

**EASTLAKE CITY COUNCIL  
REGULAR COUNCIL MEETING MINUTES  
SEPTEMBER 9, 2008**

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 7:45 p.m.

The Pledge of Allegiance was led by Mr. Morley.

**ATTENDEES**

Members of Council in attendance were Mr. Morley, Mr. D'Ambrosio, Ms. Vaughn, Mr. Lajeunesse, Mr. Knuchel, Mr. Zontini and Council President Mr. Elshaw.

Those attending from the Administration were Mayor Andrzejewski, Finance Director Mr. Condrón, Law Director Mr. Klammer, Service Director Mr. Semik, City Engineer Mr. Gwydir, Police Chief Ruth, Fire Chief Whittington, and the City's Collective Bargaining Attorney Mr. Esposito.

**APPROVAL OF MINUTES**

**REGULAR COUNCIL MEETING – AUGUST 26, 2008**

MOTION: Mr. D'Ambrosio moved to approve the minutes of the Regular Council Meeting of July 8, 2008. Mr. Lajeunesse seconded.

ROLL CALL: Yeas: Mr. D'Ambrosio, Mr. Lajeunesse, Ms. Vaughn, Mr. Knuchel, Mr. Morley, Mr. Elshaw.

Abstain: Mr. Zontini

Motion carried. The minutes were approved.

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

**Comments**

Mr. Elshaw: We are going to restructure the meeting tonight as Mr. Lajeunesse has a commitment and has to leave early and also in case we may want to adjourn back into Executive Session. We will do the President's report, Communications and Recognition of the Public first.

**Meetings Scheduled**

Mr. Elshaw: A Council-as-a-Whole Committee Meeting is scheduled for Tuesday, September 23, 2008 at 7:00 p.m. The Regular Council Meeting is scheduled for Tuesday, September 23, 2008 at 7:30 p.m.

An Economic & Community Development Council Meeting is scheduled for Wednesday, September 17, 2008 at 6:30 p.m.

Comments:

Mr. Elshaw: We have received a recommendation from the Economic & Community Development Council for a Motion to appoint Domenick DiFranco to the Economic & Community Development Council.

Mr. Knuchel made the following Motion:

Appointment to Economic & Community Development Council

MOTION: I hereby move to appoint Domenick DiFranco to the Economic & Community Development Council to fill the unexpired term previously occupied by Mr. Tom Rutledge, with said term to expire on November 1, 2008. Mr. Zontini seconded.

ROLL CALL: Yeas unanimous.

Mr. Domenick DiFranco is appointed to the Economic & Community Development Council.

COMMUNICATIONS & PETITIONS

A Conditional Use Permit Renewal request was received for Regovich's Catering, 35746 Lakeland Blvd., #15, Eastlake. This was referred to Planning Committee

A donation request was received from the Eastlake North High School Volleyball Team. Mr. Elshaw explained this was for each Councilperson's individual consideration.

A communication was received from the Administration regarding the Quentin Road Pump Station and the South Lakeshore Boulevard Improvements. This was referred to Service/Utilities Committee.

A communication from the Administration regarding a Fall, 2008 Vehicle Auction. This was referred to Service/Utilities Committee.

A communication from the Administration regarding a proposed amendment to City Ordinance Chapter 1361 "Fences." This was referred to Ordinance Committee.

A communication from Law Director Mr. Klammer regarding an Easement Agreement with The Ohio Bell Telephone Company dba AT&T. This was referred to Service/Utilities Committee.

A communication from Finance Director Mr. Condrón regarding the Resolution accepting the Amounts and Rates for fiscal year 2009. This was referred to Finance Committee.

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.

Mike Kaska, 35150 Lakeshore Blvd., Eastlake

Mr. Kaska: I live one third of my life here at 35150 Lakeshore Blvd. at the Fire Station. On behalf of all I would like to thank Council for inviting us to the 911 Ceremony. It was much appreciated to see that Safety and Armed Forces who gave their lives on 911 were remembered at a proper memorial. Also, a New York City Firefighter, who was present, mentioned that it as

the nicest memorial he has been to and he has been to quite a few. I would also like to extend my condolences to the family of Mr. Morley on the passing of his father.

Dennis Skinner, 36334 South Riverview, Eastlake

Mr. Skinner: I was wondering about the progress in dealing with the water on South Riverview.

Mr. Elshaw: I believe at the last Council meeting we had discussion after the Council meeting about the possibility of a future meeting to hear all the resident's concerns in the area. Mayor, I believe you agreed to that – is that the case?

Mayor Andrzejewski: Yes.

Mr. Elshaw: Okay, so we will be scheduling a future meeting for discussion – I know there are people for and against the work to be done and I want to make sure everyone gets their concerns addressed.

Mayor Andrzejewski: For the record, the Administration is in favor of doing part 1 of the proposal by installing drainage ditch along the back of South Riverview.

Mr. Elshaw: I have heard personally that there are problems that needed to be resolved on South Riverview and there are also various residents there that feel there are some things they would like to preserve – so, we will see if there is a way we can do both.

There was no one else who wished to speak.

#### COMMENTS:

Mr. Elshaw: We adjourned into Executive Session to discuss the labor Fact Finding Report – I still had some questions and we can re-adjourn into Executive Session.

Mr. Klammer: It would be the same Motion – I had the impression there were some unanswered questions – to comply with the time frame we would have to do something today – we would have to finish the dialogue and can adjourn into Executive Session now – the Motion would remain the same.

Mr. Elshaw: Is there a Motion?

There was no Motion.

Mr. Elshaw: Okay, I guess everyone is good with the discussion – I am not, actually, I would like to hear more – but, that is okay.

Mr. Lajeunesse: Perhaps we should ask our Law Director one more time as far as the vote this evening - I want to take a vote on it. What is the procedure?

Mr. Klammer: If you are going to reject the Fact Finding Report it has to be done by 3/5ths of the members of Council.

Mr. D'Ambrosio: There was another issue we were going to discuss in Executive Session – are we going to try to do that?

Mr. Elshaw: I would have liked to have done that also.

Mr. D'Ambrosio: That will not take very long.

Mr. Klammer: I think I would take the time to have the Executive Session – there were unanswered questions regardless of whatever your stance is on this – at least one Councilman has a question. We should finish that discussion and discuss the other matter at the end of the meeting – it should take only a few minutes.

Mr. Knuchel: Mr. Klammer, if we decide not to vote on this and take no action- what is the next step?

Mr. Klammer: Then the Union would make a determination on it.

Mr. Knuchel: So, it would actually go back to the Union for the Union representatives.

Mr. Klammer: The Union has the same time as Council.

Mr. Esposito: If you take no action then it shifts back to the Union and the Union will have a determination on whether or not to accept or reject it. If both accept then we will have a contract – if you take no action the Union will make a decision if it is rejected it will go to binding arbitration.

Mr. Klammer: If either party rejects it – it will move forward – if neither party rejects it we will have a contract.

Chief Whittington: I would like to make it clear that if no action is taken that means it is an agreement by Council.

Mr. Elshaw: That is not my understanding.

Mr. Esposito: It would take no action by both parties.

Mr. Klammer: If both parties reject it – it goes to binding arbitration.

Mr. Elshaw: I do not remember rejecting or accepting in the past.

Mr. Klammer: We have only had one fact finder before us – you do not have to do anything to accept it.

Mr. Lajeunesse: I would like to make a Motion to vote on this.

Mr. Klammer: Just a motion to reject the fact finder is necessary.



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

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Resolution No. 2008-067.

— — — — — — — — — — — — — — —

09-09-(03)

Requested by: Administration  
Sponsored by: Mr. Lajeunesse

RESOLUTION NO.: \_\_\_\_\_

A Resolution authorizing and directing the Director of Public Service to advertise for bids for the demolition of Surfside Pool, said bids to be in accordance with specifications on file in the Office of the Director of Public Service, and declaring an emergency.

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

ROLL CALL: Yeas unanimous.

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

ROLL CALL: Yeas: Mr. Lajeunesse, Mr. Knuchel, Mr. D'Ambrosio, Mr. Morley, Mr. Elshaw  
Nays: Ms. Vaughn, Mr. Zontini

Motion carried. Legislation is adopted as Resolution No. 2008-068.

— — — — — — — — — — — — — — —

LEGISLATION PENDING (Placed on First Reading 08/26/08)

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

RESOLUTION NO.: 08-26-(01)

A Resolution authorizing the Director of Finance to appropriate an additional Four Thousand One Hundred Seventeen Dollars (\$4,117.00) into Account Code #622.000.5407 for the Steve Guard Memorial Fund, and declaring an emergency.

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

ROLL CALL: Yeas unanimous.

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

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Resolution No. 2008-069.

— — — — — — — — — — — — — — —

*Mr. Lajeunesse was excused from the meeting at this time.*

## UNFINISHED BUSINESS

There was no Unfinished Business.

## NEW BUSINESS

There was no New Business.

## COUNCIL COMMITTEE REPORTS

### SAFETY COMMITTEE – Mr. Morley

Mr. Morley: On a personal note, I would like to thank everyone from the City for the cards, calls and flowers on the death of my father. Especially the Police Department and Chief Ruth for the dedication they did yesterday for me. Regarding the Safety Committee we have one item pending in Committee – I sent a memo to the Chief on the Nestor lighting – Chief, please get back with me so we can set up a meeting. This concludes my report and I am open for questions.

There were no questions of Mr. Morley.

### RECREATION COMMITTEE – Mr. Lajeunesse

Mr. Lajeunesse was excused early from the meeting.

### PLANNING COMMITTEE – Mr. D'Ambrosio

Mr. D'Ambrosio: The Planning Committee has not had a meeting since the last regularly scheduled Council meeting, therefore, I have no formal report. As items have been referred into Committee I will be scheduling a meeting in the near future. I would like to take the opportunity to compliment the 911 Ceremony – it was great – there were people from all over – several hundred motorcycles – it was fantastic and great to have that type of atmosphere at the Blvd. of Flags. This concludes my report and I am open for questions.

There were no questions of Mr. D'Ambrosio.

### FINANCE COMMITTEE – Mr. Knuchel

Mr. Knuchel: The Finance Committee has not met since our last regularly scheduled Council meeting. We are meeting tomorrow night at 6:30 p.m. to discuss budgetary issues. 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 has not met since the last Council meeting but as items are pending in Committee I will be scheduling a meeting for next Tuesday. I have attended every Council meeting and Committee meeting but I will be out of town tomorrow night and will be unable to attend the meeting. Hopefully, someone will update me on anything that happens with the Finance Committee meeting. I was sorry to miss the 911 Ceremony on Sunday, but I had obligations at my church – and my church does come first. This concludes my report and I am open for questions.

There were no questions of Ms. Vaughn.

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

Mr. Zontini: The Committee met on September 2<sup>nd</sup> at 6:15 p.m. In attendance from the Committee were myself, Mr. Morley and Mr. Lajeunesse. Also in attendance from Council were Mr. D'Ambrosio and Ms. Vaughn. Mr. Elshaw was absent and excused. Mr. Knuchel was late in arriving. In attendance from the Administration were Service Director Mr. Semik and Mr. Condon. Two items were discussed with one being the Honeywell Service contract which mistakenly was held in Committee because we had not yet received the comparables Council had asked for – I say mistakenly because the issue before us that evening was actually deciding whether or not to adopt the proposed contract from Honeywell. Unfortunately, the contract had already expired – it actually expired on July 25<sup>th</sup> and was forwarded to Council on July 16<sup>th</sup>. So, holding it did nothing for us. I would like to poll my Committee as to referring this matter out of Committee with no action taken.

Mr. Morley: I am okay with that.

Mr. Zontini: So with that we are done with the proposed Honeywell Service contract. The other item on the agenda was the bid advertisements for the 2009 Housekeeping Supplies which has already been voted on and passed this evening. As several items have been forwarded to my Committee this evening I will coordinate with the Clerk to arrange the date and time for the meeting. This concludes my report and I am open for questions.

There were no further questions of Mr. Zontini.

#### ADMINISTRATIVE REPORTS:

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

Mayor Andrzejewski: It has been a quiet couple of weeks. I am open for questions.

There were no questions of Mayor Andrzejewski.

##### LAW DIRECTOR – Randy Klammer

Mr. Klammer: There are no new developments other than the ones I mentioned at the last Council meeting. This concludes my report and I am open for questions.

There were no questions of Mr. Klammer.

##### FINANCE DIRECTOR – Brian Condon

Mr. Condon: I mentioned that the last Council meeting in August, the City's 2006-2007 audit began on the 18<sup>th</sup> – it is moving on a little faster now – they have committed a couple more auditors. I am working on the Five-Year Forecast and should provide it to Council by the end of the month. This concludes my report and I will be open for questions.

Mr. Elshaw: Mr. Condon, when will you have the Forecast?

Mr. Condon: By the end of the month.

There were no questions of Mr. Condon.



TAX ADMINISTRATOR – Angela Keneven-Zanella

Mrs. Keneven-Zanella was absent and excused.

SERVICE DIRECTOR – Mike Semik

Mr. Semik: I would like to extend both my condolences and my wife's condolences to Mr. Morley on the loss of his father. The yard waste pickup has been extended – Christmas trees will also be picked up by the yard waste company through the end of January. All people have to do is put the tree out on the curb on rubbish day and it will be picked up. This concludes my report and I am open for questions.

There were no questions of Mr. Semik.

CHIEF BUILDING OFFICIAL – John Stigalt

Mr. Stigalt was absent and excused.

CITY ENGINEER – Tom Gwydir

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

There were no questions of Mr. Gwydir.

POLICE CHIEF – John Ruth

Chief Ruth: On behalf of the Police Department and myself I would like to express my sympathy to Mr. Morley and his family. It is pretty much everything as usual – we are in the process of establishing an e-mail address for each officer so as to provide for more communication between the citizens and the officers. This concludes my report and I am open for questions.

Ms. Vaughn: Chief, are you going to have an e-mail address?

Chief Ruth: I have two already and will have a third.

There were no further questions of Chief Ruth.

FIRE CHIEF – Ted Whittington

Chief Whittington: The Fire Department extends its condolences to Mr. Morley. I would like to mention that our firefighters and Mr. Lajeunesse were able to collect about \$12,500 for the Muscular Dystrophy Drive. Representatives of the News Herald called and said that those numbers are equivalent to larger City's like Parma. Our men have to be credited – as well as the residents of Eastlake – some people come through the intersection several times a day and they were very generous. I wanted to make Council aware that Lonnie Futchi has been coordinating this for several years and over the years this Drive has collected over \$100,000 for Muscular Dystrophy – Mr. Futchi is going to receive an award and we would like to do this at a Council meeting. The Fire Department and Police Department were present at the 911 Ceremony – it is a great tribute and the memorial is very impressive to people who first see it and I hope we continue to have this ceremony here. We are all aware of what happened at South High School – the Police Department and Fire Department were there. In those kind of incidents the cooperation between the Departments is crucial – it was handled well and we had a lot of support. All of our plans and procedures worked and were in place and everything was handled

according to plan. I will be forwarding Council a press release on the training session at Perry Schools – which unfortunately is patterned after real events – this is a chance for us to put our procedures in place – the goal is to have the school administrators see that so they can develop more consistent plans for events like this. We encourage everyone to come see what we do. I spoke with the News Herald the other day regarding autumn safety tips – Halloween costumes, keeping leaves in an organized fashion, checking smoke detectors. During the event at South High School one of our firefighter’s daughters was in school that day –he stayed steady fast at his post – his dedication to duty should be commended. This concludes my report and I am open for questions.

There were no questions of Chief Whittington.

MOTION TO ADJOURN INTO EXECUTIVE SESSION FOR DISCUSSION OF IMMINENT LITIGATION INVOLVING T.C. CONSTRUCTION

Mr. Elshaw asked for a Motion to adjourn into Executive Session for discussion of Imminent litigation involving T.C. Construction.

MOTION: Ms. Vaughn moved to adjourn into Executive Session in compliance with Ohio Revised Code Section 121.22, "Open Meeting Law." Mr. D’Ambrosio seconded. The meeting was adjourned to Executive Session for discussion of for discussion of litigation involving imminent litigation involving T.C. Construction.

MEETING CALLED BACK TO REGULAR COUNCIL MEETING

Ms. Vaughn moved to adjourn back into the Regular Meeting. Mr. Knuchel seconded. The meeting was called back to the Regular Council Meeting with Ms. Vaughn, Mr. Knuchel, Mr. D’Ambrosio, Mr. Zontini, Mr. Morley and Council President Mr. Elshaw.

Also in attendance were Mayor Andrzejewski and Law Director Mr. Klammer.

ADJOURNMENT

The meeting was adjourned at approximately 8:50 p.m.

---

DEREK W. ELSHAW, COUNCIL PRESIDENT

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

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

