

**EASTLAKE CITY COUNCIL
REGULAR COUNCIL MEETING MINUTES
NOVEMBER 13, 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 7:07 p.m.

The Pledge of Allegiance was led by Mr. Licht.

ATTENDEES

Members of Council in attendance were Mr. Licht, Mrs. Quinn-Hopkins, Ms. Vaughn, 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 and Fire Chief Whittington. Mayor Andrzejewski was absent and excused.

APPROVAL OF MINUTES

Regular Council Meeting – October 23 2012

MOTION: Ms. Vaughn moved to approve the minutes of the Regular Council Meeting of October 23, 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.

- - - - -

COUNCIL PRESIDENT'S REPORT – Mr. Morley

Meetings Scheduled

Mr. Morley: The next Council-as-a-Whole Committee Meeting is scheduled for Tuesday, November 27, 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.

I would like to thank the residents for passing the renewal levy and also the two Charter changes. I would like to congratulate Mr. Licht on his election – he was unopposed to carry out the term of his office. I would like to thank the Police and Fire Chiefs and the Service Department for all the updates during storms. Especially Chief Whittington who kept us all updated on where all the damage was or where there were issues. Getting those emails really helped the Council people. I know Mr. Licht had questions – I had some calls – Mr. D'Ambrosio had calls – everyone had calls and we are appreciative that you provided us all the information so we could help the residents in any way we could.

Saturday, November 17th at 8:30 a.m. we will be taking down the remainder of the flags at the Blvd. of 500 Flags. We had a Veterans' Day Ceremony on Sunday. Congressman LaTourette and incoming Congressman Joyce donated 200 flags and the Mentor VFW donated 50 flags – this is greatly appreciated. I would like to wish the people in the audience and the residents a Happy Thanksgiving.

COMMUNICATIONS & PETITIONS

A fee waiver request was received from the Eastlake Women's Club for use of the Community Center on Sunday, December 9th for Santa's annual visit. Mr. Morley stated that if there were no objections he would ask Mr. Licht to make a Motion to approve this fee waiver.

A communication was received from the Administration regarding a Police Department E-bay auction. This was referred to Finance Committee.

A communication was received from The Walter Drane Company concerning the November, 2012 replacement pages. Mr. Morley explained that this item was discussed in Council-as-a-Whole Committee and would be added to the evening's agenda as Legislation No. 11-13-(04).

A communication was received from the Administration regarding the bid award recommendation for towing contract. This was referred to Finance Committee.

Mr. Morley: I would like to refer the Eastlake Citizens' Task Force proposals to the Finance Committee. This does not have to be discussed at the next meeting but we should discuss it before we do the budget. This way we will all be present. I ask everyone to review the items and be ready to discuss them. If there are any specific questions we will reach someone from the Task Force prior. I would like all the Directors to get copies. Mr. Slocum will provide them.

COMMITTEE REPORTS:

Mr. Morley: There were no Committee meetings.

Finance Committee – Ms. Vaughn, Chair

Ms. Vaughn: I want to make sure everyone is aware that there is a Finance Committee meeting on Tuesday, November 20th. We will be reviewing the recently received budget and will also talk about the awarding of the towing contract. Perhaps the Police Chief could provide me with some information prior to that or attend the meeting. I will be making the following Motion:

Legislative Recommendation

Legislation No. 11-13-(04)

MOTION: I hereby move to add Legislation No. 11-13-(04) to the evening's agenda revising the Codified Ordinances by adopting current replacement pages. Mr. D'Ambrosio seconded. Mr. D'Ambrosio.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation No. 11-13-(04) is added to the evening's agenda.

Ms. Vaughn: Mr. Slocum, what are we doing with the budget? I am looking at the month of December where we will be missing a week – that means we could have one meeting the first week of December. With the third week having a Council meeting what are your plans for getting a budget together?

Mr. Slocum: I will have the preliminary budget for this year similar to the way we did it last year. We take about half of the regular expenses and a third of the personnel cost to cover the first three months. We are not anticipating any different type of spending pattern.

Ms. Vaughn: I am more concerned about the revenue than I am the expenses.

Mr. Slocum: I am waiting for one big revenue item to come in. Once I have that I will have an idea as to what to project for next year.

Ms. Vaughn: So you are saying we could have a meeting the first week of December?

Mr. Slocum: I am hoping. But, I am not getting any information out of the County. I talked to the County Auditor last Thursday on this specific issue. He said he hopes within the next couple of weeks. Cuyahoga County has had their evaluations for four months. I can't project unless I have that number and will finalize what I think the numbers will be after I see what the income tax collections are with CEI's reduction. We will not see fully until December because they have cut back. I will have a projection of the guesstimate.

Ms. Vaughn: We may have to change our meetings in December so as to have a budget in place by January 1st.

Mr. Slocum: We will have a budget in place. I have been working on that. It is really not a budgetary plan – it will give the appropriations we need to operate the City for the first three months.

Ms. Vaughn: We have to pass appropriations by the second meeting in December.

Mr. Slocum: Right. I will have that probably the week after next – what I think we will need to at least start the year. We are trying to finalize and see if we have to make any changes for this year. The initial budget for 2013 is just really a temporary budget to cover the first three months. There will not be any new spending patterns during that period until that overall budget does get adopted.

Ms. Vaughn: That concludes my report.

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

Mr. D'Ambrosio: I went through everything during the Council-as-a-Whole Committee meeting and will be making the following Motions:

Legislative Recommendations

Legislation No. 11-13-(01)

MOTION: I hereby move to add Legislation No. 11-13-(01) to the evening's agenda authorizing the issuance of a Conditional Use Permit to Vista Consulting, Inc., 150 Christine Court, Eastlake, Ohio 44095 to operate a home business. Mr. Hoefle seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation No. 11-13-(01) is added to the evening's agenda.

Legislation No. 11-13-(02)

MOTION: I hereby move to add Legislation No. 11-13-(02) to the evening's agenda authorizing the issuance of a Conditional Use Permit to 5945 Andrews, LLC, dba El Palenque, 35520-35550 Vine Street, Eastlake, Ohio, 44095. Mr. Hoefle seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation No. 11-13-(02) is added to the evening's agenda.

Legislation No. 11-13-(03)

MOTION: I hereby move to add Legislation No. 11-13-(03) to the evening's agenda amending Ordinance No. 1999-083, adopted June 22, 1999, and authorizing the issuance of a Conditional Use Permit to Karen Hayes Interiors, Inc., 37703 Lakeshore Blvd., Eastlake, Ohio 44095 to operate a home business. Mr. Hoefle seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation No. 11-13-(03) is added to the evening's agenda.

Liquor License Transfer Request

MOTION: I hereby move to approve and send back to Columbus, Ohio with no objections the liquor license transfer request for Franchise USA, LLC dba Easy Trip 1121, 35068 Vine Street, Eastlake, OH 44095 to 7 Eleven, Inc. dba 7 Eleven 36216, 35068 Vine Street, Eastlake, OH 44095. Mr. Hoefle seconded.

ROLL CALL: Yeas unanimous.

Motion carried. The Liquor License Transfer Request is approved.

Council Meeting Date Change

MOTION: I hereby move, pursuant to City of Eastlake Ordinance 111.01 "Rules of Council" to re-schedule the Tuesday, December 25, 2012 Council-as-a-Whole Committee Meeting and the Regular Council Meeting to Tuesday, December 18, 2012, with the Council-as-a-Whole Meeting being scheduled for 7:00 p.m. and with the Regular Council Meeting immediately following. Mr. Licht seconded.

ROLL CALL: Yeas unanimous.

Motion carried. The Council meeting date is changed.

Additional Comments

Mr. D'Ambrosio: Before I conclude I would like to thank the Police Chief, Fire Chief, Service Director, and Mr. Gwydir. The Departments did a great job in keeping us informed

as to what was going on in the City as far as the power outages and stuff. We were getting emails from the Fire Department every couple of hours. We had a major flooding issue on Alva – Mr. Morley, Mr. Semik and I walked that property – there is a 3-4 foot culvert that runs behind the bus garage parking lot and it was blocked. The water would not go through and was flooding out Alva. Mr. Semik met with members of School Board and showed them what was blocked and they are working on taking care of it. You guys did a great job. When there are problems in the City and you see CEI and the contractors the Service Department and Police and Fire are the first responders. When wires are down there are not too many good things that can happen. I appreciate all you did. The residents had a lot of patience. Thank you. Mr. Gwydir is looking into a couple of things for me. We are trying to see – and I talked to Chief Reik and Chief Whittington about this – if there are any grants available to possibly get a generator. We have a safe haven if something like a flood happens – you can go to the Community Center – but, that is not run off a generator. We really don't have a facility that would hold a lot of people. So, I asked the two Chiefs if this was possible and if a generator can be purchased with a grant. Mr. Gwydir is looking into it. Then maybe we would put one in the Community Center or Senior Center – whichever place they think would house the most people and provide the most benefit to the City. That way our residents would not have to travel to Mentor and could stay here. This concludes my report.

Mr. Morley: As Mr. D'Ambrosio said when we were out with Mr. Semik and off East 332nd Street behind where the school buses are parked – it is amazing the different ways the sewers go over there and how many places we found that were blocked. The City did send an employee to clean up some of it and Mr. Semik will work with the School Board so we can hopefully take care of that so the residents on Alva Avenue don't have any more issues. Thanks again for that.

Fee Waiver Request

Mr. Licht made the following Motion:

MOTION: I hereby move to approve the Fee Waiver Request from the Eastlake Women's Club for use of the Community Center on Sunday, December 9th from 6:00 p.m. to 9:00 p.m. for Santa's annual visit. Mr. Hoefle seconded.

ROLL CALL: Yeas unanimous.

Motion carried. The Fee Waiver request is approved.

Ms. DePledge – Port Authority Liaison

Ms. DePledge: I wanted to thank the Chiefs and Council President Morley. In a situation where a storm is coming through everyone wanted information. I thought one of the greatest things we had going for us was the communication. You guys were posting things and they were being forwarded by Mr. Morley and it was put on Face Book so people knew what areas to stay away from – the traffic flow or downed lines – postings about the river and the water level. The information was being relayed almost instantaneously and I think that was invaluable. I certainly learned an important lesson in the value of social networking. Also, Mr. Semik, the Veteran's service on Sunday was beautiful. I know the grounds took a beating and your crews did a great job cleaning it up and your men were working hard afterwards to

put everything away. It is not unnoticed and is appreciated. The service went off without a hitch.

There is a Port Authority meeting here tomorrow at 7:00 p.m. This concludes my comments.

Mr. Morley: The things I put on Face Book came from the Chief. I told him how many comments I got especially when you gave the numbers they could call for specific streets to get constant updates. Over and above anything else that was the best thing we had.

For those who do not come to our meetings all the time the Mattingly's who always sit in the front row had a death in their family of their son and brother a couple of weeks ago. Our condolences go out to them. We all went to the funeral and spoke with them. Over the years they have become not just residents to us but friends because probably out of over all the years I have been on Council they have come to every meeting. Before their mother passed away she was always here. They are still mourning – that is probably the reason they are not here this evening.

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.

Amanda Royko & Christine Gibaldi, Victim's Advocates, City of Eastlake

Christine: Ms. Vaughn covered what we are here to talk about. We are inviting everyone to help us out December 1st at WalMart to collect gifts for families in need. Right now we already have 42 kids signed up for gifts. I am anticipating more than the 118 we had last year. We are hoping to get a good turnout. We have received word about different donations. We have 10 meals coming December 20th and we usually get a donation from the Willoughby Court for more meals. I am anticipating about 27 meals this year. We did 30 last year.

Amanda: Saturday, December 1st is pretty much our biggest event. We do accept toy donations as well as monetary donations at the Police Department which is open 24 hours a day. But, what is really special about the 1st is that we can all come together in one place at one time to show the community we are all together. The Fire Department always brings an ambulance and there are always members of the Fire Department there to help fill the ambulance. We will poll businesses to donate money or goods. We would like to invite all of you to help – it does not have to be all day –it goes from 9:00 a.m. to 5:30 p.m. but if you want to come for one half hour or forty-five minutes it would help.

Christine: If you want to invite anyone else or let anyone else know we would appreciate it.

Ms. Vaughn: If you wish to make a donation by check who should you make the check out to?

Christine: I believe last year it was the Eastlake PAL organization that was the money holder for it.

Chief Reik: We will check tomorrow at the EPal meeting.

Fred Haas, 978 River Drive, Eastlake

Mr. Haas: I live at 978 River Drive in the Chagrin Harbor. During and after the passage of the storm Sandy the Service Department was involved in many emergencies and they should be commended for the work they did. I want to bring to Councils' attention something that they did not do. It is a good thing there has been a 2-week cooling off period since that incident. Though I was not disappointed in what happened or what did not happen at the time of the storm I was furious and I think you Council people should agree with me. Two days before the storm hit I sent an email to the Mayor and I quote "Hello, Mayor, I am sure you are aware of the severe weather being forecasted. I want to remind you of the importance of opening up the east branch - the dead branch- of the Chagrin River. When the beach sand is dug out the high water flows into the lake and provides an outlet for water that would otherwise backup and cause damage - damage that is easily preventable. The added flow also relieves pressure on the main river upstream – also reducing potential damage. In view of these forecasts the prudent action is to open the east branch early Monday to minimize the flood threat. The City has performed this act sporadically in the past and I want to urge you at this time to see that action is taken before disaster strikes." On Monday morning the Mayor forwarded this message to Mr. Semik and I quote "Mr. Semik, please look at the opening of a section of the river in anticipation of water problems." Shortly thereafter I received an email from Mr. Semik. Mr. Semik sent this and I quote "Fred, thanks for the email concerning the opening of the dead branch. We are taking all the proper precautions in anticipation of the storm. Thanks again for the reminder. Should you have any more questions please contact me." Very condescending comments. Well, of course we know now that the Chagrin River did overflow its banks. The Mayor's early warning phone messages advised the residents in the harbor to evacuate the area – our neighborhood – the Chagrin Harbor was in real danger. At 6:30 that morning – that was Tuesday the 30th I saw that the river was backing up and was about a foot from overflowing the banks and running behind the Foresite Dike that protects my neighborhood. If this were to happen the entire neighborhood would be inundated. Our homes were in jeopardy. Knowing now that the dead branch had not been dug out I drove to the Police Station to ask the dispatcher to contact the Mayor and the Service Director. After explaining to her where the harbor was she said she would try to make those contacts. I then went to the Service Department. The clerk there explained that she honestly did not know where Mr. Semik was but that she would relay the message. She noted that things were very chaotic – that the power was off and the garage door could not be opened to remove some equipment. I told her there was a backhoe sitting unattended in the rear outdoor storage area. If she could not send the backhoe then send some workmen and some shovels and with that said I drove back home. There I found that the water was now less than a foot from running over the bank. Now, there are 150 families in the Chagrin Harbor Beach home owners association. 100 families are in the low lying harbor. Why has my request been ignored? During an earlier Administration the digging out of the beach was a priority – a standard operating procedure to be done whenever there was a threat of flooding. In this case there was certainly ample time to prepare. As I read earlier

from Mr. Semik's response – he said “we are taking all proper precautions.” Well, apparently not because no help arrived at the lakefront. What next? The water continued to rise. Well, against my wife's wishes – we have only been married 2 ½ months – she was concerned due to my history of two heart attacks and bypass surgery. But, I put on storm gear, packed up the shovel and went to the beach and started to dig. With the help of two of my neighbors, Mr. Rick Humston and Mr. Matt Brown we were able to dig a trench from the river, through the beach and out to the lake. As the water ran through the trench it widened. And with greater flow it widened even further – eventually being over 25 feet wide. With the river current flow increasing the water level slowly dropped and was no longer a danger to our neighborhood. Why was it that my neighbors and I had to endanger ourselves? With the proper equipment the City workers could have easily dug out the beach and saved our neighborhood from what could have been disaster. It has been done before. Why did they not do it? Why was there not proper instructions given and why were those instructions not given at the right time? I said earlier that I was very upset with the Service Department. Well, there has been time to cool off somewhat. But, the simple fact remains that something should be learned from this experience. My request to you and members of Council is that from now on the Service Department be instructed to make the opening of the dead branch a priority. That it be opened whenever there is a threat from flooding. I am saying that the beach be dug out. Not just considered. Not just pondered. But, that positive action be taken at the time whenever there is a threat of flooding. We did escape danger this time. We may not the next time unless you take action. Thank you.

Mr. Morley: Mr. Haas, the only thing I would suggest is I will talk to the Mayor and I will see if Mr. Semik has anything to add. I know that was a crazy week but also – I know Mrs. Quinn-Hopkins is your Councilwoman – or, try to get in touch with one of us because sometimes we do not find out these things until like today. Because when residents call us we will make the calls to try to make a little push to get things done or if one of us had been aware – we would have walked down there and grabbed Mr. Semik and went down there – just like Mr. D'Ambrosio and I went into areas. If we were aware of these things we could have tried to push to help also. I don't know what happened that day. I will talk with the Mayor when he gets back in town. Mr. Semik, do you have anything to add?

Mr. Semik: To clarify a few points. At Monday staff meeting – I know both Chiefs and Mr. Klammer and Mr. Slocum were there when it came to my report one of the first things that was brought to everyone's attention immediately was that we were digging out the dead branch. Backhoes were sent down there. Unfortunately, the sand was too saturated and the equipment was being buried down there. Rather than risk losing equipment and jeopardizing the individuals trying to dig it out – they did get some dug out but not sufficient enough for Mr. Haas. I do understand the situation. We have dug it out in the past. Typically we do that in the wintertime when the threat of flooding comes from ice. In the wintertime the ground is a little harder down there and it makes it a lot easier. That sand was saturated. We had to take the loader down there to even get the 4-wheel drive Case out of there that we sent down. We made every attempt to get that open and unfortunately it did not work.

Mr. Morley: Is this something we can do on a preventative maintenance basis – certain time of the year when you see fit you can go down and take a look at it to keep it clear in case something like this would happen again?

Mr. Semik: One of the problems down there –and anyone who has been down there is fully aware of the situation – again, Monday morning staff meeting we knew the storm was coming in – they were already sent down there to open up the dead branch. We do this as a preventative measure and continue to do it as a preventative measure. One of the problems we had with that particular storm and a lot of storms in the winter time is the wind is typically out of the north/northwest. It will silt that right back in again. So, between the wind which was picking up at that time – the waves that were coming ashore at that time – there is just a small area to try to open up. Again, the attempt was made and some of it opened up but it was a losing battle. There was nothing we could do. Even if we had gone in there on Saturday the ground was saturated. The sand was like quicksand. You can't stabilize the equipment – it just won't work.

Mrs. Quinn-Hopkins: My question is – these gentlemen - the neighbors – all went down there with shovels and were digging it out themselves – at risk of their lives. I don't understand how they could do it but you guys couldn't – that is my question. How does that work?

Mr. Semik: I don't have an answer for that. I would not put anyone down there in harm's way.

Mrs. Quinn-Hopkins: They did. Our citizens did that. That is scary.

Mr. Semik: I understand that. Personally, I don't know if that is something I would have recommended even taking part in myself. If something would have happened to one of those gentlemen and they would have been washed out then you would have had a situation with the Fire Department search and rescue. Now you are putting the Fire Department people in jeopardy.

Mrs. Quinn-Hopkins: Wait a minute – they did do it and they did not get hurt.

Mr. Semik: Mrs. Quinn-Hopkins, that dead branch will blow itself out. Given the height of the water and the current it will eventually push itself out. I have seen it happen. This is not the first time. I have been doing this for 19 years and I have seen that river do a lot of amazing things and one of them is if that main branch gets to the point where it starts backing up because the current coming back into it slows it down it will build up on the dead branch and it will push it out – it will. I have seen that area in the 19 years that I have been down there – I have never seen it breach where it would flood down there. I have seen that clear itself out. It will do it on its own if left alone. We do it as a help and if we have the opportunity to do it we will do it. Sending people down there with shovels – I would not recommend it. I would not put anyone in jeopardy.

Mrs. Quinn-Hopkins: They were scared.

Mr. Semik: I am sure they were. But, again that is not something I would recommend. I don't choose to put anyone in harm's way.

Mrs. Quinn-Hopkins: I think in hindsight maybe if we could have communicated that to the citizens down there – that the river will blow itself out somehow – but, the lack of communication could have cost these gentlemen their lives and that is all we really needed – to communicate that probably.

Mr. Semik: I am sure if Mr. Haas would have gotten back with me – he did not leave a number – I had no way of contacting him but by email. We were doing everything possible.

Mr. Morley: I suggest if we can try to keep an eye on that throughout the year. Obviously these storms come from nowhere and cause havoc. I agree, I don't like to hear the residents put their lives in danger but we also cannot put our employees in danger if we feel there is a life threatening thing. We need to keep up on that and I will talk with the Mayor when he gets back.

There was no one else who wished to speak.

LEGISLATION PROPOSED - First number will be 2012-070

Requested by: Administration
Sponsored by: Planning Committee

ORDINANCE NO.: 11-13-(01)
An Ordinance authorizing the issuance of a Conditional Use Permit to Vista Consulting, Inc., 150 Christine Court, 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.

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. 2012-070.

- - - - -

Requested by: Planning Commission
Sponsored by: Planning Committee

ORDINANCE NO: 11-13-(02)
An Ordinance authorizing the issuance of a Conditional Use Permit to 5945 Andrews, LLC, dba El Palenque, 35520-35550 Vine Street, 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. 2012-071.

– – – – –

Requested by: Administration
Sponsored by: Planning Committee

ORDINANCE NO.: 11-13-(03)
An Ordinance amending Ordinance No. 1999-083, adopted June 22, 1999, and authorizing the issuance of a Conditional Use Permit to Karen Hayes Interiors, Inc., 37703 Lakeshore Blvd., 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.

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. 2012-072.

– – – – –

Requested by: Clerk of Council
Sponsored by: Council

ORDINANCE NO.: 11-13-(04)
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. 2012-073.

– – – – –

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 was absent and excused.

LAW DIRECTOR – Randy Klammer

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

There were no questions of Mr. Klammer.

FINANCE DIRECTOR – Mike Slocum

Mr. Slocum: We are working on the certifications for the tax duplicate. I would like to thank our Law Director who negotiated with the County Prosecutor. We will be billing in 2012 the storm water assessment on the taxes next year. In addition we will be collecting any delinquencies – putting our final garbage delinquencies on the tax duplicate. We will be assisting in the collection with Republic on putting them on the taxes. I anticipate that by Thursday I will have a draft of a revised agreement with Cascia on the field and I would appreciate it if we could get that into the Finance Committee next week to discuss. It will be very similar to what we have had but there have been some modifications. I am open for questions.

Mr. Morley: For those in the audience, the storm water fee was the \$6 fee that used to be on the garbage bill. Now that we do not bill anymore instead of sending out a separate piece of paper for \$6 – obviously we got some complaints last year – so, Mr. Slocum has worked with Mr. Klammer and it will go on the taxes.

Mr. Slocum: We had passed legislation earlier this year which allowed me to put a \$25 assessment for the storm water. As this is the only time we will be putting delinquencies on I am not going to put the \$25 on. We will just get it through once and be done with the whole operation.

Mr. Licht: In talking about the storm water, I was wondering if there has been anymore looking into the residential fee versus the business – which was brought up by a resident.

Mr. Slocum: I really have not. That will require a study that is outside of my pay grade – breaking out as to how – we have to classify the properties. I think it is more of an engineering type of study that needs to be done. I am not prepared to do it.

There were no questions of Mr. Slocum.

CITY ENGINEER – Tom Gwydir

Mr. Gwydir: We turned in the OPWC issue application on November 1st for Erieview and did a bit of deed research at the request of Mr. Klammer and some other miscellaneous matters. I am open for questions.

Mr. Klammer: Mrs. Quinn-Hopkins, the deed issue he referenced for me was for you. You may have been cc'd on it but I have a packet here.

There were no questions of Mr. Gwydir.

SERVICE DIRECTOR – Mike Semik

Mr. Semik: We are in the process of picking up leaves and are on schedule. However, the 30-yard leave box that I alluded to earlier is down and it will cost us \$3,000 to \$4,000 to get a new clutch. It is a 1986 machine and will be down for probably another week or two and it will be well past leaf season. I also want to remind everyone if you have an opportunity in your news letter to remind that putting the leaves in the street not only creates a hazard on the streets but causes problems with the catch basins. I have a crew that has been working the entire summer cleaning catch basins to try to eliminate issue we have been having. We have been finding some calcification and things in there that leads to additional flooding throughout the City. We are mandated by the EPA to get this thing done within about 3-year's time. Putting leaves in the road does not help. Grass will come back in the spring time. Had we had a cumulative snow today you all would have been receiving calls from residents complaining that the snow plow guys pushed the leaves back in their yard or driveways. They belong on the tree lawns. This concludes my report and I am open for questions.

Mr. D'Ambrosio: Mr. Semik, I know you have a Service Department employee that got injured pretty bad during the storm – any update?

Mr. Semik: Yes, one of our employees was called in about 11:30 as the storm was progressing – I had two gentlemen already in getting some pumps ready. Unfortunately our Service Department 1964 generator did not kick on and he went to jump the battery to start the generator and it exploded in his face. We attempted to wash his eyes out – the squad rushed him immediately to the hospital and the preliminary prognosis was that he had extensive damage done to his left eye. That has been healing nicely. He has returned back to work. He still has a small cut on the left eye and some residual burns. The prognosis is good. Guys were running around trying to get things done – procedures may not have been properly followed in venting that building because the generator happens to be in a closed area that allowed for the sulfur in the battery to overheat and cause it to explode.

Mr. D'Ambrosio: Tell him we asked about him.

Ms. Vaughn: I spoke with him and made sure he did have his safety glasses on. The acid back splashed underneath the glasses and got in his eye. He did use the proper precautions.

Mr. Semik: Part of the glass got in his eye and cut a little triangle into it.

Mr. Hoefle: I would also like to thank you for getting back to me in a timely manner. There was a large tree that came down on Kenilworth and I did communication with Ms. Vaughn on several occasions. I went down there and it was really nice to see on Sunday there were about 20 residents with chain saws and they all pulled together and worked for several hours to help clean up the yards and cut up the branches. You were very helpful with all our communications back and forth as to what to do with wires and everything. I was able to communication everything back to the residents.

There were no further questions of Mr. Semik.

CHIEF BUILDING OFFICIAL – John Stigalt

Mr. Stigalt was absent.

POLICE CHIEF – Larry Reik

Chief Reik: I appreciate the comments from Council in regards to the storm. I think our Dispatch and Fire take care of a lot of it. People don't have anyone to call – cannot call the Illuminating Company so they call us. They were flooded with calls the entire time. Once power gets back on and the real emergencies that our out there our Fire Department has to deal with those. We came up with some things to hopefully help with the future. There were a few radio issues with Service and we got them straightened out. A lot of the red tape comes with the Illuminating Company not giving us the information – what lines are down and dead that we can take care of to at least alleviate some traffic and what lines are down and need to be disconnected. A lot of times we will get out there and not have the right information for Service or anyone else to get the branches out and it is not worth risking a life to get out there just to get a road open or restore someone's power. Hopefully, when things do calm down we will get a few contacts with the Illuminating Company to have that information as to an area where an area is totally dead and has to be grounded so electricity does not back up and cause injury. As to the Community Christmas – it does not have to be a full day commitment. If you will call us as to what time you would be available we will have that available for other people so we can plug each other in so we don't have eight people at one time and no people for another time. I am open for questions.

Mr. Klammer: Is there an age range for the presents?

Chief Reik: *(comments from the audience could not be heard)* A lot of the older kids get gift cards and we try to do some of the smaller electronics. The families do get a pretty could haul out of there and it is to make sure the kids get some enjoyment out of the holiday. They have done a great job for years. I am just kind of following their lead.

Mr. D'Ambrosio: Wasn't there a time in the storm where the cell phone usage was down in the City?

Chief Reik: We had sporadic use of cell phones. We had problems along the river.

Mr. D'Ambrosio: Has that ever happened before? I thought government phones were to have a different access.

Chief Whittington: They get priority access but if you cannot get a signal it does not matter.

Chief Reik: On top of that our Departments lost power too. We both have generators and an uninterrupted power source. We learned and have since worked to alleviate – there were parts of dispatch that were not supposed to be part of that and we had outlets wired into the same box. We are going to get that alleviated. But, at the same time people out there were without power we have some limited power but we did not have the amount of capacity we would normally have.

There were no further questions of Chief Reik.

FIRE CHIEF – Ted Whittington

Chief Whittington: I know we talked about the storm a lot tonight. Obviously the Directors were planning but we do find gaps. Mr. Haas has brought up some valid points along with Council. As one of the emergency planners for the Community and it is a responsibility that I take very serious something that needs to be said is obviously we take these concerns under advisement and we continue on and make sure those are things we are very conscious of and make sure we correct. Along with the communication even with the cell phone issues – rest assured the radio system we just put in with the County worked without any flaws. There was never a time when we did not have communication with ground troops through dispatch. We never really had a problem. Cell phone use is nice at 4:00 a.m. when I am by the river and need to call Dispatch as opposed to tying up radio traffic. We always had that under control. I know I spoke with some on Council regarding an evacuation center. I think one thing we need to make sure we are all on the same page with is we have always used the Community Center as a place to shelter people but true evacuation centers have places to house and are staffed with people who can provide medical care and a place where people can sleep and be fed. We truly do not have that kind of system set up in the City so we had County facilities that were true evacuation centers. The day of the incident Mentor had their senior center opened with Red Cross was staffing it and they could provide food and had a support system in place. As much as we can use the facilities in the City for shelter real true evacuation centers will probably not ever be something we can use and we will have to have resources from the County. I know the term can be misleading but we do not have an evacuation center – we have shelters where we can place someone temporarily until they can get somewhere long term. We did lose that ability – we lost power at the Community Center. When we flood that is what we use. That was just another gap we found which we need to be conscious of as we go on with the planning. What I don't want to lose in the translation of all this is the City workers did come together and the City workers executed the plan that was put forth for them. That night the Service Department, Police Department, Dispatchers, Fire Department personnel executed the emergency plan pretty flawlessly. They did it in extreme conditions and they did it under call volumes we normally do not have to experience. At the Fire Department we average about 220 calls a month and we were doing about 100 in 17 or 18 hours. We were really stretching ourselves out. Not to be political, but, everyone is aware we have lost staffing and to really be able to answer those calls and offer

protection it needs to be considered that the City workers did work admirably and got anything the residents needed – at least in the emergency – taken care off. We will find gaps as we go along and I know there are concerns but the one thing we can pass on to people like Mr. Haas is to assure him that his concerns are not unfounded and that we understand that and as we develop plans in the future we will continue to revise those plans. If I can offer that up to help with things as we go along – to say we understand. I know I talked with Mr. D’Ambrosio about concerns people had on East 351st Street. We have tried to address them. We were triaging incidents we normally would not do. But, when you are getting that kind of call volume and going to an area and seeing trees down with wires arcing it was at that point unfortunately not a priority – we would mark it with fire line tape to try to let people know not to go by it and we would have to rely on them to use their common sense. We had a garage fire and a structure fire and people getting sick throughout the night. The Police were answering calls for Service. I know Mr. Semik was in the command post with us throughout the night and we would send Service workers to send out for lines down when we normally use emergency people. I think that the residents need to know we did our best and I think under the circumstances as the Fire Chief I was proud to see how everyone performed. The gaps will get filled. I know there is concern about what happened in the harbor area. We can fill that and make sure in the future we do better as a City to make sure for Mr. Haas. I am open for questions.

ADJOURNMENT

The meeting was adjourned at approximately 7:35 p.m.

DENNIS MORLEY, COUNCIL PRESIDENT

APPROVED: _____

ATTEST: _____
DEBORAH A. CENDROSKI,
CLERK OF COUNCIL