

**EASTLAKE CITY COUNCIL
SPECIAL COUNCIL MEETING MINUTES
NOVEMBER 29, 2011**

The Regular Meeting of the Eastlake City Council was held at Eastlake City Hall, 35150 Lakeshore Boulevard. The Meeting was called to order by Council President Mr. Morley at approximately 6:00 p.m.

The Pledge of Allegiance was recited.

ATTENDEES

Members of Council in attendance were Mr. Knuchel, Mr. Matheke, 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 Mayor Andrzejewski, Law Director Klammer, and Finance Director Slocum.

COUNCIL PRESIDENT'S REPORT

Mr. Morley: As you know this is a Special Council meeting and is different than our meeting on the 2nd and 4th Tuesdays of the month. This evening's meeting is in regards to resolutions to resubmit levies for the March ballot.

RECOGNITION OF THE PUBLIC: ½ hour, 3-minutes per person
Nancy Colo, 273 Shelton Blvd., Eastlake, OH

Ms. Colo: I am here today because I wanted to address the issue of the City of Eastlake needing tougher dog laws. On Thanksgiving night about 7:00 p.m. I went for a walk and when I turned onto Green I passed the park and all I had on me were my pants, t-shirt, a sweatshirt and my I-POD. From the back a dog came up and took a chunk out of the back of my leg. I turned around and there was another dog with him. They almost knocked me down but I got my footing. Then they switched and one attacked from the front right and one attacked from the left in the back. It was relentless and went on for several minutes. I was screaming and someone eventually called the police. I do not remember how I got away from them. I don't know. All I know is I was being bit and the next thing I know I was a couple of houses up. There was a man in the street with the dogs and I was yelling at him are those your dogs because I wanted to know for the sake of rabies. The first thought that went through my mind was Holy shit – I am being attacked by two dogs and the second one was they don't have collars on – if they are strays I have to go through rabies. So, the man in the street did not answer and I yelled a couple more times. I did not want to go back that way. I just wanted to go home. A lady had come out of her house and helped me. That is when I realized exactly how bloody I was. I think it is horrible that this man still has these dogs for a number of reasons. The totality of the attack was tremendous. This was not a random thing – these were two different breed of dogs by the same owner – they had a pack mentality in the way they attacked me. My kids like to go with me on my walks and I thank God I was being selfish that night and wanted to go by myself because I am positive that they would have been knocked down and I would not have been able to beat the dogs off. If they would have got their neck they would be dead. The dogs had no collars and no tags on. This is a repeated pattern. The cops were called about the same dogs running lose earlier that same

day. He lives right by a park. My kids play there. There are a lot of young kids that play there and people walk their children and elderly people – the woman that took me in – her husband walks with a walker. They would not have been able to fight off those dogs. I saw the surgeon on Monday and he told me my recovery will be at least a year. There is significant damage to the tissue that is not even visible. I am going to have a lot of permanent scars. My life is interrupted. He will get at most a \$100 fine. I had plans with my youngest daughter this weekend that I could not do. I can't do their school activities this week. Christmas is coming up and we are spending \$15 a day on bandages. And all he gets is a \$100 fine at the most. The way the law is written there are no differences in a dog running loose down the street and tearing someone's legs apart. This is what those two dogs did (*Mrs. Colo showed her injuries to Council*). It was not just a dog bite – it was an attack. This man who said that he did not even know I was bitten – there was blood on the street, pieces of my pants were ripped and torn away and pieces of me were ripped and torn away. Those dogs had to have blood on them and he claimed he did not know that I was bitten. This needs to change.

Mr. Morley: As I told you on the phone today I have sent some information to our Law Director and Police Chief. Once the Chief is back in town we will get some more information from him. We will look to see if there is anything we can do on the laws. I understand your frustration. As I told you today on the phone I cannot imagine because I have never been attacked by dogs. I cannot imagine what you are going through. That is what we can do and as I said we will get in touch with you if we hear this in Committee if you have any thoughts on the issue. We will go by the law between the State of Ohio, the County and if there is anything anywhere else. Our Clerk has looked at the surrounding cities to see if there is anything that we can look into right now. I hope that helps you.

Mrs. Colo: I just wanted to say my peace.

Mr. D'Ambrosio: Mr. Klammer, I don't know if you had a chance to look into this at all – do our laws pretty much follow what the County has? In a situation like this do we have to approach the County to make theirs stricter?

Mr. Klammer: I do not know anything about the County – I couldn't imagine there would be something. But it was emailed to me today. I did not know about the bites so I was trying to learn the issue. Was it a dog at large – was it an attack? This is the first I am hearing what actually happened. I will meet with the Chief and find out how often these things come up. I do not know if there is a Revised Code provision on dog bites. I will have to look at all that. As soon as they learned about it they sent it over right away. I feel badly you went through that – it is a terrible experience. I will email back as soon as I know something.

Ms. Vaughn: Mr. President, aren't there some cities with ordinances dealing with vicious dogs and dogs at large? Dogs that are labeled vicious by their history?

Mr. Klammer: There is. Usually they define those things by breed – without knowing the breed – it sounds to me...

Ms. Vaughn: Maybe by incident instead of breed.

Mr. Morley: We will follow up with the Police Department about them already being over at the house that day.

Mr. Klammer: It will just take some time.

Mrs. Cendroski: I obtained some ordinances from other cities and also the Ohio Revised Code statute. I will forward them to you tomorrow.

Mr. Klammer: Sure, and I will look at what we can do with it. Thanks.

Mr. Morley: I have your contact information. I will, or someone will, get in touch with you on where we are on this.

Mayor Andrzejewski: Mr. Klammer, when you meet with the Police Chief include me.

Mr. Klammer: Absolutely.

Mr. Matheke: Mr. Klammer, I just want to express that if she was walking down a street and a human inflicted the wounds on her that she got from these dogs that person would be sitting in jail right now and probably facing some very serious charges. For this to go to a \$100 parking ticket because these dogs got loose is just not right. The punishment sure does not fit the crime here. If we need to strengthen our ordinances we need to do that. There has to be something somewhere. You have connections with the prosecutor's office – maybe we can find something because this cannot go this way and this person gets off with a \$100 ticket. It is unconscionable.

Mr. Klammer: I will certainly look at it. It happened relatively recently and I think we are all just hearing about it. The Chief is out of town but I will get with him.

There was no one else who wished to speak.

LEGISLATION PROPOSED – First number will be 2011-147

Requested by: Administration

Sponsored by: Council

RESOLUTION NO.: 11-28-(01)

A Resolution submitting to the electors of the City the question of an additional 1.0-mill tax for the purpose of current expenses, and declaring an emergency.

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

ROLL CALL: Yeas unanimous.

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

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Resolution No. 2011-147.

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Requested by: Administration
Sponsored by: Council

RESOLUTION NO: 11-28-(02)

A Resolution submitting to the electors of the City the question of an additional 1.5-mill tax for the purpose of providing and maintaining motor vehicles, communications, other equipment, buildings, and sites for such buildings used directly in the operation of a Police Department, or the payment of salaries of permanent or part-time police, communications, or administrative personnel to operate the same including the payment of any employer contributions required for such personnel under Section 145.38 or 742.33 of the Revised Code, or the payment of the costs incurred by Townships as a result of contracts made with other political subdivisions in order to obtain police protection, or the provision of ambulance or emergency medical services operated by a Police Department, and declaring an emergency.

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

ROLL CALL: Yeas unanimous.

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

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Resolution No. 2011-148.

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Requested by: Administration
City Sponsored by: Council

RESOLUTION NO: 11-28-(03)

A Resolution submitting to the electors of the the question of an additional 1.5-mill tax for the purpose of providing and maintaining fire apparatus, appliances, buildings, or sites therefore, or sources of water supply and materials therefore, or the establishment and maintenance of lines of fire alarm telegraph, or the payment of firefighting companies or permanent, part-time or volunteer firefighting, emergency medical service, administrative, or communications personnel to operate the same, including the payment of any employer contributions required for such personnel under Section 145.48 or 742.34 of the Revised Code, or the purchase of ambulance equipment, or the

provision of ambulance, paramedic, or other emergency medical services operated by a Fire Department or firefighting company, and declaring an emergency.

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

ROLL CALL: Yeas unanimous.

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

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Resolution No. 2011-149.

LEGISLATION PENDING

There was no Legislation Pending.

UNFINISHED BUSINESS

There was no Unfinished Business.

NEW BUSINESS

There was no New Business.

ADDITIONAL COMMENTS

Mr. Morley: Mayor, I have received a few emails and calls about where we are at. Obviously there are people who are upset that we are putting the levy back on already in March. Where are you on whatever cuts are going to be made?

Mayor Andrzejewski: We are still working on it?

Mr. Morley: Do we have a time frame at all?

Mayor Andrzejewski: As you know I took today off but I came in and spoke with Mr. Slocum. He is finishing up the analysis of what the existing budget is so we know our starting point. He is also looking at the revenues for next year so we know how much revenue we are going to get so we have a pretty exact number we can work with. At that point Mr. Slocum and I will sit down and look at the cuts that each Department gave us and analyze those and come to you with our recommendations. It is moving along – we just want to make sure – I know Mr. Slocum does – he wants to make sure his numbers are pretty accurate and we make as many cuts as we need to do without going overboard. That is why we need to be exact.

Mr. Morley: Mr. Slocum?

Mr. Slocum: What I have been working on this week – last week we went through the meeting with Moody's and we should have a result either tomorrow or Thursday as to where

we are with our bond rating. After that we will be looking to go into the bond market with the bonds we have – the better the rating the more they will generate for us. What I have been spending time on this weekend and these last couple days is insuring we have a very stringent standard as to how we are classifying cuts and the like. For example, with the Fire Department – last year they lost three people and they have still lost those three. The fact that they will not be in the budget for next year do we say – well, you started with 27 last year and you are at 24 now make the cuts from 24 or do we go back to the 27 so we equalize it between the Departments. Some Departments have made cuts already as the Fire and Service have – other Departments have not made the cuts. I have had to put the employees back into the budget for 2012 and in addition I have been working on projecting what I think the revenues will be for 2012 and what I think the expenses will be – with everything added back in. Once we have added that back in we will start the subtraction process. I worked extensively with Mr. Vuckovich today. I think I have an idea right now what gap we need to fill. I want to sleep on it tonight and take a look at it tomorrow to make sure I don't have any glaring errors because there is a ton of calculations. I am hoping by end of day tomorrow I will now exactly what we need to do. We will take the cuts that have been given us and we will score them – when I say score them will this generate the savings that are claimed and go from there – is it a realistic plan? For example, if everyone says we are not going to buy any more diesel or gas – well, that is not a realistic cut to maintain any operation. You may use less diesel and gas if you have a plan to go with that. There is a lot that goes into scoring the cuts to make sure they are in fact doable.

There were no further questions or comments.

ADJOURNMENT

The meeting was adjourned at approximately 6:17 p.m.

DENNIS MORLEY, COUNCIL PRESIDENT

APPROVED: _____

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