

**EASTLAKE CITY COUNCIL
REGULAR COUNCIL MEETING MINUTES
FEBRUARY 14, 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 7:34 p.m.

The Pledge of Allegiance was led by Ms. Vaughn.

ATTENDEES

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

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

APPROVAL OF MINUTES

REGULAR COUNCIL MEETING – JANUARY 24, 2012

MOTION: Ms. Vaughn moved to approve the minutes of the Regular Council Meeting of January 24, 2012. Mr. D'Ambrosio 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, February 28, 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.

We will have our first budgetary meeting tomorrow, February 15th at 6:00 p.m. and will have another meeting on February 27th at 6:00 p.m.

Unfortunately we lost another member of the Blvd. of 500 Flags Committee a few weeks ago – Mr. Jim Barlcay. Our condolences are with his family. Jim will be missed from the Blvd. of 500 Flags Committee and also with everything he has done for us in the City and the American Legion. He will be deeply missed.

COMMUNICATIONS & PETITIONS

A communication was received from The Walter Drane Company regarding the City's Codified Ordinances. Mr. Morley explained that this was discussed in Council-as-a-Whole and appears on the evening's agenda as Legislation No. 02-14-(09).

Conditional Use Permit amendment and renewal recommendations were received from the Administration for Little Learner's Too, Inc., 36721 Lakeshore Blvd., Eastlake, Hideaway Bar and Grill, 35575 Lakeshore Blvd., Eastlake, Trader Jack's, Inc., 35901 Lakeshore Blvd., Eastlake and Barb's Tax and Accounting Service, LLC, 1315 East 354th Street, Eastlake. These were referred to Planning Committee.

Mr. Morley: We received an email from Chief Reik about the purchase of police cars. If we receive all the information this will be added to the miscellaneous section of the Finance Committee meeting scheduled for February 27th.

COMMITTEE REPORTS:

FINANCE COMMITTEE – Ms. Vaughn

Ms. Vaughn: The Finance Committee met on Tuesday, February 7th with all members of Council present. In attendance from the Administration were the Mayor and Mr. Slocum who were running a little bit late but arrived before we got to the meat of the meeting. We had a long discussion on the bid award for the garbage and rubbish collection. Many questions were asked and everyone on Council had the opportunity to participate and express their concerns. Many issues were raised and discussed and hopefully answered. It was the general consensus of my Committee to have this move forward and it appears on this evening's agenda. As the Council President indicated we will have our first budgetary meeting tomorrow at which we will discuss the General Fund revenues and expenses and at the second meeting we will deal with the additional funds revenues and expenses. I will be making the following Motion:

Invoice: The Walter Drane Company

MOTION: I hereby move to approve payment to The Walter Drane Company for services rendered regarding the update of the City of Eastlake Codified Ordinances, said payment to be \$1,189.97 and taken from account #101.120.5446. Mr. D'Ambrosio seconded.

ROLL CALL: Yeas unanimous.

Motion carried. The payment of the invoice to The Walter Drane Company is approved.

Additional comments:

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

There were no questions of Ms. Vaughn.

Mr. Morley: The other two Committees that met were the Ordinance Committee and the Planning Committee. Mr. D'Ambrosio and Mr. Hoefle?

PLANNING COMMITTEE - Mr. D'Ambrosio, Mr. Hoefle

Mr. D'Ambrosio: I Chaired the Planning Committee which met January 31st with all members of Council present except for Ms. DePledge who was absent and excused. In attendance from the Administration were Mayor Andrzejewski, Finance Director Slocum, Police Chief Reik and Fire Chief Whittington. There were several items on the agenda which we briefly discussed during the Council-as-a-Whole Committee meeting. The first one was a Conditional Use Permit amendment and renewal for Aluminum Home Improvement, LLC,

36225 Reeves Road. The original permit was issued in 2003 and this was an amendment to change the permit to the business name and take it out of the individuals. The Building, Tax and Fire Departments had no objections and this appears on this evening's agenda. Mac's Convenience Store, LLC dba Circle K #5252, 36170 Lakeshore Blvd. – we touched on this and this was the one with the concrete issues in the parking and they will make repairs when the weather becomes more conducive for concrete work. Monreal Funeral Home, 35400 Curtis Blvd – this was a conditional use permit amendment and renewal. Zero Gravity Xtremes, LLC, 34650 Melinz Pkwy. wants to do laser tag as part of their “bouncy place” as my seven year old granddaughter year old calls it. The inflatables at Zero Gravity are a blast. If you have young children it is fun. I think laser tag will be a great addition for them. Also, the Conditional Use Permit renewal for Sherwin Shooting Sports, LLC, 33140 Vine Street – we discussed this and I will be making a Motion to approve the renewal and Willo-Lake Church of the Nazarene dba Agapeland Daycare and Preschool, 34950 Lakeshore Blvd. was also a Conditional Use Permit renewal. I will make the following Motion:

Conditional Use Permit Renewals:

MOTION: I hereby move to approve the Conditional Use Permit renewal requests for:

Aluminum Home Improvement, LLC, 36225 Reeves Road, Eastlake, OH 44095;

Mac's Convenience Stores, LLC dba Circle K #5252, 36170 Lakeshore Blvd., Eastlake, OH 44095;

Monreal Funeral Home, Inc., 35400 Curtis Blvd., Eastlake, OH 44095;

Sherwin Shooting Sports, LLC, 33140 Vine Street, Eastlake, OH 44095;

Willo-Lake Church of the Nazarene dba Agapeland Daycare and Preschool, 34950 Lakeshore Blvd., Eastlake, OH 44095. Mr. Matheke seconded.

ROLL CALL: Yeas unanimous.

Motion carried. The Conditional Use Permit renewals are approved.

Additional comments:

Mr. D'Ambrosio: As items have been placed in Committee if Ms. Vaughn has no objections maybe I could schedule a meeting right at 6:00 p.m. on the 27th before the Finance Committee meeting?

Ms. Vaughn: That is fine.

Mr. D'Ambrosio: I too would also like to pass on my condolences to the Barclay family. Jim was a great guy. I got to know him over the past seven years we worked together with the Blvd. of Flags and different community events. We used to park cars at the stadium. He was an all around good guy. He is a huge loss to this community. I hope I can live a blessed life like he did.

This concludes my report and I am open for questions.

There were no questions of Mr. D'Ambrosio.

ORDINANCE COMMITTEE - Mr. D'Ambrosio, Mr. Hoefle

Mr. Hoefle: The Ordinance Committee met on January 31st with all members of the Committee and Council in attendance with the exception of Ms. DePledge who was absent and excused. In attendance from the Administration were Mayor Andrzejewski, Finance Director Slocum, Police Chief Reik and Fire Chief Whittington. We had four items on the evening's agenda. One was the amendment to 155.06 "Sick Leave to be Cumulative; Retirement Provision" and the other was 155.31 "Personal Days." These were both discussed. Police Chief Reik and Fire Chief Whittington had some questions and made some comments and agreed that what the Unions agreed on the 155 employees would agree to as well. We decided to move both forward. The third item was an amendment to Section 351.10 "Night Parking of Commercial Vehicles and Watercraft: Restrictions." This was previously discussed and would permit overnight parking for larger rigs that come into the City as long as they register with the City. The fourth item was an amendment to Section 183.0321 "Adjusted Federal Taxable Income" – this was on the agenda but at request of Mr. Slocum it was referred out of Committee with no action taken. This concludes my report and I am open for questions.

There were no questions of Mr. Hoefle.

Mr. Morley: Is there any other person on Council with anything to report?

WPCC Committee - Mr. Matheke

Mr. Matheke: I wanted to remind everyone that March 7th is our WPCC joint meeting with Willoughby and it will be here at Eastlake City Hall at 6:00 p.m.

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.

There was no one who wished to speak.

LEGISLATION PROPOSED - First number will be 2012-004

Requested by: Administration
Sponsored by: Mr. Hoefle

ORDINANCE NO.: 02-14-(01)

An Ordinance amending Section 155.06, "Sick Leave to be Cumulative; Retirement Provision," of the Codified Ordinances of the City of Eastlake specifically Section 155.06 (a), and declaring an emergency.

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

ROLL CALL: Yeas unanimous.

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

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Ordinance No. 2012-004.

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Requested by: Administration	<u>ORDINANCE NO.: 02-14-(02)</u>
Sponsored by: Mr. Hoefle	An Ordinance amending Section 155.31
	“Personal Days,” of the Codified Ordinances of
	the City of Eastlake, and declaring an
	emergency.
MOTION: Mr. Hoefle moved to suspend the rules requiring separate readings and	
reading in full. Mr. D’Ambrosio seconded.	

ROLL CALL: Yeas unanimous.

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

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Ordinance No. 2012-005.

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Requested by: Mr. D’Ambrosio	<u>ORDINANCE NO.: 02-14-(03)</u>
Sponsored by: Mr. Hoefle	An Ordinance amending City Ordinance
	Section 351.10 “Night Parking of Commercial
	Vehicles and Watercraft; Restrictions,” and
	declaring an emergency.
MOTION: Mr. Hoefle moved to suspend the rules requiring separate readings and	
reading in full. Mr. D’Ambrosio seconded.	

ROLL CALL: Yeas unanimous.

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

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Ordinance No. 2012-006.

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Requested by: Administration	<u>ORDINANCE NO.: 02-14-(04)</u>
Sponsored by: Mr. D’Ambrosio	An Ordinance amending Ordinance No.
	2003-093, adopted June 10, 2003 and
	authorizing the issuance of a Conditional Use
	Permit to Aluminum Home Improvement, Inc.,
	36225 Reeves Road, Eastlake, Ohio 44095 to
	operate a home business, and declaring an
	emergency.
MOTION: Mr. D’Ambrosio moved to suspend the rules requiring separate readings and	
reading in full. Mr. Hoefle seconded.	

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

ORDINANCE NO.: 02-14-(07)

An Ordinance amending Ordinance No. 2001-044, adopted May 22, 2001, and authorizing the issuance of a Conditional Use Permit to Monreal Funeral Home, Inc., 35400 Curtis Blvd., Eastlake, Ohio 44095, 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 unanimous.

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

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Ordinance No. 2012-010.

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Requested by: Administration
Sponsored by: Council

RESOLUTION NO.: 02-14-(08)

A Resolution Opposing the Lake County, Ohio Commissioners' request that the Lake County Budget Commission repeal the Alternative Local Government Fund Distribution Formula and requesting the Lake County, Ohio Commissioners to continue to adequately support the Local Government Funds for the betterment and health of the residents of the City of Eastlake and all other Cities and Villages in Lake County, Ohio, 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. 2012-011.

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Requested by: Council Clerk
Sponsored by: Ms. Vaughn

ORDINANCE NO.: 02-14-(09)

An Ordinance to revise the Codified Ordinances by adopting current replacement pages, 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. 2012-012.

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Requested by: Administration
Sponsored by: Ms. Vaughn

RESOLUTION NO.: 02-14-(10)

A Resolution authorizing and directing the Mayor and Director of Finance to enter into a Contract with Browning Ferris Industries of Ohio Inc., a Wholly Owned Subsidiary of Republic Services Inc., the lowest and best bidder, to provide Municipal Solid Waste Collection and Disposal Services with a quarterly billing amount to each residence for services rendered for five (5) years with five (5) year options, as listed for the cost as outlined, 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. 2012-013.

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LEGISLATION PENDING

There was 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 was absent and excused.

LAW DIRECTOR – Randy Klammer

Mr. Klammer: You received some emails on the Lakeshore Blvd. nuisance property at which Mr. Stigalt had concerns about the safety of the residents. He has indicated to me by email today that the resident promised some structural documents this week so he is still open. Mr. Stigalt has gone above and beyond to make sure the kids in there are safe including talking to Family Services. I did send to you and the Council Clerk the 2012 litigation update in a little bit more detail than what we usually do for Mrs. Quinn-Hopkins and Mr. Matheke to get an update on some of the cases including the Fatur lawsuit. I included a copy of the Judgment Entry and a legal opinion from NORMA. If you have any questions on any of them just call me but that should cover everything as of the 2012 status. There was a new law suit filed against the City contesting the City's determination of the fee structure for the apartment rental program that was within the last month. This concludes my report and I am open for questions.

There were no questions of Mr. Klammer.

FINANCE DIRECTOR – Mike Slocum

Mr. Slocum: I do not have a report tonight and am open for questions.

There were no questions of Mr. Slocum.

SERVICE DIRECTOR – Mike Semik

Mr. Semik: The City was awarded a grant by First Energy for the perimeter lighting around City Hall with LED replacements. The savings should be approximately \$2,000 per year and the cost of the grant is \$3,028. The installation will be done in house at no cost to us and CEI and First Energy will reimburse us for the purchase. This concludes my report and I am open for questions.

There were no questions of Mr. Semik.

CITY ENGINEER – Tom Gwydir

Mr. Gwydir: It has been rather quiet. We are supporting the CBO on the Lakeshore Blvd. property and other items. I am open for questions.

There were no questions of Mr. Gwydir.

CHIEF BUILDING OFFICIAL – John Stigalt

Mr. Stigalt was absent and excused.

POLICE CHIEF – Larry Reik

Chief Reik: The Department received preliminary approval for a grant. I spoke with Mr. Slocum about it – it is a 10% match for us – only \$900 and will provide \$8,100. We will be using that for police equipment and the new cruisers with the rest being labeled for investigative units as we have less opportunities for detectives to handle some of the cases they need to handle and it has to be done with overtime. This will help stretch those dollars. I have nothing else to report and am open for questions.

There were no questions of Chief Reik.

FIRE CHIEF – Ted Whittington

Fire Chief Whittington: I want to apologize for being late this evening. Chief Reik and I had some Cub Scouts and Boy Scouts in tonight to tour our stations with their families. I spent some extra time with them. We did switch over our hospital protocols. We are still using Lake Heath as our primary place for medical direction however it does affect the protocols our paramedics use in the field. They do not change anything in the care we provide in the field but the one thing that will be different to our residents is a change in CPR. In a lot of cases now especially cardiovascular we are eliminating the airway portion of the cardiac arrest. We will still be doing CPR but will be doing no breathing for the patients. The only reason I bring it up is because it is somewhat odd. I have talked with the other Chiefs and received some feedback from them that there were a lot of questions by bystanders as to why they weren't the doing mouth to mouth. Studies show that the effectiveness of compressions and giving medication proves to be much more of an advantage to people in cardiovascular arrest. We are working with the public library to start conducting CPR classes and we will teach the new way – especially for the residents if they come across someone in cardiac arrest. If you get any questions from a family or friend of someone who was in cardiac arrest as to why the Fire Department did not do ventilation it all comes down to the new protocols and we have had pretty good success the times we have actually used it. This concludes my report and I am open for questions.

Mr. Morley: If you have any CPR classes we would like to announce it to the community and be involved.

Chief Whittington: Our CPR rep is working to get things scheduled. We were not sure what attendance we may have at the library but it is believed that there will be great interest. Once we get a firm schedule – probably in the spring – we will let everyone know. It will be a good community project.

There were no further questions of Chief Whittington.

ADJOURNMENT

The meeting was adjourned at approximately 7:59 p.m.

DENNIS MORLEY, COUNCIL PRESIDENT

APPROVED: _____

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