

**EASTLAKE CITY COUNCIL  
REGULAR COUNCIL MEETING MINUTES  
FEBRUARY 22, 2011**

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 7:50 p.m.

The Pledge of Allegiance was led by Mr. Hoefle.

ATTENDEES

Members of Council in attendance were Mr. Hoefle, Mr. Knuchel, Ms. Vaughn, Ms. DePledge, Mr. D'Ambrosio and Council President Mr. Morley. Mr. Lajeunesse 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, Fire Chief Whittington and Police Chief Reik.

APPROVAL OF MINUTES

PUBLIC HEARING – FEBRUARY 8, 2011

MOTION: Mr. D'Ambrosio moved to approve the minutes of the Public Hearing of February 8, 2011 regarding a Conditional Use Permit for Edgar A. Wells and Donald McDonald dba Finucane & Brennan, Inc., 1630 East 361<sup>st</sup> Street, Eastlake. Mr. Knuchel seconded.

ROLL CALL: Yeas unanimous.

Motion carried. The minutes were approved.

REGULAR COUNCIL MEETING – FEBRUARY 8, 2011

MOTION: Mr. D'Ambrosio moved to approve the minutes of the Regular Council Meeting of February 8, 2011. 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, March 8, 2011 at 7:00 p.m. The Regular Council meeting will be convened immediately following the adjournment of the Council-as-a-Whole Committee meeting.

Also, at this time I would like to give my condolences to Service Director Semik on the passing of his brother who was the Police Chief of Oakwood Village. The services are tomorrow.

## COMMUNICATIONS & PETITIONS

A liquor license transfer request was received from Upscale Entertainment, Inc., dba Wing Warehouse, 35534 Vine Street, Eastlake to BMR LLC dba Wing Warehouse, 35534 Vine Street, Eastlake. Mr. Morley explained that this was discussed in Council-as-a-Whole Committee – Mr. D’Ambrosio will make a Motion during his report.

Conditional Use Permit Amendment/Renewal recommendations were received from the Administration for GP Enterprises, Inc., 34799 Curtis Blvd., Eastlake and Biagio’s Donut Shop & Pizzeria, Inc., 35523 Vine Street, Eastlake. These were referred to Planning Committee.

A communication was received from the Administration regarding Change Order No. 1-Final for Houston Fisher Pool. This was referred to Finance Committee.

Conditional Use Permit amendment and renewal recommendations were received from the Administration for Myron Miecznikowski dba Erieshore Beverage, 35068 Lakeshore Blvd.; Willoughby Cab Service, Inc., 34799 Curtis Blvd., Unit A; Palmer Express, Inc., 34799 Curtis Blvd.; R.D.P. Enterprises, Inc., 34799 Curtis Blvd., Unit A; Hoernig Heating & Air Conditioning, Inc., 36950 Valley View Drive; TR & TG Entertainment, LLC dba North Coast Café, 34516 Lakeshore Blvd.; B & B Old Front Bar, Inc., dba Billy’s Old Front Bar, 36229 Lakeshore Blvd.; and, Neppco of Eastlake, Inc. dba McDonald’s, 36141 Lakeshore Blvd. These were referred to Planning Committee.

A communication was received from the Administration regarding the purchase under State Contract of two staff vehicles for the Fire Department. This was referred to Finance Committee.

A communication was received from Councilwoman Vaughn regarding an amendment to City Ordinance Section 125.11 “Expenditure Limitations.” This was referred to Ordinance Committee.

A communication was received from the Administration regarding the purchase of a replacement bucket for a truck for the 1997 Case Loader.

### DISCUSSION:

Mr. Morley: Mr. Klammer, this is a repair to an existing piece of equipment – does that still have to go out for bid? It is a bulldozer that needs a front bucket because it is broke.

Mr. Klammer: Any expenditure beyond the \$12,500 has to go out for bid. Mr. Semik has made some comments on a couple of occasions that he thinks this is a sole source – I want him to put that in writing for you and me – that there is no other supplier he can get it from in which case you don’t have to go out for bids. But, it is in excess of \$12,500 so you still have to authorize the contract.

Mr. Morley: This will be in the Service/Utilities Committee.

A request was received from Law Director Klammer regarding a Quit Claim Deed.

**DISCUSSION:**

Mr. Klammer: You remember we have the deed restriction where the Port Authority is – that is actually City of Willoughby property that abuts the mobile home park next to the Mexican restaurant. There is a sliver of property behind the mobile home park that the mobile home park is purchasing from the City of Willoughby. The Planning Commission has approved the lot split but since there is still a deed restriction we have to be a party to that deed. So, they are circulating new deeds. They are preparing the deeds and will send them over.

Ms. Cendroski: Did they approve legislation on this?

Mr. Klammer: I assume they would because they were selling a portion of Willoughby owned property. My only concern in moving it forward is in the off chance that the private parties had some time when they were trying to meet I did not want to frustrate that with what seems to be an Administrative thing.

Mr. Morley: This will be referred to Service/Utilities Committee.

**COMMITTEE REPORTS:**

**RECREATION COMMITTEE – Mr. Hoefle**

Mr. Hoefle: The Recreation Committee has not met since our last meeting and nothing has been placed in it. I am open for questions.

There were no questions of Mr. Hoefle.

**PLANNING COMMITTEE – Mr. D’Ambrosio**

Mr. D’Ambrosio: I would like to pass on my condolences to Mr. Semik and his family on the loss of his brother. The Planning Committee met February 15<sup>th</sup> at 6:00 p.m. with all members from Council present. In attendance from the Administration were Mayor Andrzejewski, Law Director Klammer, Finance Director Slocum, Fire Chief Whittington and Police Chief Reik. There were five items on the evening’s agenda with the first being a Conditional Use Permit renewal from East Cleveland Quick Dry Carpet and Upholstery Services, Inc., 34092 Victor Drive – we spoke about this briefly in Council-as-a-Whole Committee. They are amending the CUP to the company’s name as opposed to the person’s name – this was moved forward. The others were Conditional Use Permit renewals: All You Can Print, Inc., 722 Creekview Drive; Lin-e of Eastlake, Inc., dba Final Sports Bar & Grill, 33329 Vine Street, Eastlake; and, Jane Page dba Page Massotherapy, 356 Waterbury Drive, Eastlake. These were moved forward by the Committee and I will be making a motion after my report. The original conditional use permits were approved by the Building and Fire Departments. The Tax Department handles its own issues. There was also a Conditional Use Permit for FNJ Automotive, LLC, 1630 East 361<sup>st</sup> Street, Unit 1, Eastlake. This is a new auto repair business and they will be doing light auto repairs. This was moved forward by the Committee and there will be a public hearing on March 8<sup>th</sup>. I will be making the following Motions:

Conditional Use Permit Renewals

MOTION: I hereby move to approve the Conditional Use Permit renewal requests for:  
All You Can Print, Inc., 722 Creekview Drive, Eastlake, OH  
Lin-e of Eastlake, Inc., dba Final Sports Bar & Grill, 33329 Vine Street, Eastlake, OH  
Jane Page dba Page Massotherapy, 356 Waterbury Drive, Eastlake, OH  
Catered Services, Inc., dba Regovich's Catering, 35746 Lakeland Blvd., #15, Eastlake, OH  
East Cleveland Quick Dry Upholstery and Cleaning Services, Inc., 34092 Victor Drive,  
Eastlake, OH.  
Mr. Knuchel seconded.

ROLL CALL: Yeas unanimous.

Motion carried. The Conditional Use Permit Renewals are approved.

Liquor License Transfer Request

MOTION: I hereby move to approve and send back to Columbus, Ohio with no objections the liquor license transfer request for Upscale Entertainment, Inc., dba Wing Warehouse, 35534 Vine Street, Eastlake to BMR, LLC dba Wing Warehouse, 35534 Vine Street, Eastlake. Mr. Knuchel seconded.

ROLL CALL: Yeas unanimous.

Motion carried. The Liquor License Transfer Request is approved.

Additional Comments

Mr. D'Ambrosio: 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 had one item on our agenda and that was the 2010 year-end budget review. Basically, we did this to set baselines for our 2011 budget and look over places we thought the budget needed to be tightened up and look at the good things we have done and the things we could do better. Some of the areas we discussed were the CAT tax and how that will affect our revenue stream over the next three or four years. That was a pretty complicated process. We also looked at the State net utility taxes and our ability to project those in the future. We looked at things like retirements and how they affect our budget on a daily basis and what we can look forward to in 2011 as far as retirements and payouts due to those retirements. We looked at other issues which will come up again in our 2011 budget such as the CRIF fund and the payment of stadium debt and stadium events. That was about it. If you are interested in more you can look at the Finance Committee meetings minutes of February 15, 2011 on line. I failed to mention that at that meeting were Mayor Andrzejewski, Finance Director Slocum, Police Chief Reik, Fire Chief Whittington and Law Director Klammer. All members of Council were in attendance. I will be scheduling a meeting for either March 9<sup>th</sup> or March 10<sup>th</sup>. That meeting and the meeting following that will strictly deal with the budget. This concludes my report and I am open for questions.

There were no questions of Mr. Knuchel.

ORDINANCE COMMITTEE - Ms. Vaughn

Ms. Vaughn: The Ordinance Committee met on February 15<sup>th</sup> with all members of Council in attendance. In attendance from the Administration were Mayor Andrzejewski, Law Director Klammer, Finance Director Slocum, CBO Stigalt, Police Chief Reik and Fire Chief Whittington. As I reported at Council-as-a-Whole Committee this was quite an active meeting and you will see on this evening's agenda several pieces of legislation that have been moved forward by my Committee. I am requesting at this time that Legislation No. 2-22-(10) be removed from the agenda and referred back to Committee for re-consideration. This concludes my report and I am open for questions. I will not be setting meeting.

There were no questions of Ms. Vaughn.

SERVICE/UTILITIES COMMITTEE - Ms. DePledge

Ms. DePledge: My condolences to the Semik family as well. The Service/Utilities Committee has not met since our last meeting. Therefore, I have nothing to report. As two items have been referred into Committee a meeting will be scheduled at the convenience of the Committee members and Council. This concludes my report and I am open for questions.

There were no questions from Ms. DePledge.

SAFETY COMMITTEE – Mr. Lajeunesse

Mr. Lajeunesse 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.

Mark Belich, 2476 Parsons Drive, Willoughby Hills, OH

Mr. Belich: As some of you may or may not know my family is an owner of property on Lakeland Blvd. which consists of eight acres. We also own Great Lakes Crushing. That includes the buildings where Pete's Bar & Grill is and Duke's Printing all the way to the back. I run a business out of the rear called Great Lakes Crushing. We have experienced large losses in the past years from theft and damage in the back. I come to you this evening to speak to you regarding the Police Chief and his recent concerns since he has taken over. I have noticed his attention towards our business and what we run there – it has definitely been increased and I came here to make sure he gets recognized for his new job. We had a problem with an employee and I noticed that he himself came. I have not seen a Police Chief come to one of my businesses in the past 20 years. With this and the \$2 million worth of payroll that I make every year it helps me make a decision to want to keep my business here where I recently purchased a 12,000 square foot stand alone building in Willowick on four acres. Thank you.

There was no one else who wished to speak.

LEGISLATION PROPOSED - First number will be 2011-014

Requested by: Planning Commission  
Sponsored by: Mr. D'Ambrosio

ORDINANCE NO.: 02-22-(01)

An Ordinance authorizing the issuance of a Conditional Use Permit to Miss Kimberly's Day Care Center II, Inc., 34799 Curtis Blvd., Eastlake, OH 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. 2011-014.

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Requested by: Council President  
Sponsored by: Ms. Vaughn

ORDINANCE NO.: 02-22-(02)

An Ordinance amending Section 1161.02 "Conditional Use Permits Generally," of the Codified Ordinances of the City of Eastlake, specifically Section 1161.02(f), 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. 2011-015.

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Requested by: Ordinance Committee  
Sponsored by: Ms. Vaughn

ORDINANCE NO.: 02-22-(03)

An Ordinance amending Section 125.05, "Collection of Fees," 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. 2011-016.

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Requested by: Administration  
Sponsored by: Ms. Vaughn

ORDINANCE NO.: 02-22-(04)  
An Ordinance amending Section 1347.02  
“Definitions” of the Codified Ordinances of the  
City of Eastlake, specifically to include new  
subsection (w), 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. 2011-017.

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Requested by: Administration  
Sponsored by: Ms. Vaughn

ORDINANCE NO.: 02-22-(05)  
An Ordinance amending Section 1347.14  
“Unauthorized Matter Prohibited” 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. 2011-018.

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Requested by: Administration  
Sponsored by: Ms. Vaughn

ORDINANCE NO.: 02-22-(06)  
An Ordinance amending Section 1347.31  
“Height of Pole Signs at Freeway Interchange  
Areas” 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. 2011-019.

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Requested by: Administration  
Sponsored by: Ms. Vaughn

ORDINANCE NO: 02-22-(07)  
An Ordinance amending Chapter 1347 "Signs" of the Codified Ordinances of the City of Eastlake to include new Section 1347.32 "Electronic Moving/Digital Display Signs," 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. 2011-020.

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Requested by: Administration  
Sponsored by: Ms. Vaughn

ORDINANCE NO.: 02-22-(08)  
An Ordinance amending Section 155.02 "Vacation Pay," of the Codified Ordinances of the City of Eastlake, specifically subsection "(a)" 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. 2011-021.

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Requested by: Administration  
Sponsored by: Ms. Vaughn

ORDINANCE NO.: 02-22-(09)  
An Ordinance amending Section 155.02, "Vacation Pay," of the Codified Ordinances of the City of Eastlake, to include new subsection (i), 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. 2011-022.

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Requested by: Administration	<u>ORDINANCE NO.: 02-22-(10)</u>
Sponsored by: Ms. Vaughn	An Ordinance amending Section 155.31 "Personal Days," of the Codified Ordinances of the City of Eastlake, and declaring an emergency.

MOTION: Ms. Vaughn moved to remove from the table and refer to Ordinance Committee.  
Mr. D'Ambrosio seconded.

ROLL CALL: Yeas unanimous.

Legislation No. 02-22-(10) is removed from the table and referred to Ordinance Committee.

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Requested by: Administration	<u>RESOLUTION NO.: 02-22-(11)</u>
Sponsored by: Ms. Vaughn	A Resolution repealing Ordinance No. 2009-065 enacting City Ordinance Section 155.30 "Advancement of Benefits for Retirement" of the Codified Ordinances of the City of Eastlake, adopted June 9, 2009, 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 Resolution No. 2011-023.

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

ORDINANCE NO: 02-22-(12)  
An Ordinance amending Ordinance No. 1990-080, adopted June 8, 1999, and authorizing the issuance of a Conditional Use Permit to East Cleveland Quick Dry Carpet and Upholstery Cleaners, Inc., 34092 Victor 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. 2011-024.

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LEGISLATION PENDING (Placed on First Reading 01/25/2011)  
(Placed on Second Reading 02/08/2011)

Requested by: Administration  
Sponsored by: Ms. Vaughn

ORDINANCE NO. 01-25-(04)  
An Ordinance enacting new Chapter 761 "Sweepstakes Terminal Café" of the Codified Ordinances of the City of Eastlake, and declaring an emergency.

MOTION TO AMEND:

Ms. Vaughn moved to amend Legislation No. 01-25-(04), Section 761.10(j) to include new subsection "(2) No purchase necessary to participate in this sweepstakes." Mr. D'Ambrosio seconded.

ROLL CALL ON AMENDMENT: Yes unanimous.

DISCUSSION:

Mr. Knuchel: I do not believe internet cafes are a good deal for the people of Eastlake. In looking at new business models to fill the retail space we must look at how these businesses conform to the image we would like to portray to other businesses and families who would like to locate here. I fail to see the positives these types of establishments bring to our City. There are two points that have been brought up continually throughout this. One is – everyone is doing it. The second is – internet cafes are no different than bingo or reverse raffles. I would like to address both of those issues. According to some of the research I have done and newspaper articles I have read not everyone is doing this, including our close neighbor Willoughby. Other cities in our area have enacted moratoriums such as Mentor-on-the-Lake, Concord Twp., Brunswick, Parma and Richmond Heights. I don't believe moving forward with this legislation is justified this evening. No. 2 – internet cafes are no different than bingos and reverse raffles. Bingos and reverse raffles are done for charitable purposes which may include providing scholarships for deserving students, for local football or

baseball teams and for new equipment and renovations to gyms. These organizations are 501C3's and are allowed to participate in these types of activities under the laws of the State of Ohio. An internet café is a business and the main purpose of a business is to make a profit. The difference could not be clearer. While there is oversight of the lottery in the form of the Ohio Lottery Commission and the future casinos with the Ohio Casino Control Commission there are presently no oversights when it comes to these internet sweepstakes. To quote our former Police Chief the harm of these types of endeavors is the victim - the poor person who is tempted and easily addicted to the idea of winning and often loses big. In contrast to the gambling which is already permitted in Ohio and other places there is no regulation or oversight over this industry and the environment is ripe for corruption and criminal activities. That concludes my comments and I vote "no" on this issue.

MOTION TO ADOPT AS AMENDED: Ms. Vaughn moved to adopt. Mr. D'Ambrosio seconded

ROLL CALL: Yeas: Ms. Vaughn, Mr. D'Ambrosio, Mr. Hoefle, Mr. Morley.  
Nays: Mr. Knuchel, Ms. DePledge

Motion carried. Legislation is adopted as Ordinance No. 2011-025

DISCUSSION:

Mr. Morley: Mr. Klammer, as Mr. Lajeunesse is not present this evening will this ordinance have to wait for 30 days?

Mr. Klammer: It passes but does not pass as an emergency – it will go into effect in 30 days.

Mrs. Cendroski: It will go into effect of March 24<sup>th</sup>.

Mr. Morley: This ordinance will go into effect on March 24<sup>th</sup> of 2011.

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(Placed on First Reading 02/08/2011)

ORDINANCE NO.: 02-08-(04)

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

An Ordinance amending Ordinance No. 2006-050, adopted May 23, 2006, and authorizing the issuance of a Conditional Use Permit to Catered Services, Inc., dba Regovich's Catering, 35746 Lakeland Blvd., #15, 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. 2011-026.

UNFINISHED BUSINESS

There was no Unfinished Business.

NEW BUSINESS

There was no New Business.

ADMINISTRATIVE REPORTS:

MAYOR/SAFETY DIRECTOR – Ted Andrzejewski

Mayor Andrzejewski: While I appreciate Councilman Knuchel's comments I appreciate the fact that you did something and I think you deserve credit for doing something. I am very disappointed with the State of Ohio for throwing this at the cities and saying you do something with this or don't do something with this. The State of Ohio should have come in right off the bat and declared whether or not games of chance are gambling and vote and put an end to this – good or bad. But, they did not do that and put it on the cities and I thank you. Mr. Knuchel, I respect your opinion.

Mr. Knuchel: I appreciate that, Mr. Mayor.

Mayor Andrzejewski: We have a problem with the Captains. All of you have seen my emails and I want you to know about it if you have not seen them. I do not like what they are doing. They owe us the CRIF fund – it was due the end of October. They have owed us since the end of October – so we have November, December, January and now most of February that they have not paid that money. How much is it Mr. Slocum?

Mr. Slocum: Approximately \$30,000.

Mayor Andrzejewski: \$30,000. Here's the point. That is the \$.25 per ticket they collect right off the bat from the ticket purchaser. So, it is not money that has to come out of their pocket. It is money they simply collect and pass through the City. Just like a bed tax at the hotels. I am very disappointed with the Captains in not paying that admissions tax to the City. They have also not paid for our Fire Marshall's time for the last two years. We send the Fire Marshall there each fireworks show and we pay his wages every two weeks out of the City funds and the Captains know that is their expense yet for the last two years they have not paid. So, I think Council needs to be aware of these things. So you can see that sometimes we have difficulties with the team. This is one of the reasons I am not happy at all. Mr. Slocum in conjunction with me – Mr. Klammer is reading over the letter – have sent a very strong letter to the Captains and told them they must pay their admissions tax and they must pay for the Fire Marshall's time. The Fire Marshall will not be doing any fireworks shows until those debts are paid. You need to know what has transpired behind the scenes. Every time something goes wrong over there they refer to the lease and – especially with the CRIF fund – they are in violation of the lease. We have let the Captains slide the last two years on payment of rent which is due on September 15<sup>th</sup>. We let it slide until November or December so they would have a little time to get their money together. We have been very patient with them and the thanks we get is withholding the CRIF fund and the Fire Marshall's money. This concludes my report and I am open for questions.

Mr. D'Ambrosio: Mayor, I have no problem with you taking a strong stance on that. If there is no Fire Marshall for the fireworks I would take it there has to be some kind of State mandate that you have to have one there – correct? So, if he is not there?

Mayor Andrzejewski: There are no fireworks.

Mr. D'Ambrosio: Thank you, I just wanted to make sure I understood it.

There were no questions of Mayor Andrzejewski.

LAW DIRECTOR – Randy Klammer

Mr. Klammer: My thoughts go out to the Semik family. I wanted to thank you for taking the time to try to balance my concerns with the internet gambling. I am open to questions.

There were no questions of Mr. Klammer.

FINANCE DIRECTOR – Mike Slocum

Mr. Slocum: I have good news. I am very pleased – NOPEC has approved the two grant applications we put in – a little over \$71,000 towards the cost of the radios which partially offsets the costs and \$118,000 for the electrical repairs and the updates to our electrical system. I am open for questions.

Mr. Morley: I thought you were going to steal Mr. Gwydir's thunder – maybe I will steal it – with the money we are getting back from the Roberts Road project – about \$80,000 – right?

Mr. Slocum: Right.

Mayor Andrzejewski: Mr. Klammer, does Council technically have to accept that grant from NOPEC.

Mr. Klammer: Yes.

Mayor Andrzejewski: We will send a memo.

Mr. Slocum: They have indicated they are sending out an application. When we get it we will take care of it.

Mayor Andrzejewski: We received notification that we were given the grant.

Mr. Slocum: I did send them that.

Mrs. Cendroski: Unfortunately, Mayor, I think what Mr. Slocum was referring to is most grants have specific language they want to be included when you accept the grant. I will rely on him to get that for me and I will draw up the legislation and we will get it on an agenda.

Mr. Knuchel: As far as the costs for the new upgrades for the backbone system do we have a firm number as to how much that will cost?

Mr. Slocum: We have estimates but we do not have anything firm. Until we go out for bid we will have firm numbers.

Mr. Knuchel: Do we know the time frame?

Chief Whittington: There are two things we are looking at – backbone and radio purchases. We are working diligently with the Mayors and City Managers Association to try to offset the cost of the backbone – the City cost we are looking at is the purchase of the radios.

Mr. Knuchel: I will leave it for budget discussions. My concern is we have to incorporate this somehow in our budget. We have to have some kind of idea how we are going to budget towards this. We are not going to go into the situation we were in last year where we had things we did not budget for and were not aware of.

Mr. Slocum: I believe we have enough in the budget I presented to cover the cost of the radios and I am hoping it ends up being a little bit more than what we need. I am comfortable the number that will be presented will cover the cost of the radios. But, it does not include the cost of the backbone to the County.

Mr. Knuchel: That is what I was looking for – thank you, Mr. Slocum.

Mayor Andrzejewski: There is still \$138,000 projected that we will have to pay for the backbone. The radios, depending on who you listen to, are anywhere from \$2,500 – \$3,500. I have asked both Chiefs to come up with the minimum amount of radios they need – the same with the Service Department. We are currently working with the Mayors and Managers Association to come together with some minimum specifications. The County and County communications people keep pushing Motorola but we have been told there are seven other vendors. We want to make sure we get a competitive bid from Motorola and the other vendors. The unfortunate part is the implementation has to be the end of this year so we don't have much time.

There were no further questions of Mr. Slocum.

CITY ENGINEER – Tom Gwydir

Mr. Gwydir: It has been very quiet on the engineering front with the exception of the slide failure repair. We finally got by a number of unforeseen conditions and hopefully the job will move along to completion the next month or so. I am open for questions.

Ms. Vaughn: Do you want to share with us about money we are getting back?

Mr. Gwydir: We made a deposit with CSK railroad of \$154,000+ for the Roberts Road rail crossing which came in at \$75,000. The City will be getting a major portion of that back. We have been going back and forth with CSK to get them to release those funds and they finally notified us that the funds would be forthcoming. I anticipate sometime in the next 30-60 days. There is a minor sum of \$5,000 they charged us that I am trying to get back that I don't think should have been paid.

Mr. Slocum: We did include in the budget collecting \$60,000 - \$65,000 from this but this is coming in higher. It is not going into the General Fund. It came out of the Road Fund and that is where it is going back to. It has no impact on the General Fund.

There were no further questions of Mr. Gwydir.

POLICE CHIEF – Larry Reik

Chief Reik: I would like to thank Mr. Belich for coming here tonight – I appreciate that. Also, the presentation at the Council-as-a-Whole Committee – to establish the relationship we have started with the public recognition of officers and promotions. I think it is an important thing for the community and families to be able to witness and be part of that also. I am open for questions.

There were no questions of Chief Reik.

FIRE CHIEF – Ted Whittington

Chief Whittington: You will be receiving information – we received a FEMA grant again this year in the amount of about \$60,000 – it will be utilized to buy 3 cardiac monitors for our rescue squads. These will be very high tech monitors and will allow us to do things we have not done in the past. Battalion Chief Lloyd writes most of our grants. We have been very successful the last couple of years and it has been very helpful. We are waiting to hear back on a portable radio grant we went into County wide with Mentor, Wickliffe, Willowick, Willoughby Hills and some other communities and Mr. Slocum and the Mayor. We have not received anything on that yet – hopefully it will lower that cost a little bit. We have been working with CEI and I talked with the Mayor and Law Director Klammer – CEI has approached us on a couple of donations – one being self contained breathing apparatus. There is some paperwork which will probably come to Council to be able to accept it. They have also donated two meters – we got them and wanted to see the validity of them – we passed them along to a rep who sells this type of meter and we are able to exchange the two old ones CEI gave us with brand new meters. We actually got two new meters from that. I appreciate CEI's efforts on that. We had a busy weekend in the City with the flood and the trailer fire – a gentleman was woken up by his dog. That was the safety forces coming together. There were a lot of elected officials out there during the flood. We always tell people to be vigilant and make sure they are aware of the conditions. We are always prepared to make sure we can handle emergencies.

Mr. Morley: I was impressed with the knowledge of both the Police and Fire Department during the ice breakage and how knowledgeable the regular officers are down there that were monitoring it. I learned a lot more about the river in that four hours I was down there with the Police Chief and Fire Chief and Mr. D'Ambrosio and some of the residents. Were you down there Mr. Knuchel?

Mr. Knuchel: Yes.

Mr. Morley: I was there afterwards. It was a job well done – there was no major flooding.

There were no further questions of Chief Whittington.

CHIEF BUILDING OFFICIAL – John Stigalt  
Mr. Stigalt was absent.

TAX ADMINISTRATOR – Angela Keneven-Zanella  
Mrs. Keneven-Zanella was absent and excused.

SERVICE DIRECTOR – Mike Semik  
Mr. Semik was absent and excused.

ADJOURNMENT  
The meeting was adjourned at approximately 8:35 p.m.

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DENNIS MORLEY, COUNCIL PRESIDENT

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

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