

**EASTLAKE CITY COUNCIL
REGULAR COUNCIL MEETING MINUTES
DECEMBER 11, 2012**

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 7:02 p.m.

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

ATTENDEES

Members of Council in attendance were Ms. Vaughn, Mr. Licht, Mrs. Quinn-Hopkins, Mr. D'Ambrosio and Council President Mr. Morley. Ms. DePledge was late in arriving. Mr. Hoefle 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, Service Director Semik, City Engineer Gwydir and Police Chief Reik.

APPROVAL OF MINUTES

Regular Council Meeting – November 27, 2012

MOTION: Mr. D'Ambrosio moved to approve the minutes of the Regular Council Meeting of November 13, 2012. Mr. Licht seconded.

ROLL CALL: Yeas unanimous

Motion carried. The minutes were approved.

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COUNCIL PRESIDENT’S REPORT – Mr. Morley

Meetings Scheduled

Mr. Morley: The next Council-as-a-Whole Committee Meeting is scheduled for Tuesday, December 18, 2012 at 7:00 p.m. The Regular Council meeting will be convened immediately following the adjournment of the Council-as-a-Whole Committee meeting. For those in the audience who usually come to the meetings you know our meetings are the second and fourth Tuesdays. However, we did change our meeting to December 18th because the fourth Tuesday is Christmas.

I have received some calls as have some of the other Council members regarding the two newspaper articles in the News Herald on December 6th & 8th which have to do with Timberlake contracting with Willowick for their fire services. I wanted to state that City Council only approves contracts – we do not negotiate them. We have received questions on why we did not do more to try to get that contract. The answer is – we do not negotiate – we approve the legislation.

COMMUNICATIONS & PETITIONS

A liquor license request was received from Bullbar, LLC dba Bullbar, 36091 Vine Street, Eastlake.

DISCUSSION

Mr. Morley: This would be referred to Planning Committee but Mr. D'Ambrosio wanted to poll his Committee to see if they wanted to put it on the agenda for the next Council meeting because we will not be meeting in Committee until after January.

Mr. D'Ambrosio: I will do that during my report.

A communication was received from the Administration requesting a resolution in support of the Non-Emergency & Emergency Shared Services Agreement.

DISCUSSION

This is to be referred to the December 18th Council-as-a-Whole Committee but there are some questions. Mr. Semik, we will send them to you for clarification before the meeting. I know, as you told me before, the intent is for shared equipment but there is a lot more in there after reading it and it needs clarification. If we do not get the questions that people need answered I may refer this into Committee.

Ms. DePledge joined the meeting at this time.

COMMITTEE REPORTS:

Mr. Morley: A Planning and Finance Committee meeting was held. Mr. D'Ambrosio?

Planning Committee – Mr. D'Ambrosio, Mr. Hoefle, Co-Chairs

Mr. D'Ambrosio: The Planning Committee met December 4th with all members of Council present except for Mr. Hoefle who was absent and excused. In attendance from the Administration were Mr. Klammer, Finance Director Slocum, Service Director Semik, and JFK Senior Center Coordinator Mrs. Giangiacomo. Mayor Andrzejewski and CBO Stigalt were absent and excused. One item was on the agenda – a Conditional Use Permit for 7'Eleven, Inc. which we touched on briefly during the Council-as-a-Whole Committee meeting. This appears on this evening's agenda.

Mr. Klammer, the liquor license request for Bullbar, LLC – I saw the emails back and forth between you and Mr. Stigalt and there did not appear there were any problems. So, if the Committee agrees we can move this forward and vote on it at the next Council meeting so we do not hold it up.

Mr. Klammer: Yes, just refer it to Council-as-a-Whole Committee.

Mr. D'Ambrosio: Mrs. Quinn-Hopkins, do you have any problems with placing this on the agenda for the next Council-as-a-Whole Committee?

Mrs. Quinn-Hopkins: No problem.

Mr. D'Ambrosio: The liquor license permit request for Bullbar, Inc. will be referred to the next Council-as-a-Whole Committee. This concludes my report and I am open for questions.

There were no questions of Mr. D'Ambrosio.

Finance Committee – Ms. Vaughn, Chair

Ms. Vaughn: The Finance Committee met on December 4th with all members of Council in attendance except for Mr. Hoefle who was absent and excused. In attendance from the Administration were Mr. Slocum, Mr. Klammer and Service Director Semik. Mayor Andrzejewski was absent and excused. The first item discussed was the bid recommendation for the improvement to the JFK Senior Center doors. The money is coming out of the Senior Levy. This was approved and moved forward subject to receipt of the approval in writing from the School Board which we have received. Therefore, this item appears on this evening's agenda as Legislation 12-11-(01). We then discussed refunding our taxable bonds and due to the time frame it was determined we would have a special Council meeting which was held on December 7th. This will reduce the amount of interest and funds payable on these bonds and the legislation went forward and was approved at the meeting on December 7th. Mr. Slocum is handling all the paperwork with that.

Mr. Slocum: I was in contact this evening with Moody's. They will be issuing our bond rating tomorrow. We are looking forward to that and will then price the bonds hopefully Thursday if not Friday and we will go forward from there.

Ms. Vaughn: Thank you, Mr. Slocum. That will be a sizeable reduction in expense for the City. We reviewed the budget and discussed re-appropriations and appropriations and everything is on this evening's agenda to move forward. This concludes my report and I am open for questions.

There were no questions of Ms. Vaughn.

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.

Ted Beres, 36706 Lakehurst Drive, Eastlake

Mr. Beres: The Fire Chief is not here tonight because I was going to ask him how many runs Eastlake makes into Timberlake in a year's time.

Mr. Morley: 51 last year.

Mr. Beres: To me charging Timberlake \$80,000 – I don't call that very neighborly. But, the bottom line is that Willowick is getting money that could be coming to Eastlake and Eastlake cannot afford to have any more loss of revenue.

There was no one else who wished to speak.

LEGISLATION PROPOSED - First number will be 2012-079

Requested by: Administration
the Sponsored by: Finance Committee

RESOLUTION NO.: 12-11-(01)

A Resolution authorizing and directing Mayor and Director of Finance to enter into a Contract with Great Lakes Glass, Inc., the lowest, best and most responsible bidder, for outer door replacement at the JFK Senior Center for the total amount of Fourteen Thousand Seven Hundred Fifty-Nine Dollars (\$14,759.00), 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. 2012-079.

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

ORDINANCE NO.: 12-11-(02)

An Ordinance authorizing the issuance of a Conditional Use Permit to 7-Eleven, Inc., 35068 Vine Street, Eastlake, OH, 44095, 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. Mr. DePledge seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Ordinance No. 2012-080.

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Requested by: Administration
Sponsored by: Finance Committee

ORDINANCE NO.: 12-11-(03)

An Ordinance to re-appropriate for the expenses of the City of Eastlake, State of Ohio, for the period beginning January 1, 2012 and ending December 31, 2012, 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. 2012-081.

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Requested by: Administration
Sponsored by: Finance Committee

ORDINANCE NO.: 12-11-(04)

An Ordinance to appropriate for the expenses of the City of Eastlake, State of Ohio, for the period beginning January 1, 2013 and ending December 31, 2013, 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. 2012-082.

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LEGISLATION PENDING

There is no Legislation Pending.

UNFINISHED BUSINESS

There was no Unfinished Business.

NEW BUSINESS

There was no New Business.

ADMINISTRATIVE REPORTS:

MAYOR/SAFETY DIRECTOR – Ted Andrzejewski

Mayor Andrzejewski: We had a nice turnout for the Christmas with Santa on Sunday. The North High Choir did a very nice job singing Christmas carols and I thank the Women's Club and Mrs. D'Apice and her husband for providing Santa and Mrs. Claus. It was a nice day for everyone.

There were no questions of Mayor Andrzejewski.

LAW DIRECTOR – Randy Klammer

Mr. Klammer: This first resolution is a good example. It read "better." The competitive bidding requirements were increased to \$25,000 so the Clerk and I are going to have to work on some new language. I do not want anyone to think we misrepresented. We received quotes and did not bid it. The competitive bidding went up from \$12,500 to \$25,000 but we are still approving the contracts. I am open for questions.

There were no questions of Mr. Klammer.

FINANCE DIRECTOR – Mike Slocum

Mr. Slocum: I would like to review a position the Administration would like to take relative to the internet cafés. I think everyone is aware the legislature is aiming its' sites on closing them. It appears the bill has died for this year as the Senate has refused to take it up but I am sure it's' ugly head will reappear sometime next year. However, as we charge our internet cafés \$5,000 this month for the ongoing license and in event – and only in the event – the State puts them out of business the Administration would like to refund based on whatever month the State would actually close them. If they do not close they get no refund. If they go out of business they get no refund. If the State closes them and puts them out of business we would refund that money. The thing is I am trying to preserve these people renewing with us as opposed to closing right now by thinking that the \$5,000 is on the line right away. Absent any concerns from Council we will adopt this policy.

Mr. Morley: I have talked with a couple of internet café owners that have called to see if there is something we can do. I was going to talk to the Law Director and Clerk about possibly preparing a resolution to send to the State with our thoughts that this is just another way to take more revenue from the cities. I have not discussed this yet with Council. Maybe this is something we can do.

Mr. Slocum: Another thing I would like Council to consider is with the income tax legislation that is current in the House. I met Friday with Representative Peter Beck who heads up the Committee that the legislation is sitting in. He has assured us that it will not pass this year. He does believe it will come back next year and depending on how much influence he has I think it could be positive for the City if his influence could lead the way. The Ohio Society of CPA's is taking very active participation in getting what they are calling standardization of municipal income tax. I really believe they are trying to get income taxes reduced in the City regardless of how it is being sold as being revenue neutral. We believe it would have a negative impact on this City depending on how it would be adopted. It would

be a couple of hundred thousand dollars. It is not a minor dollar amount. I am open for questions.

There were no questions of Mr. Slocum.

CITY ENGINEER – Tom Gwydir

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

There were no questions of Mr. Gwydir.

SERVICE DIRECTOR – Mike Semik

Mr. Semik: The contractor has been contacted to start work on the columns at the Senior Center. I will contact Great Lakes Glass tomorrow to have them proceed with the doors. The leaves are all picked up throughout the City – four or five times. The guys did a great job in spite of two of the trucks being down for a week and having the big 30-yard box out for two weeks. I think the guys need a pat on the back for that. We will begin cleaning the curbed streets – the street sweeper is down – so, we are going to take one of the leaf machines out and will drag the curbs and catch basins as weather permits. We will be working on the bike path and parks and will turn our attention back to flushing the sanitaries and flushing chuckholes as weather permits. I was at a precon meeting in Painesville in regards to the waterline being put in on East 332nd Street from Vine Street to the dead end. It will also include Alva, Barbara and Lewis. The work will begin Friday with some preliminary cutting and will be in full swing on Monday from 7:30 a.m. to 5:30 p.m. They will advise on any road closures and any water being turned off. There is a completion date of April, 2013. I will keep Council advised as will Mr. Gwydir. This concludes my report and I am open for questions.

Ms. Vaughn: Will that waterline replacement impact the Senior Center – cutting their water off? How are you going to handle that?

Mr. Semik: That is the job of the County. I have made the company doing the replacement of the line aware of the Senior Center and when it comes time if they have to turn off the water for any reason they will notify us so we can notify the Senior Center.

Ms. Vaughn: Will there be a problem with access to the Senior Center?

Mr. Semik: I advised them they have to keep that open.

Mr. Licht: I would like to take a moment to thank Mr. Semik and the Service Department. I was one of the Council members who received multiple phone calls regarding leaf pickup. It was nice to be able to tell them that everything should be taken care of. Thank you.

CHIEF BUILDING OFFICIAL – John Stigalt

Mr. Stigalt was absent.

POLICE CHIEF – Larry Reik

Chief Reik: I have nothing to report.

Mr. D'Ambrosio: Did you get a total on the donations collected at WalMart?

Chief Reik: I believe there was around 3,000. We should be doing the drawing for the 50-50 tomorrow. We had a couple of tickets that were sold that were not at the station so we obviously did not want to draw without all the tickets present. That will add another \$1,250 to that. We have the downstairs set up pretty well and I believe the families start coming in on Friday to get the gifts and some of the meals. I do appreciate everyone here who came to spend some time – we were fortunate to have a 55-60 degree day. A lot of people turned out and contributed.

Mr. D'Ambrosio: Did they fill the ambulance?

Chief Reik: It was pretty full – there were bikes there and other things in the ambulance and the car. The money that was donated works well to fill in the blanks depending on the ages of the kids.

There were no further questions of Chief Reik.

FIRE CHIEF – Ted Whittington

Chief Whittington was absent and excused.

ADJOURNMENT

The meeting was adjourned at approximately 7:23 p.m.

DENNIS MORLEY, COUNCIL PRESIDENT

APPROVED: _____

ATTEST: _____
DEBORAH A. CENDROSKI,
CLERK OF COUNCIL