

**EASTLAKE CITY COUNCIL
REGULAR COUNCIL MEETING MINUTES
JUNE 14, 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 7:29 p.m.

The Pledge of Allegiance was led by Mr. D'Ambrosio

ATTENDEES

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

Those attending from the Administration were Finance Director Slocum, Service Director Semik, CBO Stigalt, City Engineer Gwydir, Police Chief Reik and Fire Chief Whittington. Mayor Andrzejewski and Law Director Klammer were absent and excused.

APPROVAL OF MINUTES

REGULAR COUNCIL MEETING – MAY 24, 2011

MOTION: Mr. D'Ambrosio moved to approve the minutes of the Regular Council Meeting of May 24, 2011. Mr. Lajeunesse 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, June 28, 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.

The Economic & Community Development Council meeting is scheduled for Wednesday, June 15, 2011 at 6:00 p.m.

A Block Watch meeting is scheduled for Wednesday, June 15, 2011 at 7:00 p.m. at Houston Fisher pool.

I would like to thank the VFW, American Legion and the Women's Auxiliary – we had the Color Guard, the Boy Scouts of America, and the Fire Department who were at the flag retirement ceremony on Sunday. It went very well. If you get a chance two weeks ago we replaced 20 of the flags in the Killed in Action area. TND, an Eastlake business, donated 20 new aluminum flag poles. Also, the Committee Chair and I went to Congressman

LaTourette's office to try to get \$60,000 towards new flag poles for the remainder of the flags. There are no grants or any special Federal money out there but the Congressman has agreed – we drafted a letter and sent it to the Congressman's office about trying to get corporate sponsors for the flags. So, we will see where that goes. I am appreciative of the Committee and what they are trying to do to keep the flags maintained.

COMMUNICATIONS & PETITIONS

A communication was received from the Administration regarding the Requalification of Urban County Status Request for Lake County. 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. 06-14-(05).

A communication was received from the Administration regarding the internet café fees received by the City. This was referred to Finance Committee.

A bid recommendation was received from the Administration for Phase II of the reroofing project at the JFK Senior Center. 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. 06-14-(06).

Conditional Use Permit Amendment and Renewal recommendations were received from the Administration for Wayne Priggins dba Top Quality Sealcoating, 1194 East 362nd Street, Eastlake, Walter Meech dba SJM Painting, 34047 Iris Lane, Eastlake, Gary Maiden dba Gary's Creative Jewelry, 35341 East Shore Blvd., Eastlake, Karen Bartell dba Karen's Kurls, 1427 East 332nd Street, Eastlake, Eastlake Baptist Church, 35401 Stevens Blvd., Eastlake, and Eastlake VFW Post 3863, 33641 Vine Street, Eastlake. These were referred to Planning Committee.

Conditional Use Permit recommendations were received from the Planning Commission for Lofty Dreams, 258 Shelton Blvd., Eastlake and All The Perks Coffee, 36616 Vine Street, Eastlake. These were referred to Planning Committee.

A communication was received from the Administration regarding an Accessory Structure request from Ivan Zavasnik, 36920 Reeves Road, Eastlake. This was referred to Planning Committee.

A communication was received from the Planning Commission regarding a Conditional Use Permit for Pete's Internet Café, LLC, 35700 Lakeland Blvd., Unit B, Eastlake. Mr. Morley explained that this was referred to back to Planning Commission for its June 16th meeting.

A communication was received from Finance Director Slocum regarding an Agreement with the Central Collection Agency. This was referred to Finance Committee.

COMMITTEE REPORTS:

PLANNING COMMITTEE – Mr. D'Ambrosio

Mr. D'Ambrosio: The Planning Committee has not had a meeting since our last regularly scheduled Council meeting. I was out of town on vacation and thanks to Mrs. Cendroski for sending me the minutes of the other meetings that happened while I was gone I was able to catch up on those. I have nothing to report but I do have a Motion:

Legislative Recommendation

Legislation No. 06-14-11

MOTION: I hereby move to add Legislation No. 06-14-(11) to the evening's agenda authorizing and directing the Mayor and Director of Finance to enter into a Contract with King Excavating Company, the most responsible and lowest and best bidder, for the installation of the Service Yard Bio-Retention Basins for the total amount of Forty-Three Thousand One Hundred Eighty-Sixty Dollars (\$43,186.00). Ms. Vaughn seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation No. 06-14-(11) is added to the evening's agenda.

Additional Comments

Mr. D'Ambrosio: There were a lot of things added to my Committee so if my Committee is available I will try to schedule a meeting for Tuesday, June 21st.

Mr. Knuchel: Was this a vote to place this on the agenda or pass it?

Mr. Morley: Put it on the agenda.

Mr. Knuchel: Thank you.

Mr. D'Ambrosio: 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 met on June 7th and we had three items on the agenda. One was a WPCC expenditure for the replacement of the influent wastewater screening system and demolition of the building in the amount of \$350,000. We discussed this thoroughly at Council-as-a-Whole Committee. Our wastewater treatment plant needs some updating and this comes out of their capital fund. The second item was a contract for the Service yard bio-retention basins. At that time we had agreed that Heckman Excavating was the best deal to go with but after conversation tonight it was decided that the contract would go to King Excavating. The third item on the agenda was a quarterly budget review in which we looked over the City's finances. They are tight – they are very tight. Mr. Slocum has several things he has to get back to us on as to questions that were raised during that meeting. He also expressed that May's numbers actually came in a little bit better than expected. We are continuing to look at areas we may need to adjust to make our budget work for the rest of the year. I will be making a Motion:

Legislative Recommendation

Legislation No. 06-14-(06)

MOTION: I hereby move to add Legislation No. 06-14-(06) to the evening's agenda authorizing and directing the Mayor and Director of Finance to enter into a Contract with A.W. Farrell & Son, Inc., the most responsible and lowest and best bidder, for Phase II of the re-roofing project at the JFK Senior Center for the total amount of Eighty-Three Thousand Eight Hundred Fifteen Dollars (\$83,815.00). Mr. D'Ambrosio seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation No. 06-14-(06) is added to the evening's agenda.

Additional Comments:

Mr. Knuchel: 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 June 7th with all members of Council present except for Mr. D'Ambrosio who was absent and excused. The Mayor, Finance Director, Law Director, Tax Administrator and CBO were present. On tonight's agenda you will find a change in Section 1301.01(d)(A) – we are reducing the deposit fee for residents from \$1,000 to \$100 and that appears on the evening's agenda with the blessings of the Committee. Other things were discussed – there was no action taken on changes to Chapter 155 "Personal Days" and at the request of the Administration the amendment to Chapter 185 dealing with the income tax was withdrawn. I have nothing additional to report but I will be making the following Motions:

Legislative Recommendations

Legislation No. 06-14-(05)

MOTION: I hereby move to add Legislation No. 06-14-(05) to the evening's agenda authorizing the Mayor of the City of Eastlake to Reaffirm Commitment with the Lake County Board of Commissioners to Participate in the Urban Entitlement Community Development Block Grant (CDBG) Program and for the utilization of funds made available by the Housing and Community Development Act of 1974 as amended. Mr. Lajeunesse seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation No. 06-14-(05) is added to the evening's agenda.

Additional Comments:

Ms. Vaughn: That concludes my report and I am open for questions.

There were no questions of Ms. Vaughn.

SERVICE/UTILITIES COMMITTEE - Ms. DePledge

Ms. DePledge: The Service/Utilities Committee met on Tuesday, June 7th at 6:00 p.m. There was one item on the agenda – the bid advertisement for the NOPEC grant management project which was discussed during the Council-as-a-Whole Committee meeting and added to the evening's agenda for a vote. Present from the Committee were myself, Mr. Lajeunesse and Mr. Hoefle. Other members of Council present were Ms. Vaughn, Mr. Knuchel and Council President Morley. Mr. D'Ambrosio was absent and excused. Present from the Administration were Mr. Semik, Mr. Gwydir, Mayor Andrzejewski, CBO Stigalt, Finance Director Slocum and Tax Administrator Mrs. Keneven-Zanella. The meeting concluded and the minutes have been issued and approved and will be available on-line. There is currently nothing pending in Committee so I will not be scheduling any meetings but I am available for next Tuesday. I will be making the following Motions:

Legislative Recommendations

Legislation No. 06-14-(09)

MOTION: I hereby move to add Resolution No. 06-14-(09) to the evening's agenda accepting the Fact-Finding Report and Recommendations Concerning the Negotiations between the City of Eastlake and the Fraternal Order of Police, Ohio Labor Council, Inc. in its entirety. Mr. Knuchel seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation No. 06-14-(09) is added to the evening's agenda.

Legislation No. 06-14-(10)

MOTION: I hereby move to add Resolution No. 06-14-(10) to the evening's agenda accepting the Fact-Finding Report and Recommendations Concerning the Negotiations between the City of Eastlake and the International Association of Fire Fighters, Local 2860 its entirety. Mr. Knuchel seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation No. 06-14-(10) is added to the evening's agenda.

There were no questions from Ms. DePledge.

SAFETY COMMITTEE – Mr. Lajeunesse

Mr. Lajeunesse: It is so good to see so many residents here tonight – we have not had this for a while. The Safety Committee has not met since our last regularly scheduled Council meeting, therefore, there is nothing to report. This concludes my report and I am open for questions. I will be making the following Motions:

Legislative Recommendations

Legislation No. 06-14-(07)

MOTION: I hereby move to add Legislation No. 06-14-(07) to the evening's agenda authorizing and directing the Director of Public Safety, or his duly authorized representative, to proceed with the Solicitation of Bids through an Online Public Auction for the City of Eastlake Police Department for the Sale of Item(s) enumerated herein. Mr. D'Ambrosio seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation No. 06-14-(07) is added to the evening's agenda.

Mr. Lajeunesse: The second motion I have is in regards to the State taking control of municipal tax collections. Before I make this motion I would like to add that after sitting on this Council for almost 8 ½ years I continue to see the decline in the monies given to the City of Eastlake. So, with the levy that will be placed on the ballot in the fall you will have a choice as to what you want to do. But, I can say and I agree with Mr. Slocum that the significant decrease of monies given to all the communities in the State of Ohio is having its affect. We should all be aware and be able to cut where ever we can. I was against having fireworks because of the \$12,500 spent. That is my opinion. I have not written in the Gazette too often but to me \$12,500 could be used for something else – actually it should be saved. However, we do need to let the State of Ohio know that by having them do the municipal tax collections we will just continue to see a decrease in the monies available to Eastlake. That is my concern.

Legislation No. 06-14-(08)

MOTION: I hereby move to add Legislation No. 06-14-(08) to the evening's agenda Opposing the State of Ohio from Seeking to Take Control of Municipal Tax Collection. Ms. Vaughn seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation No. 06-14-(08) is added to the evening's agenda.

Additional Comments:

Mr. Lajeunesse: Before I conclude my report I would like to thank Mrs. Cendroski. She makes us all look pretty good up here and this has been one of the most interesting pieces of paper we have had before us for a few meetings. So, thank you for all your efforts.

There were no questions of Mr. Lajeunesse.

RECREATION COMMITTEE – Mr. Hoefle

Mr. Hoefle: The Recreation Committee has not met since our last meeting and nothing has been placed in my Committee so I will not be scheduling a meeting. I do want to mention at the last meeting I recommended to the Mayor and also sent an email in regards to it that I am looking to start to set up the parameters to establish a citizen's task force to look at expenses

and revenues throughout the City. It will be in my next Gazette article and I will be working with Council and the Administration to set the parameters. This task force will consist of Eastlake residents only. No member of Council or the Administration will sit on the task force. My only role in it will be the liaison between the task force and the Administration. This concludes my report and I am open for questions.

There were no questions of Mr. Hoefle.

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.

Tony Discenzo, Waste Management

Mr. Discenzo: My name is Tony Discenzo and I represent Waste Management of Ohio. My office is at 1036 Cutts Road, Chardon, OH but I live in Wickliffe and am a lifelong resident of the County. I am here not to make a commercial but just to thank you for the recycling contract we have that we were able to work out between Mr. Semik and Mr. Slocum last year. I trust that is going well for you with the drop off. We understand the State is reducing your stipend every year so we know it will be more challenging to continue that but we will work with you to stay within means. Over the past few months in addition to dropping off recycling I had the occasion to talk to Mr. Slocum and Mr. Semik about the opportunities in the market now with going out to seek new prices. I understand your contract with your current hauler is in the extension year and expires around March 1st. I want to tell you that you will see a very competitive market and you will be very pleased with the results. We hope to be competitive but I can tell you that there have been changes and it should be very competitive when you go out to bid. I also want to say that my responsibility is the public sector almost all over Northeast Ohio. In that I know a lot about what other cities are doing in the County – Mentor is coming out for bids this fall – we just got the Painesville contract – Wickliffe will probably be going out as well this fall. Any time you go out for bid it will be competitive. I don't want to make a commercial – that is not why I am here. I wanted to introduce myself and tell you I am available as Mr. Semik and Mr. Slocum know to talk to anyone on Council who wants information about trash collection. I know it sounds simple but in the years I have been in the business it is not just about picking up the trash – there is a lot more to it. I look forward to meeting with anyone and providing information and we look forward to a bid opportunity. Thank you for your time.

Mr. Morley: If you have any information you wish to leave for us you can either leave it today or leave it at our Council office during the day. Basically, what happens – I am sure you are aware of what happens with other bids in other cities – when the contracts need renewed the Administration provides us all the information we need and we review it that way.

Mr. Discenzo: Thank you, I will be sure to do that. I just wanted to bring it to your attention.

Ted Beres, 36706 Lakehurst, Eastlake

Mr. Beres: What has Steven LaTourette ever done for the City of Eastlake? A couple of meetings ago the Mayor mentioned that there will be no transportation bill or any earmarks. As I recall the Transportation Bill was supposed to provide \$4 million to the City of Eastlake to supposedly fix up the LakeTran station and go towards stadium debt. This is the same \$4 million dollars that he had promised before the ball park was built and which he reneged on. The irony is there is street sign outside the ball park that says LaTourette Blvd. If it has his name on it – it has to be a dead end street. I remember when the present Mayor had a plaque removed from the ball park commemorating the previous Mayor – remember – “The House that Dan built”? Maybe that street sign should be removed or renamed. Also, there was a story in today’s USA Today about cities not casting fireworks due to budgetary concerns. I know that Council voted to keep fireworks in the budget. The only ones to vote against it were Ms. Vaughn, Mr. Lajeunesse and Mr. Hoefle. The Mayor said that is why residents paid their taxes – that they wanted to have fireworks. But, I can think you can take that \$12,500 and put it to something more useful like filling up the holes in the streets. I don’t know what the schedule is for that but I think you need to take some fiscal responsibility. Thank you.

Mr. Knuchel: Thank you, Mr. Beres, for coming up and explaining things to us. That \$4 million dollars did come in from LaTourette’s office and it was used to pay down the stadium debt. As a matter of fact that money was used and it was doubled because we paid off the debt early by getting that money. Because of budgetary issues it was not received on time and on schedule but Congressman LaTourette did follow through on that – just for the record. As far as fireworks go – what the conversation was – and I hate to correct you – was that we would look at it another time closer to the time we would enter into the contract. We attempted to do that but failed. I also two weeks ago – with the Council President – went into talk to the Mayor about these things and he decided that he did not want to move on them. So, \$12,500 would have been nice to have in the City. I was for not having the fireworks because of our current situation – which we were not fully aware of at the time we had the conversations. Thank you.

Mr. Morley: When we did the budget on the fireworks it was before anything else came down with the State’s budget. We could sit here and go back and forth all day on what is good or bad in the budget – what we need to do – where we could put an extra \$12,500 but we always try to do what is in the best interest of the residents of the City and obviously we are not going to make everyone happy. But, in the end our goal is to try to make as many people happy as we can and we will continue to do that.

There was no one else who wished to speak.

LEGISLATION PROPOSED - First number will be 2011-079

Requested by: Administration
Sponsored by: Ms. DePledge

RESOLUTION NO.: 06-14-(01)

A Resolution authorizing and directing the City Engineer's, C.T. Consultants, Inc., to advertise for bids for the NOPEC Grant Power Management Project, said bids to be in accordance with plans and specifications on file in the Office of the City Engineer, and declaring an emergency.

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

ROLL CALL: Yeas unanimous.

MOTION: Ms. DePledge moved to adopt. Mr. D'Ambrosio seconded

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Resolution No. 2011-079.

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Requested by: Administration
Sponsored by: Ms. Vaughn

ORDINANCE NO.: 06-14-(02)

An Ordinance amending Section 1301.01 "Time Limit; Building Fees; Deposits; Refunds," of the Codified Ordinances of the City of Eastlake, specifically Section 1301.01 (d)(9) "Schedule of Permit and Other Fees: Construction Deposits," 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. 2011-080.

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Requested by: WPCC Superintendant
Gorka
Sponsored by: Mr. Knuchel

RESOLUTION NO.: 06-14-(03)

A Resolution granting permission from the City of Eastlake to the City of Willoughby to expend funds in an amount not to exceed Three Hundred Fifty Thousand Dollars (\$350,000.00) for the replacement of the Influent Wastewater Screening System and the Demolition and Replacement of the Influent Screen Building, 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. 2011-081.

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Requested by: Administration
Sponsored by: Mr. Knuchel

RESOLUTION NO.: 06-14-(04)

A Resolution authorizing and directing Mayor and Director of Finance to enter the into a Contract with Heckman Excavating Company, most responsible, lowest, and best bidder, for the installation of the Service Yard Bio-Retention Basins for the total amount of Forty-Five Thousand One Hundred Sixty Dollars (\$45,160.00), and declaring an emergency.

MOTION: Mr. D'Ambrosio moved to remove Legislation No. 06-14-(04) from the table with no action taken. Ms. Vaughn seconded.

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

Motion carried. Legislation No. 06-14-(04) is removed from the table with no action taken.

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Requested by: Administration
Sponsored by: Ms. Vaughn

ORDINANCE NO.: 06-14-(05)

An Ordinance authorizing the Mayor of the City of Eastlake to Reaffirm Commitment with the Lake County Board of Commissioners to Participate in the Urban Entitlement Community Development Block Grant (CDBG) Program and for the utilization of funds made available by the Housing and Community Development Act of 1974 as amended, 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. 2011-082.

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Requested by: Administration
Sponsored by: Mr. Knuchel

RESOLUTION NO.: 06-14-(06)

A Resolution authorizing and directing the Mayor and Director of Finance to enter into a Contract with A.W. Farrell & Son, Inc., the most responsible and lowest and best bidder, for Phase II of the re-roofing project at the JFK Senior Center for the total amount of Eighty-Three Thousand Eight Hundred Fifteen Dollars (\$83,815.00), 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. 2011-083.

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Requested by: Administration
Sponsored by: Mr. Lajeunesse

RESOLUTION NO: 06-14-(07)

A Resolution authorizing and directing the Director of Public Safety, or his duly authorized representative, to proceed with the Solicitation of Bids through an Online Public Auction for the City of Eastlake Police Department for the Sale of Item(s) enumerated herein, and declaring an emergency.

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

ROLL CALL: Yeas unanimous.

MOTION: Mr. D'Ambrosio moved to adopt. Ms. DePledge seconded

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Resolution No. 2011-084.

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Requested by: Council President Morley
Sponsored by: Council

RESOLUTION NO.: 06-14-(08)

A Resolution Opposing the State of Ohio from Seeking to Take Control of Municipal Tax Collection, and declaring an emergency.

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

ROLL CALL: Yeas unanimous.

MOTION: Ms. Vaughn moved to adopt. Mr. Lajeunesse seconded

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Resolution No. 2011-085.

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RESOLUTION NO.: 06-14-(09)

A Resolution Accepting the Fact-Finding Report and Recommendations Concerning the Negotiations between the City of Eastlake and the Fraternal Order of Police, Ohio Labor Council, Inc. in its entirety, 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. 2011-086.

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Requested by: Administration
Sponsored by: Council

RESOLUTION NO.: 06-14-(10)
A Resolution Rejecting the Fact-Finding Report and Recommendations Concerning the Negotiations between the City of Eastlake and the International Association of Fire Fighters, Local 2860 in its entirety, 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. 2011-087.

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Requested by: Administration
Sponsored by: Mr. Knuchel

RESOLUTION NO.: 06-14-(11)
A Resolution authorizing and directing the Mayor and Director of Finance to enter into a Contract with King Excavating Company, the most responsible and lowest and best bidder, for the installation of the Service Yard Bio-Retention Basins for the total amount of Forty-Three Thousand One Hundred Eighty-Sixty Dollars (\$43,186.00), and declaring an emergency.

DISCUSSION:

Mr. Morley: For the audience's information – this \$43,186 was also grant money – there is not money coming from the City for this.

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

ROLL CALL: Yeas unanimous.

MOTION: Mr. D'Ambrosio moved to adopt. Ms. Vaughn seconded

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

Motion carried. Legislation is adopted as Resolution No. 2011-088.

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LEGISLATION PENDING (Placed on First Reading 05/24/2011)

Requested by: Administration
Sponsored by: Council

RESOLUTION NO.: 05-24-(02)

A Resolution Submitting to the Electors of
the City the question of an Additional 4.0-
Mill Tax for the Purpose of Current
Expenses, and declaring an emergency.

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

Legislation No. 05-24-(02) is placed on Second Reading.

DISCUSSION:

Mr. Morley: This is placed on second reading – our third and final reading will be June 28th.

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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 was absent and excused.

Mr. Morley: The festival has been changed to July 7th, 8th, 9th, & 10th with the parade being at North High on July 10th and stepping off at 1:00 p.m. Also, July 9th is the Relay for Life at Eastlake North High School.

LAW DIRECTOR – Randy Klammer

Mr. Klammer was absent and excused.

FINANCE DIRECTOR – Mike Slocum

Mr. Slocum: I did an analysis as of June 8th as to where we stood with the pool this year compared to last year. I am happy to report that the number of pool passes is up about 15% and the collections are up an equal 15% - 20% from last year. It is up \$2,000 as of June 8th. It looks like there is increased demand this year compared to last – we are happy with that because we need it. This concludes my report and I am open for questions.

Mr. Knuchel: That does reduce the amount that we have for the pool expenses from \$50,000 to \$48,000 – a couple of grand. I will take it.

There were no questions of Mr. Slocum.

CITY ENGINEER – Tom Gwydir

Mr. Gwydir: It has been very quiet on the engineering front. I have completed the applications for the OPWC for Erieview and also East 347th Street – the short section just south of Stevens. I am also wrapping up a couple of open projects. This concludes my report and I am open for questions.

There were no further questions of Mr. Gwydir.

SERVICE DIRECTOR – Mike Semik

Mr. Semik: We started the concrete work – Sandy Knoll was the first and we will be moving over to Alcina and taking that up between East 347th Street, East 348th Street and East 349th Street. The DuraPatcher is out and I have had personnel out yesterday and today filling chuck holes. This concludes my report and I am open for questions.

Mr. Morley: When is the asphaltting of the roads you submitted for work starting?

Mr. Semik: We have it schedule for the end of June. We would like to start paving the asphalt streets into July.

Mr. Gwydir: Mr. Slocum noted that the OPWC did advise us that the remainder of the funds that they were withholding pending them coming in have in fact come in and Edwards will be fully funded.

Mr. Lajeunesse: Mr. Semik, for the record, every once in a while we go through the common drain issue – especially in Surfside where some are clogged, blocked, and residents cover them with who knows what. They are supposed to be kept free of debris and it is the residents responsibility – not the City's – but, maybe you can expand on that and make sure I am correct in my statement.

Mr. Semik: Your statement is correct. As a matter of fact I am considering sending legislation or at least recommending legislation to Council to require these people to maintain them. That is becoming a bigger problem. We are finding more and more people – not only in Surfside but Glen, Iris – I was over on Grovewood this afternoon where a gentleman has changed the grade and is now creating a water issue for three other people. Everyone has to realize they have to do their part and those rear yard drains were put in by

developers to drain these back yards – it was required back then and the homeowners are still required to maintain these. They were not put in by the City. The problem comes in when the yard drain is sitting wholly in one individual's yard and he feels he has control of that drain. Everyone needs to be aware that the drain may be for 4-6 other homes and that everyone shares that drain and everyone needs to maintain it. I am considering sending recommendation to Council. I guess we do need to address that as an ordinance to require people to maintain these rear yard drains.

Mr. Lajeunesse: Mr. Semik, if you could do that as soon as possible that would be a good idea because everyone thinks that Council people are free of situations and problems and everything is specialized and we get to have special privileges but that is not the case. The neighbor cattycornered from me has over the last couple of years taken gravel, logs, and branches and covered the whole ditch area leading up to that common drain so I and the neighbor directly behind me have that problem. I have been there for 20 some years and have had no problems until the last two years. Mr. Morley, you probably know about it.

Mr. Morley: I do know about it.

Mr. Lajeunesse: Whatever we can do to solve that issue or at least to try to make it better.

Mr. Morley: For the residents who are here tonight – one of the issues I have found when riding along with Mr. Semik – if you have a contractor who is cutting your grass make sure – most of them blow everything out in the street and the grass and weeds clog up the sewers. So, if you have contractors remind them to clean up instead of putting it in the street.

Mr. Hoefle: Mr. Semik, can you provide us an update on sign at the corner of S.R. 91 and Vine Street?

Mr. Semik: The sign was to be delivered the second week in June. I just got a correspondence last week from ADS who is contracted to manufacture the sign – it will be installed by a local installer – and I was informed that sign is still in production and that they had moved to another facility which will back the sign up an additional 3-4 weeks. Because of the length of time I spoke with the Administration and it is our feeling that as we are so deep in this already we should let them continue to proceed with the sign. Their last communication with me said they were going to try to expedite. I will not hold my breath – they promised the sign to us several times and the latest one being the middle of June. We are now in the middle of June and they have backed it up another 2-3 weeks. Hopefully, we will get that sign in time to put our Christmas wishes up.

Mr. Knuchel: Have we gone after them and said since it has taken almost a year that we need a little price break? I think that would be appropriate.

Mr. Semik: I have tried everything just short of that. That will be my next step. When I contacted them last week I leaned on them and told them we could rescind the legislation for the contract and go with the second bidder. That got me one extra week – from four to three. I am going to give them another week. I contact them weekly – usually Monday or Tuesday –

for an update. When I contact them next week depending on where they are that will be my next step – that they reduce it for the inconvenience.

Mr. Knuchel: Vine Street east of S.R. 91 curb lane going in the eastbound direction is terrible. It is almost to the point where you are losing a tire on it. Do we have any plans on fixing that area?

Mr. Semik: Yes, we do.

Mr. Knuchel: When can we expect that to be done because residents are screaming in my ear?

Mr. Semik: Because we were so far behind due to the weather that is on the list to get those repaired. We tried making repairs earlier in the year – on the right hand side of the south side of Vine Street you will see all the stone and the attempts to patch that during inclement weather. Patches in inclement weather may or may not stay. Now that the weather is cooperating we will try to get those patched a little bit more permanently.

Mr. Morley: I don't know if anyone is here from the Erie Road area – we had some issues with thru trucks going to CEI – those roads are not made for those big trucks. So, we just installed “No Thru Trucks.” So, you will see more coming off S.R. 91 and Lakeshore Blvd. We are trying to keep those roads in good shape.

There were no further questions of Mr. Semik.

CHIEF BUILDING OFFICIAL – John Stigalt

Mr. Stigalt: We had the revised plans brought in tonight for All The Perks Coffee which will go in on Vine Street near the Eastlake Car Wash – it has been placed in Mr. D'Ambrosio's Planning Committee for a Conditional Use Permit. We have been in contact with WalMart – their plans are ready and they are waiting for some site work to be done. They have told me they are going to try for the end of June or beginning of July to begin demolition work. We have been catching up with the grass. We are still issuing permits for decks, garages, driveways, etc. This concludes my report and I am open for questions.

There were no questions of Mr. Stigalt.

POLICE CHIEF – Larry Reik

Chief Reik: I have nothing to report and am open for questions.

There were no questions of Chief Reik.

FIRE CHIEF – Ted Whittington

Fire Chief Whittington: We have had a couple of incidents I would like to report on. We had a fire on a boat at one of the marinas. At this point we have not been able to rule out suspicious activity so we have posted an arson sign. I have been working with Chief Reik and we have increased patrols down there. With the arson sign there is a reward that does not come through the City – it comes through the State. So, if anyone has some information it

was about a \$5,000 loss to the boat. If you go to the marinas when they have them off the land those boats are getting real tight on the storage lots. We were fortunate – the call came in at about 5:00 a.m. – that we did not have any further damage. If you hear anything or see the sign obviously we would like to hear any information someone may have on that. I was on Channel 12 and talked about some safety issues that have become almost a problem for us. This is boating season and most of the people who have nice boats are seasoned boaters and they do a very nice job and they enjoy the summer. The reason we have run into more amateur boaters is that people are getting rid of boats because they cannot afford them and people are picking them up at a low price. So, what we are finding is these boats are not compliant with safety features they should have – like flairs and audible signals. The message needs to be very clear that everyone should have flotation devices, flashlights, radios – they should be able to communicate with us. We had an incident where a boat was stranded in the middle of the lake around midnight – it is very dark out there and they had no way for us to find them. After about a 2-hour detail we were able to locate them. They could anchor and wait for a tow boat but everyone knows there is a barge lane that comes through our lake and if a boat goes out in that barge lane they will not fare very well. So, if you have people in your jurisdictions let them know to be conscious about safety. Don't wait until I have to send out my little Zodiac to search for someone in lake that is much larger and it will take a long time for us to search on it. We had a near death incident with one of our residents due to carbon monoxide poisoning. The cause of that was a hybrid vehicle. Hybrid vehicles as we know have alternative fuels. She entered her garage which is attached to her home with the electric motor on – the car is silent at that point – she was in a rush and went upstairs and throughout the night the car operated on combustion and electric motor. When we got the call we had about 800 parts per million in her house which is well over the acceptable 5 parts per million that we usually see in homes. She was unresponsive and had several pets that had been overcome. We were able to resuscitate the cat. At this point the only casualty was a bird. There were no carbon monoxide detectors in the home. We are learning about hybrid vehicles and how they operate. I like to send out safety messages to everyone about what we learn. That was a big deal. I appreciate with being with Mr. Price on Channel 12 and being about to send the message out.

Mr. Morley: If you get any information on boating give it to Ms. DePledge – she is the liaison for the Port Authority and she could forward it to them.

Chief Whittington: It becomes a pretty big deal. It utilizes a lot of our resources. I have to send four guys out on a boat. We had Mentor and the Coast Guard involved. That puts a lot of people committed to an incident where someone ran out of gas. But, we cannot let someone float on the lake all night without trying to provide assistance to them. I know the Police Department had their people out too. It is a pretty exhaustive thing. If someone is truly in distress we will do whatever we need to do but in cases where they cannot send a flare up to us or be able to shine a light to us it makes it difficult in finding them.

Ms. DePledge: The Port Authority cancelled their meeting for July – if you want to send me an email I will forward it to the Chairman of the Port Authority and I am sure he will decimate it to all the yacht club owners – not just about the boater safety but about the arson as well. I will bring them on board and make sure they know.

There were no further questions of Chief Whittington.

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

ADJOURNMENT

The meeting was adjourned at approximately 8:23 p.m.

DENNIS MORLEY, COUNCIL PRESIDENT

APPROVED: _____

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