to enter into a Contract with Osborne Concrete and Stone Co., the sole bidder, for the purchase of Stone & Slag Aggregate Products as listed for the cost as outlined, and declaring an emergency.

MOTION: Mr. Knuchel moved to place on First Reading. Mr. D'Ambrosio seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation No. 10-28-(03) is placed on First Reading.

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RESOLUTION NO.: 10-28-(04)

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

A Resolution authorizing and directing the Mayor and Director of Finance to enter into a Contract with Osborne, Inc., the lowest and best bidder, for the purchase of Asphalt/Concrete Products (Concrete) as listed for the cost as outlined, and declaring an emergency.

MOTION: Mr. Knuchel moved to place on First Reading. Mr. D'Ambrosio seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation No. 10-28-(03) is placed on First Reading.

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RESOLUTION NO.: 10-28-(05)

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

A Resolution authorizing and directing the Mayor and Director of Finance to enter into a Contract with Kokosing Materials, Inc., the lowest and best bidder, for the purchase of Asphalt/Concrete Products (Asphalt) as listed for the cost as outlined, and declaring an emergency.

MOTION: Mr. Knuchel moved to place on First Reading. Mr. D'Ambrosio seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation No. 10-28-(05) is placed on First Reading.

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Requested by: Administration
Sponsored by: Mr. Knuchel

RESOLUTION NO.: 10-28-(06)

A Resolution authorizing and directing the Mayor and Director of Finance to enter into a Lease Agreement between the City of Eastlake and the Jean Chase Memorial Fund, Inc. for use of the City of Eastlake Community Center, and declaring an emergency.

MOTION: Mr. Knuchel moved to place on First Reading. Mr. D’Ambrosio seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation No. 10-28-(06) is placed on First Reading.

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Requested by: Administration
Sponsored by: Mr. Knuchel

RESOLUTION NO.: 10-28-(07)

A Resolution authorizing and directing the Mayor and Director of Finance to enter into a Contract with Mr. Excavator, Inc., the lowest and best bidder in the total amount of Eighteen Thousand Nine Hundred Ninety-Nine Dollars (\$18,999.00) for the Demolition of Surfside Pool and Appurtenances, and declaring an emergency.

MOTION: Mr. Knuchel moved to place on First Reading. Mr. D’Ambrosio seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation No. 10-28-(07) is placed on First Reading.

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

RESOLUTION NO.: 10-28-(08)

A Resolution authorizing the Director of Finance to transfer funds, with said funds to be transferred in the amounts as listed into Fund 525 “Surfside Pool” for the demolition of Surfside Pool and appurtenances, and declaring an emergency.

MOTION: Mr. Knuchel moved to place on First Reading. Mr. D’Ambrosio seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation No. 10-28-(08) is placed on First Reading.

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RESOLUTION NO.: 10-28-(09)

Requested by: Eastlake Economic & Community Development Council
Sponsored by: Mr. D'Ambrosio
MOTION: Mr. D'Ambrosio moved to place on First Reading. Mr. Morley seconded.

A Resolution Supporting the *Chagrin River Watershed Balanced Growth Plan* in Cooperation with the Ohio Lake Erie Commission's Balanced Growth Program, and declaring an emergency.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation No. 10-28-(09) is placed on First Reading.

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Requested by: Administration
Sponsored by: Mr. Zontini

RESOLUTION NO.: 10-28- (10)
A Resolution authorizing and directing the Finance Director to re-advertise for bids for the sale of HUD property located at 773 East 347th Street, Eastlake, Ohio, P.P. #34A014J000840 as found on "Exhibit A," attached hereto and incorporated herein, there will be no bid accepted under Twenty Thousand Dollars (\$20,000.00), said bids to be in accordance with specifications on file in the Office of the Finance Director, and declaring an emergency.

MOTION: Mr. Zontini moved to place on First Reading. Mr. Morley seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation No. 10-28-(10) is placed on First Reading.

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Requested by: Administration
Sponsored by: Mr. Zontini

RESOLUTION NO.: 10-28-(11)
A Resolution authorizing and directing the Finance Director to advertise for bids for the sale of HUD property located at 259 Courtland Blvd., Eastlake, Ohio, P.P. #34B025D000620 found on "Exhibit A," attached hereto and incorporated herein, there will be no bid accepted under Fifteen Thousand Dollars (\$15,000.00), said bids to be in accordance with specifications on file in the Office of the Finance Director, and declaring an emergency.

MOTION: Mr. Zontini moved to place on First Reading. Mr. Morley seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation No. 10-28-(11) is placed on First Reading.

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LEGISLATION PENDING (Placed on First Reading 10/14/08)

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

RESOLUTION NO.: 10-14-(03)

A Resolution authorizing and directing the Director of Public Service to advertise for bids for Camera and Joint Grouting for 2009, 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. Zontini moved to place on Second Reading. Mr. D'Ambrosio seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation No. 10-14-(03) is placed on Second Reading.

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UNFINISHED BUSINESS

There was no Unfinished Business.

NEW BUSINESS

There was no New Business.

ADMINISTRATIVE REPORTS:

MAYOR/SAFETY DIRECTOR – Ted Andrzejewski

Mayor Andrzejewski: The grocery store is proceeding – we are still looking for a November 30th opening. There is a Ribbon Cutting Ceremony for Bryant & Stratton College tomorrow – I am sure Council received invitations. You may receive questions on this – the crews have been out picking up leaves this week – this is to get a head start on some of the streets we know have a lot of leaves and to ensure all the equipment is operating properly. This is not the start of the leaf pickup. The regular leaf pickup is on our web site and on the bulletin board. This concludes my report and I am open for questions.

Mayor Andrzejewski: What are you doing with the 911 system?

Mr. Elshaw: I asked Chief Ruth if he would bring this up during his report – we will briefly touch on what he gave us and we can talk about some meeting dates.

There were no questions of Mayor Andrzejewski.

LAW DIRECTOR – Randy Klammer

Mr. Klammer: *(Mr. Klammer's beginning comments could not be understood)* ...other than that I have nothing additional to add. I am open for questions.

There were no questions of Mr. Klammer.

FINANCE DIRECTOR – Brian Condron

Mr. Condron: The auditors have completed the City's 2006-2007 Audit – we will be scheduling a post audit meeting sometime in the future. This concludes my report and I am open for questions.

There were no further questions of Mr. Condron.

TAX ADMINISTRATOR – Angela Keneven-Zanella

Mrs. Keneven-Zanella was absent and excused.

SERVICE DIRECTOR – Mike Semik

Mr. Semik: We received information that the strobe light at S.R. 91 and Stevens does not meet ODOT standards. Mr. Gwydir and I have discussed it. (*Mr. Semik's comments could not be understood*) We received a rock salt shipment and will receive another shipment in the next few days – we will have 1,600 tons on hand. 4,200 gallons of beet juice is stored in containers beside the salt bid – this will be used to help reduce the amount of salt used. We are continuing concrete work on the streets. We are doing some leaf pickup in order to ensure everything is ready for the leaf season – I placed a piece of a limb out in the lobby for everyone to see what should not be put into the leaf piles. If we pick up something like this it can break the equipment. We will not pick up a leaf pile with limbs and branches in it. The sidewalk at the side of the building has been completely redone. Our guys did this – we poured 27 yards of concrete at a cost of \$2,700. This concludes my report and I am open for question.

There were no questions of Mr. Semik.

CHIEF BUILDING OFFICIAL – John Stigalt

Mr. Stigalt was absent and excused.

CITY ENGINEER – Tom Gwydir

Mr. Gwydir: To follow along with Mr. Semik's report about the strobe light on S.R. 91 and Stevens. We did some research and found that there was no mention of that type of light – we further contacted ODOT and they advised that they are not standard and that they do not recommend their use. They were used 10 years ago for a brief period but were removed due to the high maintenance. As of 1990 the strobe light was not approved and a 1995 study concluded that the strobe light was not effective in reducing accidents. They also stated that strobe lights operating in other states are recommended to be removed. Also, our research found no data on strobe lights causing epileptic seizures. After looking at all this we made a recommendation to the Administration that the strobe light be deactivated. There are “prepare to stop when flashing” signs that can be placed in advance of the traffic lights. I am going to ask Mr. Klammer if he is aware of any problems caused by those particular signs. I have had contact a number of times on the railroad crossing on Roberts Road - they keep promising they are coming out – I will continue to pursue that. This concludes my report and I am open for questions.

Mr. D'Ambrosio: I appreciate all you are doing on the strobe light. I received a lot of emails on it. Mr. Semik and Mr. Gwydir looked into it - thank you for looking into it – it is a dangerous setup the way it is and if there is an alternative that would work it would be great.

There were no further questions of Mr. Gwydir.

POLICE CHIEF – John Ruth

Chief Ruth: Our 911 system is non-existent – I have been researching the last week. (*Chief Ruth's comments could not be clearly understood*). The system is brand new – the City of

Albion, Michigan purchased it in early 2007 but did not use it because they combined with another City. Most of it is still in the box – unused.

Mr. Elshaw: Regarding the warranty – there are two pieces of legislation – Council just received the information today and has not had a chance to review it. Both of our Chiefs have asked that we act on this fairly quickly as it is our 911 system. So, it is very urgent. As we do not have enough Council members present tonight to pass the legislation we will look at some dates. The second piece of legislation was for the warranty.

Chief Ruth: The second piece of legislation is for installation by AT&T – that is \$18,750.00 – it also includes training and project management. There is a five year annual contract rate of \$8,679.84 for maintenance.

Mr. Elshaw: So, the \$18,000 is for the installation and the \$8,000 is for the maintenance contract,

Mr. Knuchel: The system we had that just died on us was 28 years old – correct?

Chief Ruth: It was the oldest system in the County.

Mr. D’Ambrosio: Will our dispatch office be compatible with the new system?

Chief Ruth: Obviously, anytime you try to interact one system with another there will be problems. The hardware that supports the current system (*Chief Ruth’s comments could not be clearly understood*).

Mr. Zontini: Chief you stated the newer updated model has less on it than this one did. Is there any concern that those are not obsolete – that if something went wrong it would not be able to be repaired?

Chief Ruth: This system is currently being sold. (*Chief Ruth’s comments could not be clearly understood*).

Mr. Elshaw: Regarding the warranty – it sounds like it is a five year contract at \$8,000 annually.

Chief Ruth: (*Chief Ruth’s comments could not be clearly understood*). It is roughly \$8,000 per year.

Mr. D’Ambrosio: Chief, you mentioned there may be some jerry-rigging with the dispatch. I am all for this – I would rather spend the money to get it so it is going to be right.

Chief Ruth: (*Chief Ruth’s comments could not be clearly understood*)

Mr. Elshaw: A Special Council meeting will be scheduled for Monday, November 3, 2008 at 6:00 p.m.

There were no further questions of Chief Ruth.

FIRE CHIEF – Ted Whittington

Chief Whittington: On the 911 system – the calls go through Willoughby. We had a fire on Center Road Friday night and there was no delay in us getting there. We received a check for the grant from the Elks – there was a picture and article in the Gazette. This concludes my report and I am open for questions.

There were no questions of Chief Whittington.

ADJOURNMENT

The meeting was adjourned at approximately 8:20 p.m.

DEREK W. ELSHAW, COUNCIL PRESIDENT

APPROVED: _____

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

