

**EASTLAKE CITY COUNCIL
REGULAR COUNCIL MEETING MINUTES
DECEMBER 18, 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 7:11 p.m.

The Pledge of Allegiance was led by Ms. DePledge.

ATTENDEES

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

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

APPROVAL OF MINUTES

Special Council Meeting – December 7, 2012

MOTION: Ms. Vaughn moved to approve the minutes of the Special Council Meeting of December 7, 2012. Mr. D'Ambrosio seconded.

ROLL CALL: Yeas: Ms. Vaughn, Mr. D'Ambrosio, Mr. Licht,
Mrs. Quinn-Hopkins, Ms. DePledge, Mr. Morley
Abstain: Mr. Hoefle

Motion carried. The minutes were approved.

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Regular Council Meeting – December 11, 2012

MOTION: Ms. Vaughn moved to approve the minutes of the Regular Council Meeting of December 11, 2012. Mr. D'Ambrosio seconded.

ROLL CALL: Yeas: Ms. Vaughn, Mr. D'Ambrosio, Mr. Licht,
Mrs. Quinn-Hopkins, Ms. DePledge, Mr. Morley
Abstain: Mr. Hoefle

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, January 8, 2013 at 7:00 p.m. The Regular Council meeting will be convened immediately following the adjournment of the Council-as-a-Whole Committee meeting.

We had a Blvd. of 500 Flags Committee meeting of which Mr. D'Ambrosio and I are members. I wanted to provide an update of what was done this year. We purchased 2,000 poles, 250 flags were donated; and, we received \$1,600 in donations towards the torn flags. On December 12, 2012 there was \$23, 214.94 in our fund. We will have a fund raiser February 23, 2013 at the American Legion Post #678. They donated the hall for free. We will have a Chinese Auction and side boards. The doors will open at 6:00 p.m. with dinner at 7:00 p.m. I will have tickets as will Mr. D'Ambrosio and Council members; and, they will be available in the Mayor's office as his Secretary is on our Committee. The tickets will be \$35 per couple and \$20 single.

I wish everyone a Merry Christmas and Happy New Year and I hope 2013 goes good for us.

COMMUNICATIONS & PETITIONS

There were no Communications & Petitions.

Appointments: Commissions/Boards

Mr. Licht moved to re-appoint David Churchill, 427 Riverdale Drive, Eastlake as Council's appointment to the Zoning Board of Appeals for the term expiring 12/31/2017. Mr. D'Ambrosio seconded.

ROLL CALL: Yeas unanimous.

Motion carried. The re-appointment is approved.

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Mr. Licht moved to re-appoint Richard Beck, P.O. Box 309, Willoughby to the Architectural Board of Review for the term expiring 12/31/2015. Mr. D'Ambrosio seconded.

ROLL CALL: Yeas unanimous.

Motion carried. The re-appointment is approved.

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Mr. Licht moved to re-appoint Ronald Davis, 42 North Parkway Drive, Eastlake as Council's appointment to the Planning Commission for the term expiring 12/31/2017. Mr. D'Ambrosio seconded.

ROLL CALL: Yeas unanimous.

Motion carried. The re-appointment is approved.

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Mr. Licht moved to re-appoint Thomas Fullerman, 37781 Lakeshore Blvd., Eastlake to the Civil Service Commission for the term expiring 12/31/2014. Mr. D'Ambrosio seconded.

ROLL CALL: Yeas unanimous.

Motion carried. The re-appointment is approved.

Mr. Licht moved to re-appoint Gary Meinke, 35981 Reeves Road, Eastlake to the Eastlake Port Authority for the term expiring 12/31/2016. Mr. D'Ambrosio seconded.

ROLL CALL: Yeas unanimous.

Motion carried. The re-appointment is approved.

Mr. Licht moved to re-appoint Mark Vadaj, 7505 Thatchum Lane, Concord, OH 44060 to the Eastlake Port Authority for the term expiring 12/31/2016. Mr. D'Ambrosio seconded.

ROLL CALL: Yeas unanimous.

Motion carried. The re-appointment is approved.

Mr. Morley: Congratulations to everyone who was just appointed and good luck in the upcoming years.

COMMITTEE REPORTS:

Mr. Morley: No Committee meetings were held. Would anyone like to speak?

Finance Committee – Ms. Vaughn, Chair

Ms. Vaughn: I will be voting no on Legislation No. 12-18-(01) mainly because of my concern which rests with the Administration and this program. I will also start scheduling Finance Committee meetings in January where we will begin the discernment and discussion of the total 2013 budget – concerning the lack of revenues versus the estimated expenses. I would like to take a moment to thank and wish everyone a Merry Christmas and Happy New Year and thank all the employees for their good work and their commitment to the City of Eastlake during the last year. I am open for questions.

Ms. Vaughn made the following Motion:

Legislative Recommendation

MOTION: I hereby move to add Legislation No. 12-18-(02) to the evening's agenda authorizing and directing the Mayor and Director of Finance to enter into an Agreement with the Village of Timberlake for the City of Eastlake to provide Fire Protection and Rescue Squad Services for said Village commencing January 1, 2013. Mr. D'Ambrosio seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation No. 12-18-(02) is added to the evening's agenda.

There were no questions of Ms. Vaughn.

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

Mr. D’Ambrosio made the following Motions:

Liquor License Request

Mr. D’Ambrosio moved to approve and send back to Columbus, Ohio with no objections the Liquor License request for Bullbar, Inc., 36091 Vine Street, Eastlake, Ohio 44095. Mr. Hoefle seconded.

ROLL CALL: Yeas unanimous.

Motion carried. The Liquor License Request is approved.

Legislative Recommendation

Mr. D’Ambrosio moved to add Legislation No. 12-18-(01) to the evening’s agenda authorizing and directing the Mayor and Director of Finance to enter into an Agreement with other Lake County Municipalities and Governmental Entities establishing a Public Works Sharing and Use Program. Mr. Hoefle seconded.

ROLL CALL: Yeas: Mr. D’Ambrosio, Mr. Hoefle, Mrs. Quinn-Hopkins, Mr. Licht,
Ms. DePledge, Mr. Morley:
Nays: Ms. Vaughn

Motion carried. Legislation No. 12-18-(01) is added to the evening’s agenda.

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Port Authority Liaison – Ms. DePledge

Ms. DePledge: I have two issues which I would like to speak about as the Liaison for the Port Authority. One involves a topic brought up by a resident in regards to a concern about the east end of the Chagrin River during storms. I spoke about this with members of the Port Authority and we also had some conversations here about putting together a Committee consisting of the Police and Fire Chiefs, the Mayor, the Service Director – whoever you think would be best to be involved – along with three gentlemen on the Port Authority who indicated they would like to be involved in discussions to develop a plan so in the future if the mouth is closed and needs to be opened that there is a decision making process that could be put in place so when that happens no one is put in danger – either personnel or residents. It is just for discussion to try to develop something so that does not become a problem again. The three gentlemen from the Port Authority who have expressed interest are Mr. Meinke, Mr. Aune and Mr. Cain. I would like to hear from members of the Administration if they are interested in sitting down with them a time or two or however long it takes to come up with something so we do not have that situation arise again.

The other issue is directed to Service Director Semik. One of the concerns that came up – and you responded to me – was the seawall gate being unlocked during the day. Obviously the concern is that the Port Authority has insurance down there but it does not cover this time of the year and the gate keeps getting unlocked. You indicated that it was being unlocked for the residents use and I understand that but there needs to be something done related to

liability there. At this point the Port Authority is on the hook for that piece of property and they want it locked and it keeps being opened. We have to come to some sort of agreement.

Mayor Andrzejewski: We locked it. We did not know about the liability issue. The residents love that fishing pier.

Ms. DePledge: I know they do.

Mayor Andrzejewski: We are going to get all kinds of calls and so will you. So, bring up the liability issue.

Ms. DePledge: It is a liability issue – it is not that we want to take it away from anyone.

Mayor Andrzejewski: When Mr. Semik and I saw it was a liability issue we locked it. Understand, we are going to close it but people may crawl over the fence.

Ms. DePledge: Then it is on them.

Mayor Andrzejewski: Mr. Semik and I talked about this. When they call the answer is it is closed and will not be opened until March.

Ms. DePledge: That is correct.

Mr. Morley: Could you find out if the Port Authority has some sort of sign to post.

Mr. Semik: There is a sign that says closed until March.

Ms. DePledge: Thank you very much.

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.

Donnie DeWitt, 33717 Gilbert, Eastlake

Mr. DeWitt: I would like to say Merry Christmas and God Bless the people in Newtown with what they have gone through. The thing I would bring up is about the sea wall. When we were kids we climbed it. You are not going to stop people from doing it. What you could do is put a sign saying if you want to go fishing here - like with skiing - you have to get a liability waiver and pick it up at City Hall and sign it and if they go fishing and something happens to them it would be on them. Just like if you are on skis. That would probably solve the problem and keep it open for the people who want to fish as opposed to them climbing the fence and getting hurt. It is a lot easier to get hurt then it is falling into the lake. That would give people options and you would be able to keep it open – partially. It is just an idea as opposed to putting up a sign banning people from doing something we already know they will do anyway. You should get them to sign it. Then it is not on the City.

There was no one else who wished to speak.

LEGISLATION PROPOSED - First number will be 2012-083

12-18-(01)

Requested by: Administration

Sponsored by: Council

RESOLUTION NO.: _____

A Resolution authorizing and directing the Mayor and Director of Finance to enter into an Agreement with other Lake County Municipalities and Governmental Entities establishing a Public Works Sharing and Use Program, and declaring an emergency.

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

ROLL CALL: Yeas: Mr. D'Ambrosio, Mr. Hoefle, Mrs. Quinn-Hopkins, Mr. Licht, Ms. DePledge, Mr. Morley:

Nays: Ms. Vaughn

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

ROLL CALL: Yeas: Mr. D'Ambrosio, Mr. Hoefle, Mrs. Quinn-Hopkins, Mr. Licht, Ms. DePledge, Mr. Morley:

Nays: Ms. Vaughn

Motion carried. Legislation is adopted as Resolution No. 2012-083.

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ORDINANCE NO.: 12-18-(02)

Requested by: Council President Morley

Sponsored by: Council

An Ordinance authorizing and directing the Mayor and Director of Finance to enter into an Agreement with the Village of Timberlake for the City of Eastlake to provide Fire Protection and Rescue Squad Services for said Village commencing January 1, 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. 2012-084.

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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 have been working for sometime on trying to get a sign for S.R. 91 and Vine Street and through the efforts of the business community, Mr. Semik and me we have come to a nice sign that we are going to purchase from Swiss Eagle Marketing. The important thing is this will be a color sign – not a monochrome sign that we were looking at – and will be well within the insurance money we have left in the account. I conferred with Mr. Slocum many times today. The sign is a generous offer from two companies – one is Swiss Eagle Marketing who we are buying the sign directly from without going through a middleman or retailer. The retailer in this case would have been Agile Sign and they have agreed to not mark up the sign which would normally have been marked up anywhere from 30%-50% if not more. So, through the efforts of those two companies and Mr. Semik and me we will have a nice color sign. The bottom of the sign is the actual sign and it will be colored. You can also put videos on it as well as writing. The top of the sign will be donated as part of the Swiss Eagle Marketing's program with cities that have fire departments. They donated the top that says Welcome to the City of Eastlake – that is a \$2,500 add-on that we would have had to do. Because we are not going to have another meeting with Council before the end of the year I wanted you to know that we have finally been able to secure a much better sign than we thought we would get and it is well within the insurance receipts we have left. The reason we were able to get such a great price was it was originally ordered by another company who decided to upgrade to a bigger sign so Swiss Eagle Marketing has the sign about $\frac{3}{4}$ of the way done and we were able to purchase it at a much lower rate. We will also do the installation and the companies are supplying us the base and pole free of charge. Our guys will install the sign. We get a computer with the deal which remotely programs the sign and Swiss Eagle Marketing is sending a technician to oversee the installation. This is a nice effort between government and business to secure a sign for the benefit of the people of Eastlake.

Ms. Vaughn: It was my understanding we were going to try to use a local company. I see this company is out of Pennsylvania. Will that cause us a problem like the other one did?

Mayor Andrzejewski: No, because the local company was the second low bidder – Agile Sign out of Euclid. They have been dealing with this company for 30 years. Mr. Slocum, Mr. Semik and I met with the company out of Pittsburgh. I have no doubt in my mind that we will get the sign.

Ms. Vaughn: I was just concerned after what happened last time – you can understand.

Mr. D'Ambrosio: I was looking at the size of the sign. What was the size of the other one?

Mr. Semik: It is approximately the same size.

Mr. D'Ambrosio: It was 6 ft. 6 inches high?

Mr. Semik: Positive - I have all the specs from when this whole thing started. I went back to see what we were originally looking at when I started talking to Swiss Eagle out of Pittsburgh. I believe the sign is actually 2 inches smaller than what we were originally looking at.

Mr. D'Ambrosio: I was just thinking about obstruction – it seems big.

Mr. Semik: It is about the same height.

Mr. Morley: When we received the NOACA report it questioned the location of the sign. Will it be in the same spot – are we making any adjustments?

Mr. Semik: It will be in the same spot. What has occurred there in regards to that study some of the bushes and brush have been cut down. I don't see it being an issue by putting it in the same location. I can ask the technician. He has already looked at the location prior to us getting into discussion.

Mr. Morley: Have you considered adding guarding around it in case another car smashes into it?

Mr. Semik: We can. There is a warranty that come with it – a ten year warranty – 100% coverage in the event of vandalism or if a car crashes into it. We can install a ballard there but it will take away from the sign.

Mr. Hoefle: I am seeing this for the first time this evening and based on the NOACA report and looking at the size of the sign – based on the speed limit of 50 mph at the intersection and the traffic I would have preferred a lower profile sign in that location. Especially now you are going to be taking away the visibility of Walgreens sign which is right there. If you are driving you have them on both sides. I am not pleased with it.

Mrs. Quinn-Hopkins: I have to say I am concerned about the position of the sign. I think it could work but I am concerned – if it is the way this picture shows it...

Mr. Semik: That is just a rendering.

Mrs. Quinn-Hopkins: As Mr. Hoefle has said I am mostly concerned it will block Walgreens sign and I am sure that would not make them very happy. That is my biggest concern. I am thinking a better position would be where the old Eastlake sign was located – by the driveway by the Captain's stadium.

Ms. DePledge: Obviously, City Council does not have to approve this because it is under \$12,500. I hope everything goes well and I think this rendering makes it look like a monstrosity.

Mayor Andrzejewski: This is a computer rendering. They were out there today – we are fine.

Ms. DePledge: Is the company bonded so we don't have the same problems we had last time?

Mr. Slocum: No.

Ms. Vaughn: Out of town and not bonded – sounds familiar.

Mr. Semik: The only difference is and whether it makes any difference – this company has been in existence for over 57 years. The gentleman who started it is a former fireman. That is why there is a discount for fire departments.

Mayor Andrzejewski: Also, the sign is about ¾ done. We will get the sign in four to six weeks.

Mr. Morley: The other company had a bond issue and they went out of business.

Mr. Klammer: The other company never produced a bond.

Mayor Andrzejewski: They went out of business.

Mr. Morley: I know that.

Mr. Klammer: For whatever it is worth the upside is we chose the lowest bidder last time. Unfortunately they were in Texas and went bankrupt. So, litigating a company in Texas that went into bankruptcy are two pretty dynamic events to occur.

Mayor Andrzejewski: They are fine.

Mr. Morley: Anything else?

Mayor Andrzejewski: I am pleased with the turnaround in Timberlake contract. As Mr. Slocum and I discussed we did not ask why – we just said okay and talked about the price and the CPI index – we should just do it and get it over with. Thanks for approving the Board members. When they agree to return it is a plus for us because it is like pulling teeth to try to get good people on Committees.

There were no questions of Mayor Andrzejewski.

LAW DIRECTOR – Randy Klammer

Mr. Klammer: Congratulations to you all on turning the Timberlake contract around. It is a good thing for everyone. I have nothing to report. Mr. Tanski, our Chairman of the BZA and Mr. Churchill of the BZA were re-appointed and they serve the City well. I am open for questions.

There were no questions of Mr. Klammer.

FINANCE DIRECTOR – Mike Slocum

Mr. Slocum: I did circulate to Council the letter we are sending out to the internet cafés which details the rebate program in the event the State would end up closing them down. We wanted to make sure they were enticed to come back right now until such time any action is taken. Some good news – the CCA program this year collected a little over \$31,700. That is actually lower than what I thought they might do. We are still not done through the first full operational year with CCA so I do expect that to improve going forward. I am sure you were all disappointed as I was to see the Moody's bond rating – we were downgraded one whole position. It is really a revenue issue. It is a revenue issue – it is the lack of support from this community for any other revenue items. We were hit pretty hard by the fact that twice our residents rejected millage issues despite all the losses we have had in revenues. I do not think they were unhappy with the way the overall finances have been managed but they know and see we are operating on a shoestring and they are talking long term investment in the City with the bond. So, with that we priced the bond deal today. Where we had said earlier we thought we would get an average of about \$19,600 a year savings we are actually ending up with \$13,853. What has in fact happened here is really two pronged. No. 1 - one of the biggest things we had was the decrease in the bond rating. These things do matter. The lower the rating your savings decrease. No. 2 - the bond market has moved against us a little bit which has also caused the price to drop. We had a choice we had to make this afternoon and we chose to exercise this deal. We could have waited but there is no guarantee what it will be if we wait two or three weeks. When I first brought this whole idea of refinancing this segment of our bond portfolio we were expecting to have an average savings of \$8,000 a year – which I was still in favor of because it is \$8,000 more in our pocket. But, instead of that we will end up with the average savings of \$13,800. It is a lot better than what we originally projected but less than what we had thought we would be able to do a couple of weeks ago. I am open for questions.

Mr. Morley: The only thing I will reiterate is what Ms. Vaughn said – and I spoke with Mr. Slocum before – over the next few months we will be doing the budget. As many meetings as people can make to come out and see where we are at and how we will be spending the money for next year it would be great. Obviously, I don't have to preach to the people in this room and the people who are here every month but if your neighbors and friends in the City – invite them to the meetings. If you need any explanation on things we talk about you can always get in touch with Mr. Slocum – especially on finances. Regarding Mr. Slocum's comments on the internet cafés – at the last meeting we talked about HB 605 the State was thinking about adopting. For our City it would be \$159,000 in lost revenue. The people who have internet cafés now would receive a refund depending on when they would close. They will know we are not going to keep their license money.

There were no questions of Mr. Slocum.

CITY ENGINEER – Tom Gwydir

Mr. Gwydir was absent and excused.

SERVICE DIRECTOR – Mike Semik

Mr. Semik: I think leaf season is over – but, we can still pick up some piles. We are rounding it up. The gentlemen are flushing catch basins and sanitariums and are back to filling chuck holes. We had a problem on the east side of 354th Street heading towards Vine Street – every

time it would rain a huge puddle would form. We have installed a catch basin tapped into the manhole. I thank Council for passing the resolution on the Shared Services Agreement. The Lake County Service Directors have been working on this for about 1½ years. We received some assistance through the State Auditor's office and with the cooperation of the Mayors and Managers Association it has come to fruition and I appreciate Council's support. I would like to wish everyone on Council and the Administration and audience a Merry Christmas and Happy New Year. I am open for questions.

Mr. Morley: Are we going to start picking up Christmas trees or will there be a spot for them?

Mr. Semik: Yes. We will be picking them up. I think having spots for pickup will be the best way to go instead of sending a truck out to drive the City. My plan was to put a chipper on the back of the truck and chip them as we go. But, I think the best way to service the residents is to have a couple of central drop off spots. It is something we should look at for next year but this year we will pick them up.

Mr. Slocum: If I remember correctly when we put out for the garbage bid this year we included as a requirement that they pick up Christmas trees. I will have to verify that but I believe that is in our contract.

Mr. Morley: Maybe you can send us something on that and if so put it on the web site.

Mr. Semik: If not we will pick them up. Either way they will be picked up.

There were no further questions of Mr. Semik.

CHIEF BUILDING OFFICIAL – John Stigalt

Mr. Stigalt was absent.

POLICE CHIEF – Larry Reik

Chief Reik was absent and excused.

FIRE CHIEF – Ted Whittington

Chief Whittington: Just like all of you were probably touched the Fire Department was touched by what happened in Connecticut. We made contact with all the schools on Monday morning and offered up anything we could do to support them. When we talked to the principals they had a pretty good plan in place and their goal was to get kids back into a safe environment after things like this unfortunately happen. Chief Reik and I have met and reviewed our internal planning and made sure we reviewed them with our people and understand what our goals and objectives would be. We had a West end Chiefs' meeting this morning to talk about some County issues as it relates to security and responding – to reassure our people in our community with children in the school system – hopefully that will never happen but we are here to support in what we do. We had a fire the other night. It was an unfortunate accidental fire with the homeowner being unfortunate to lose a couple of dogs in the fire that were pretty important to him. We continue to give him support. The Red Cross was involved and is helping him out. We have had contact with his family and will continue to keep an eye on that. The Fire Department recognizes Firefighter of the Year –

we kind of keep it amongst ourselves. But, I would like to announce that Lt. Jeff Kirkner was named Firefighter of the Year and we did give a Fire Chief's Accommodation Award to Firefighter Ron Gardner for the rescue of a child stuck in a tree at Jakse Park that we could not get out with a ladder. On behalf of me and the Fire Department we want to wish everyone a Merry Christmas and hopefully a good and prosperous New Year. We all need it. I am open for questions.

There were no questions of Chief Whittington.

Additional Comments

Mrs. Cendroski: This year was kind of rough for me. I want to thank Council President Morley, Council and my fellow employees for all their support. Thank you.

Mr. Morley: I do not know if everyone is aware. I spoke with Police Chief Reik today. One of our officers was involved in a car accident and was banged up. The car was pretty badly damaged. But, the officer will be okay. A car ran a sign.

Chief Reik: That call came in the same time the house fire call came in. We were stretched for resources at the time and were supported by other communities. I know we had to divert Wickliffe from the house fire to the scene of the accident because Willowick was coming to the house fire. We did have help coming from different ways to give us assistance and I do not think there was any delay in getting a squad to the officer. He is doing well. I think he is home.

Mr. Morley: If there are no further questions or comments Merry Christmas and Happy New Year – see you next year.

ADJOURNMENT

The meeting was adjourned at approximately 7:50 p.m.

DENNIS MORLEY, COUNCIL PRESIDENT

APPROVED: _____

ATTEST: _____
DEBORAH A. CENDROSKI,
CLERK OF COUNCIL