

**EASTLAKE CITY COUNCIL
REGULAR COUNCIL MEETING MINUTES
MAY 12, 2009**

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. Elshaw at approximately 7:30 p.m.

The Pledge of Allegiance was led by Mr. Morley.

COMMENTS:

Mr. Elshaw: I would like to remind everyone to please silence your cell phone.

ATTENDEES

Members of Council in attendance were Mr. Morley, Mr. D'Ambrosio, Ms. Vaughn, Mr. Lajeunesse, Mr. Knuchel, Mr. Morley and Council President Mr. Elshaw. Also attending was Council Clerk Mrs. Cendroski.

Those attending from the Administration were Mayor Andrzejewski, Finance Director Mr. Condron, Law Director Mr. Klammer, Tax Administrator Mrs. Keneven-Zanella, CBO Mr. Stigalt, City Engineer Mr. Gwydir, Police Chief Ruth and Fire Chief Whittington.

APPROVAL OF MINUTES

PUBLIC HEARING – APRIL 28, 2009

MOTION: Mr. D'Ambrosio moved to approve the minutes of the Public Hearing regarding a Conditional Use Permit for Auto Dynamics, LLC, 35060 Lakeland Blvd., Eastlake. Mr. Knuchel seconded.

ROLL CALL: Yeas unanimous.

Motion carried. The minutes were approved.

PUBLIC HEARING – APRIL 28, 2009

MOTION: Mr. D'Ambrosio moved to approve the minutes of the Public Hearing regarding a Conditional Use Permit for Final Score Sport Bar & Grill, 33329 Vine Street, Eastlake. Mr. Knuchel seconded.

ROLL CALL: Yeas unanimous.

Motion carried. The minutes were approved.

REGULAR COUNCIL MEETING – APRIL 28, 2009

MOTION: Mr. D'Ambrosio moved to approve the minutes of the Regular Council Meeting of April 28, 2009. Ms. Vaughn seconded.

ROLL CALL: Yeas unanimous.

Motion carried. The minutes were approved.

COUNCIL PRESIDENT'S REPORT – Mr. Elshaw

Meetings Scheduled

Mr. Elshaw: A Council-as-a-Whole Committee Meeting is scheduled for Tuesday, May 26, 2009 at 7:00 p.m. The Regular Council Meeting is scheduled for Tuesday, May 26, 2009 at 7:30 p.m.

As many have heard Councilman Zontini resigned from his position as Councilman-at-Large effective May 5, 2009. We wish him the best of health and good luck in his future endeavors. Having said that, we do have an opening that must be filled within thirty days. We have advertised that we are looking for resumes for the position and the deadline is set for Monday, May 18, 2009 at close of business. Please submit any resume to the Council office. Based on the response we receive we will start to set up the interview process.

COMMUNICATIONS & PETITIONS

An expenditure request was received from the WPCC for the Final Clarifier Replacement Project. This was referred to Finance Committee.

A bid advertisement request was received from the Administration for an emergency generator for the Police Department. Mr. Elshaw explained that this would be referred to Service/Utilities Committee however without a Chairman this matter is referred to Finance Committee.

COUNCIL COMMITTEE REPORTS

SERVICE/UTILITIES COMMITTEE -

There was no Service/Utilities Committee report.

SAFETY COMMITTEE – Mr. Morley

Mr. Morley: The Safety Committee met on May 5, 2009 with himself and Ms. Vaughn present from the Committee. Mr. Zontini was absent and excused. Others in attendance from Council were Mr. Knuchel, Mr. Lajeunesse, Mr. D'Ambrosio and Council President Mr. Elshaw. In attendance from the Administration were Chief Ruth, Chief Whittington, Finance Director Condron, Mayor Andrzejewski, Fire Marshall Futchi, CBO Stigalt and Police Lt. Doyle. The Committee discussed one item – a bid advertisement for a three year towing contract. Our contract ends on June 30th – this is for the towing for the DUI's, any accidents in the City or any towing needed by the City Departments. This bid advertisement appears on the evening's agenda. This concludes my report and I am open for questions.

There were no questions of Mr. Morley.

RECREATION COMMITTEE – Mr. Lajeunesse

Mr. Lajeunesse: The Recreation Committee has not met since the last regularly scheduled Council meeting. However, the Citizens Recreation Advisory Committee did meet on Thursday, April 30th at 6:30 p.m. It was well attended by the various leagues and organizations as well as other residents. It was quite a positive meeting and it was led by Mr. Semik and myself. At this point Don Little, a member of the Police Department and the Director of PAL, will be the Chair for the Advisory Committee. The intent of the Committee will be based on the Ordinance passed November 26, 1996 – the Ordinance needs updated and as of this point we do not believe the by-laws can be found.

Mrs. Cendroski: I don't know if they were ever done.

Mr. Lajeunesse: Therefore, we have to re-establish the Citizens Recreation Advisory Committee. In doing research throughout the country the Recreation Advisory Committee does have quite a say in what goes on in the communities recreation and as far as the future of the communities recreation. In looking at this ordinance it reads:

“(c) The Citizens’ Recreation Advisory Committee shall discuss and make recommendations concerning planning and development of recreation facilities, submit ideas for recreation activities within the City and generally assist in creating a better line of communication between the City and its citizenry concerning recreation programs.”

Our next meeting will be on Thursday, May 21st at 6:30 p.m. and we will be meeting twice a month to get the Committee up and running properly and to re-establish what needs to be done with the recreation in the Committee. This concludes my report and I am open for questions.

There were no questions of Mr. Lajeunesse.

Mr. Lajeunesse made the following Motion:

Legislative Recommendation

MOTION: I hereby move to approve tentative agreement between the City of Eastlake and the Fraternal Order of Police/Ohio Labor Council, Inc. (Civilian Unit). Ms. Vaughn seconded.

ROLL CALL: Yeas unanimous.

Motion carried. The tentative agreement between the City of Eastlake and the Fraternal Order of Police/Ohio Labor Council, Inc. (Civilian Unit) is approved.

PLANNING COMMITTEE – Mr. D’Ambrosio

Mr. D’Ambrosio: The Planning Committee met on May 5, 2009 at 6:30 p.m. with everyone from Council present except for Mr. Zontini who was absent and excused. In attendance from the Administration were Mayor Andrzejewski, Law Director Klammer, Finance Director Condrón, CBO Stigalt, Fire Chief Whittington, Fire Marshall Futchi, Police Chief Ruth and Police Lt. Doyle. There were six conditional use permit renewals on the agenda that evening with four of the six being moved forward – one was moved forward to the Council-as-a-Whole Committee meeting. Two of the renewals we referred out of Committee with no action taken – this was recommended by the Tax Department as there are issues that need to be cleared up. There were four Conditional Use Permits on the agenda as well they were all moved forward for public hearings on May 26, 2009 – one was for WalMart which is requesting an amended Conditional Use Permit to expand the garden corral – it will take up two parking lanes and will take away about 88 parking spaces – they will stack some material in 6 foot stacks so there is no safety issue. This was moved forward. Another permit request for was HB II which was discussed in Council-as-a-Whole Committee – this was moved forward. Another was Erie Shore Beverage and Bait, 35608 Lakeshore Blvd. which involves an amendment to the Conditional Use Permit to sell propane – our Fire Marshall and Building Departments review this and there was no problem so this was moved forward. The fourth permit was for High Point Restaurant and Bar – there are two conditions – the first is that the conditional use permit is for the operation of a party center – the second condition is there shall be no simultaneous operation of the bar and party center. There was discussion on this and it was questioned how the City could enforce this – we decided to

move this matter forward and monitor them to make sure they are not operating the bar and party center together – we will give them a chance – there are conditions they have to comply with and if they don't comply the City will have to get involved and make sure that they do comply. I will be making the following Motions:

Conditional Use Permit Renewals

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

Cross Roads Motorcycle Tire & Brake Service, 1266 Hulett Avenue, Eastlake

Every Tire & Wheel, Inc., 34815 Vine Street, Eastlake

Kastner Daycare Center/Childcare on the Vine, 33122 Vine Street, Eastlake

Patrician Party Center, 35150 Lakeland Blvd., Eastlake

Mr. Morley seconded.

ROLL CALL: Yeas unanimous.

Motion carried. The Conditional Use Permit Renewals for Cross Roads Motorcycle Service, Every Tire & Wheel, Inc., and Kastner Daycare Center/Childcare on the Vine and the Patrician Party Center are approved.

Additional Comment

Mr. D'Ambrosio: Before I conclude my report this Saturday, May 16th the JFK Senior Center is having a spaghetti dinner from noon until 4:00 p.m. The presale tickets are \$6.00 for adults and \$3.00 for kids under 12 years of age and the door tickets are \$7.00 for adults and \$4.00 for kids under 12 years of age. They are going to offer a carry-out. It is a fund raiser so the more people the better. Everything is being catered and I plan on being there if I don't have to work and I encourage everyone to go. This concludes my report and I am open for questions.

There were no questions of Mr. D'Ambrosio.

FINANCE COMMITTEE – Mr. Knuchel

Mr. Knuchel: The Finance Committee has not met since the last regularly scheduled Council meeting, therefore, I have to formal report. As a few items have been added to my Committee this evening I will be communicating with everyone to schedule a date for a meeting. Mr. Klammer, have we received the final copy of the agreement between the City of Eastlake and the Lake County Captains?

Mr. Klammer: No.

Mr. Knuchel: Thank you. This concludes my report and I will be making the following Motion:

Legislative Recommendation

Legislation No. 05-12-(06)

MOTION: I hereby move to add Legislation No. 05-12-(06) to the evening's agenda declaring it Necessary to Renew and Existing 0.5-mill Tax Levy for the purpose of providing fire apparatus, capital improvements and equipment for the Fire Department and requesting the Lake County Auditor to Certify the total current tax valuation of the City and the dollar amount of Revenue that would be generated by that Renewal Levy. Mr. D'Ambrosio seconded.

Roll Call: Yeas unanimous.

Motion carried. Legislation No. 05-12-(06) is added to the evening's agenda.

There were no questions of Mr. Knuchel.

ORDINANCE COMMITTEE - Ms. Vaughn

Ms. Vaughn: The Ordinance Committee met on May 5, 2009 with myself, Mr. Morley and Mr. D'Ambrosio present from the Committee. Also in attendance from Council were Mr. Knuchel, Mr. Lajeunesse and Council President Mr. Elshaw. Mr. Zontini was absent and excused. In attendance from the Administration were Mayor Andrzejewski, Finance Director Condron, CBO Stigalt, Fire Marshall Futchi, Fire Chief Whittington, Police Chief Ruth and Police Lt. Doyle.

On the agenda that evening were several proposed amendments with the first being a request to amend 751.24 "Rates of Fare." Willoughby Taxi has asked for an increase from \$2.50 to \$4.00 for the first one-half mile or fraction thereof – after discussion it was approved and it appears on the evening's agenda as Legislation No. 05-12-(02). The next item on the agenda was an amendment to Section 939.26 "Sewer Service Charges" – this was discussed and is in compliance with Willoughby's surcharges for the WPCC and it appears on the evening's agenda as Legislation No. 05-12-(03). The next item was an amendment to Section 969.03 subsection (e)(2) which refers to fee waivers and adds the Eastlake Historical Society and deletes the Eastlake Chamber of Commerce because it is no longer active – this appears on the evening's agenda as Legislation No. 05-12-(04). Also discussed was an amendment to 1385.20 "Carbon Monoxide Detector" and provides that carbon monoxide detectors must be installed – this appears on the evening's agenda as Legislation No. 05-12-(05). We also discussed three ordinances from the Building Department regarding leaves and litter and after discussion we agreed to hold these matters in Committee pending review by our Law Director. We also had discussion on Section 155.01 "General Administration" but held the item in Committee for further discussion. This concludes my report and I am open for questions.

There were no questions of Ms. Vaughn.

RECOGNITION OF THE PUBLIC

Mr. Elshaw 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.

Dan Cmarik, 37194 Green Drive, Eastlake

Mr. Cmarik: This concerns Issue No 7 which was passed November 4, 2008 – it has been six months and I have a sheet of paper that was put in the local newspaper by Mr. Tesar who wanted this issue passed. It concerns the property between East Overlook and Green Drive and the woods that are there. I will read this and then I have some comments to make:

"Issue 7 will put an end to *inaudible* homes for the community, provide safe passage for school children, *inaudible* and provide a turn around for fire and EMS vehicles.

That was six months ago. I understand there are no homes planned for there –as far as I know – and there is no turn around obviously. The problem is the woods shown in these pictures

which I will pass – this is an unsafe area. You can see the before and after – it should be the after and before – it should be reversed. It has become a dump site now – there are a lot of paint cans strewn around. It is completely impassable for a woman with a carriage, if you tried to ride a bike *inaudible* over branches. It is not only unsafe but it is unhealthy. I realize that something is about to be done but how long is this process going to take. You are going to fill a Council seat within 30 days when it has taken two years for something to be done. I have a suggestion – you should go in there – before you contact Mr. Tesar – obviously he does not want to be contacted or he would have responded to this and taken care of it – he did not hold up his part of the bargain. When he got your funds to fund this issue and it passed based on statements which are fraudulent at this point anyway. I have a suggestion. Don't wait to contact him and go through a protracted legal process that will go until next year – just go in there and clean it up for the kids. There are many kids who cut through for school, ride bikes and it is a bad situation. Somebody will get hurt. I want something done here – that is what has to happen. Clean it up and bill the guy. He already knows he is supposed to do this so if he is not going to pay for it he will have to pay for it through you. Otherwise I am going to have to involve the press and get a lawyer – I don't want to fight the City of Eastlake- I want you to help us. You helped to get this passed – it is only fair.

Mr. Elshaw: I have been in contact with one of the residents in the area who has kept me advised of the situation. I did talk to the Mayor, Mr. Stigalt, Mr. Klammer – this was two Council meetings ago I believe. A consensus was the first order was to contact Mr. Tesar – give him a chance to clean up this property. It is my understanding obviously that was not done. We made the attempt to contact him – I am not sure if we got a hold of him. But, that obviously has not happened. Mr. Klammer, you were going to try to contact him and find out what could be done on the property?

Mayor Andrzejewski: First of all *inaudible*. When this was all put together we thought we had a solution – we still have a solution. However, it is very difficult to deal with this guy. The agreement says that he is to put the path in when he builds the homes. Now, I asked Mr. Klammer to send his attorney an email – which he did – stating that we will go in and clean it up – he does not even have to do it – we will clean up the property and get the path clear. We are waiting for a response. The problem is – this is private property. You cannot go on private property and just do things. The Building Department does so in other situations where grass is not cut, trash is left out. We are in America – you just can't go in and say we are coming in like a police state and we are going to do this to you. We are working on this – we thought we had it solved when we said the path had to be put in win or lose. Unfortunately it also said when he builds the homes.

Mr. Cmark: Who put the language in?

Mayor Andrzejewski: Everybody did.

Mr. Elshaw: We all knew about the language in the contract – that is not a surprise. But, I have to go back to – we also knew – including Mr. Tesar – what the intent was. The intent was always to keep a path on the property. With that in mind I will turn this over to our Law Director because that is exactly what we had talked about the other day.

Mr. Klammer: I have not seen the property – unless the CBO has seen the property and seen some violation. Unless the CBO turns it in as a property maintenance violation.

Mr. Cmarik: It is. That is exactly what it is. It is a property maintenance violation – it is unsafe and unhealthy. Don't you have an easement?

Mayor Andrzejewski: We are on your side but you still – the zoning and property issues are for homes that have grass too high and trash. We are trying to find a solution but the thing is you just can't go on someone's property and take from them. This is America. I don't know what else we can do.

Mr. Cmarik: I can go to the press.

Mayor Andrzejewski: We are asking Mr. Klammer to put legal pressure on him. But, that is what we have to do. If it was your property you would not want to see us come in there and say we don't like this or that and we are going to swoop in and take care of it.

Mr. Cmarik: You can fine me though.

Mr. Elshaw: I think the resident has a point. We have discussed this – we know there is an issue – we knew what the language was – we also know what the intent was. That is why I did ask our Law Director to look into it.

Mr. Klammer: As the Mayor says we have to be mindful of everyone's interest. It is critical that we do not enter someone's property unless we have permission to do it. I am not sure if this is a property maintenance violation but that is not my determination – that would be Mr. Stigalt. The property owner can take the position if he wants to that no one should be trespassing on his property to walk through it. We have to try to do what we can to balance all the interests of the current property owner and neighboring residents and it was a significant accomplishment for the City of Eastlake in that we are guaranteed a path. Everyone, the City and Mr. Tesar deserves credit for that. But, the Mayor is absolutely correct – I would certainly not authorize anyone to go on that property and just start cutting and removing things without authorization by the owner to do so. Those are the difficult things that we try to balance and these are the difficult positions that Mayor and members of Council find themselves in on a daily basis – that we have to often balance the issues. This is a fine example. We will try to find a resolution. I have emailed Mr. Aveni and I have a good working relationship with him – if there is a resolution to be found I am sure we can find it.

Mr. Cmarik: Who determines a property maintenance violation?

Mr. Klammer: That would be the Chief Building Official?

Mr. Cmarik: Could you look at the property?

Mr. Elshaw: He has been asked to look at the property – Mr. Stigalt do you want to comment?

Mr. Cmarik: You are welcome to come over.

Mr. Elshaw: He has been asked to look at the property already – he has been aware. Do you want to comment or take another look.

Mr. Stigalt: I can look at the property tomorrow.

Mr. Cmarik: That would be great. And then we will hope for the best.

There was no one else who wished to speak.

LEGISLATION PROPOSED - First number will be 2009-044

RESOLUTION NO.: 05-12-(01)

Requested by: Police Chief Ruth
Sponsored by: Mr. Morley

A Resolution authorizing and directing the Director of Public Safety to advertise for bids for Towing Services, said bids to be in accordance with the specifications on file in the Office of the Director of Public Safety, and declaring an emergency.

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

ROLL CALL: Yeas unanimous.

MOTION: Mr. Morley moved to adopt. Ms. Vaughn seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Resolution No. 2009-044.

- - - - -

ORDINANCE NO: 05-12-(02)

Requested by: Administration
Sponsored by: Ms. Vaughn

An Ordinance amending City Ordinance Section 751.24 "Rates of Fare," of the Codified Ordinances of the City of Eastlake, specifically Section 751.24 (a)(1), and declaring an emergency.

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

ROLL CALL: Yeas unanimous.

MOTION: Mr. Vaughn moved to adopt. Mr. Morley seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Ordinance No. 2009-045.

- - - - -

ORDINANCE NO.: 05-12-(03)

Requested by: WPCC Superintendant
Sponsored by: Ms. Vaughn

An Ordinance amending Section 939.26, "Sewer Service Charges," of the Codified Ordinances of the City of Eastlake, specifically Section 939.26(d)(3) "Surcharges", and declaring an emergency.

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

ROLL CALL: Yeas unanimous.

MOTION: Ms. Vaughn moved to adopt. Mr. Morley seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Ordinance No. 2009-046.

- - - - -

Requested by: Administration
Sponsored by: Ms. Vaughn

ORDINANCE NO.: 05-12-(04)
An Ordinance amending Section 969.03, “Community Center and J.F.K. Park Center Use Regulations; Charges” of the Codified Ordinances of the City of Eastlake, specifically subsection (e) (2), and declaring an emergency.

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

ROLL CALL: Yeas unanimous.

MOTION: Ms. Vaughn moved to adopt. Mr. Morley seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Ordinance No. 2009-047.

- - - - -

Requested by: Administration
Sponsored by: Ms. Vaughn

ORDINANCE NO.: 05-12-(05)
An Ordinance amending City Ordinance 1385.20 “Carbon Monoxide Detector” of the Codified Ordinances of the City of Eastlake, specifically Section 1385.20(a), and declaring an emergency.

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

ROLL CALL: Yeas unanimous.

MOTION: Ms. Vaughn moved to adopt. Mr. Morley seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Ordinance No. 2009-048.

- - - - -

RESOLUTION NO.: 05-12-(06)

A Resolution declaring it Necessary to Renew an Existing 0.5-mill Tax Levy for the purpose of providing fire apparatus, capital improvements and equipment for the Fire Department and requesting the Lake County Auditor to Certify the total current tax valuation of the City and the dollar amount of Revenue that would be generated by that Renewal Levy, and declaring an emergency.

MOTION: Mr. Knuchel moved to suspend the rules requiring separate readings and reading in full. Mr. Lajeunesse seconded.

ROLL CALL: Yeas unanimous.

MOTION: Mr. Knuchel moved to adopt. Mr. Lajeunesse seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Ordinance No. 2009-049.

— — — — —
LEGISLATION PENDING (Placed on First Reading 04/28/09)

RESOLUTION NO.: 04-28-(12)

Requested by: Administration
Sponsored by: Mr. Knuchel

A Resolution authorizing and directing the Mayor and Director of Finance on behalf of the City of Eastlake (the “Grantee”) to forward payment in the amount of Thirty Thousand Dollars (\$30,000.00) to UNITED STATES OF AMERICA acting by and through the Administrator of the General Services Administration (the “Grantor”) for the release of Restrictions set forth in the deed dated June 20, 1964, recorded in the Recorder’s Office of Lake County, Ohio at Volume 601, Pages 40 , and declaring an emergency.

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

ROLL CALL: Yeas: Mr. Knuchel, Mr. D’Ambrosio, Ms. Vaughn, Mr. Morley, Mr. Elshaw
Nays: Mr. Lajeunesse

DISCUSSION:

Mr. Elshaw: Mr. Klammer, is this placed on Second Reading or do we vote?

Mr. Klammer: In the absence of Mr. Zontini, the Charter reverences members elected to Council – at this point the number of members of Council is six so five votes would be sufficient. I thank the Council Clerk for bringing the math to my attention.

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

ROLL CALL: Yeas: Mr. Knuchel, Mr. D’Ambrosio, Ms. Vaughn, Mr. Morley, Mr. Elshaw
Nays: Mr. Lajeunesse

Motion carried. Legislation is adopted as Resolution No. 2009-050.

UNFINISHED BUSINESS

There was no Unfinished Business.

NEW BUSINESS

There was no New Business.

ADMINISTRATIVE REPORTS:

MAYOR/SAFETY DIRECTOR – Ted Andrzejewski

Mayor Andrzejewski: I want to relay a phone call I got this morning so everyone can see what it is like sometimes to be Mayor. It was obviously an older Senior Citizen and she was screaming into the phone that I have to do something because her game show on TV is no longer there because of the digital transmission instead of analog. As Mayor, I was to put an end to this and put a stop to it – those were her words – do something now because her game shows are not coming through. After I calmed her down I had to get to the root of the problem. So, after many questions I finally determined that she had cable. I advised her she did not need a converter box if she had cable and that her stations could not have gone away because the digital transmission change does not happen for another month. After determining what channel she was watching I suggested that the cable company may have changed the channel for the show and I advised her to check Channel 13 to find out what channel her show was changed to. She did that and found her game shows. Those are the phone calls I get – you have to take care of this and you have to take care of it now because you are the Mayor. Mr. Condron and I have been working on the plan to pay off stadium debt –once we get the final numbers and plan we will ask for a special Finance Committee meeting because we can start paying those off later this year and we want to do that as soon as possible. We also applied for a CDBG grant of \$25,000 to cover the cost of our part-time zoning person. The Senior Center applied for a CDBG grant for \$80,000 to fix the roof. We also, with C.T. Consultants, submitted a plan for money through the new Transportation Bill in concert with the City of Willoughby to redo the bike path and to extend it from Lakeshore Blvd. all the way through Willoughby. The Farmers Market is open and we have had good comments – people like going there for fresh fruits and vegetables. The Flea Market will start the end of May. This concludes my report and I am open for questions.

Mr. Lajeunesse: Mayor, in regards to the part-time firefighters I saw a memo which stated that you and the Chief were to invite another Chief from another Community – since we have not had a meeting recently I wanted to make sure I did not miss anything. Will there be a meeting soon?

Mayor Andrzejewski: I will let the Fire Chief comment on this. I sent two memos over there requesting a meeting – I have attempted to set up that meeting on several occasions.

Mr. Lajeunesse: You talked resident Indra Shah in regards to a matter with Mr. Stigalt.

Mr. Elshaw: It has been handled – it was waived.

Ms. Vaughn: Mayor, do you want to mention the memorial services?

Mayor Andrzejewski: As always the Memorial Day Services will be held here – we are planning to do a rededication of the flags and invite several Community leaders to the ceremony – at the same time we will be dedicating the playground park in the name of Corporal Daugherty.

There were no further questions of the Mayor.

LAW DIRECTOR – Randy Klammer

Mr. Klammer: Mr. Mayor, I can only comment that with the sharing of your story it just proves that you solve all problems. Other than that I am open for questions.

There were no questions of Mr. Klammer.

FINANCE DIRECTOR – Brian Condron

Mr. Condron: The last two weeks we have been working with the State Auditors regarding the filing of our financial report. We are also in the process of closing out April and the report should be in the Council packages. This concludes my report and I am open for questions.

There were no further questions of Mr. Condron.

TAX ADMINISTRATOR – Angela Keneven-Zanella

Mrs. Keneven-Zanella: *inaudible*

SERVICE DIRECTOR – Mike Semik

Mr. Semik was absent and excused.

CHIEF BUILDING OFFICIAL – John Stigalt

Mr. Stigalt: We have been doing a lot of inspections – going after absentees and trying to catch up with our CUP's. I have been working with Mr. Klammer on a couple of issues with the Board of Zoning Appeals. Mr. Johnston stopped from the Western Reserve Community Development – he was looking at the homes to try to work with the money from the stimulus package. He is looking forward to doing it right away because of the time element in receiving the money. The Zoning Inspector and myself are working to find homes which are vacant – and also vacant lots – he brought in a tentative design of a home that would fit on the lots – it is very attractive. In anticipation of Mr. Lajeunesse's question about Mr. Shah – I worked with Mr. Shah to solve the problem but I wanted to mention that we are trying to follow the procedures and ordinances and I caution not to deviate by selectively choosing which shall follow the ordinances and procedures. We did have a positive result – he did submit the plans this afternoon and I have provided them to Mr. Gwydir for review – we should have that done in a week or so. This concludes my report and I am open for questions.

Mr. Lajeunesse: Thank you for turning that into a positive – I could not quite understand over the phone what he was referring to and I was about to go over there. But, Mr. Elshaw said it was taken care of and I appreciate it. Just for future references – is that something – it is going by the rules – it just seems a resident will call us after talking to you – if someone feels they are not getting the right answer they will call us and I go back and say it is the

Administration's job to handle the situation. I do not give them any advice except to call here.

Mr. Stigalt: Part of the problem was that was explained to the contractor and his architect fully – they both left with understanding all the figures and procedures to take back to their client. When it broke down Mr. Elshaw asked me to intervene to try to solve the problem. I tried to do that and Mr. Gwydir played an important role in it as well.

Mr. Elshaw: I appreciate both Mr. Stigalt and Mr. Gwydir looking into this – and Mr. Klammer – I appreciate that but I would agree with your comments earlier Mr. Stigalt that there should not be any special treatment for anyone. As it turns out – it is my understanding that this fee would have been refundable – is that correct?

Mr. Stigalt: Yes.

Mr. Elshaw: So, that resolved that matter. I would agree as far as special treatment. However, I guess – I did not want to get into all this but since we are talking about it – the general survey I had a difficult time – and I really appreciate the responses on it and the background on why it was necessary – I still am not clear on why it was necessary and I guess at this point we will let it go but in the future I don't want to see other residents go through the same thing. I still need to be clear on the issue of the survey.

Mayor Andrzejewski: The largest number of calls I get are from residents with resident to resident problems. Here is what happens in this City – most of the calls concern something to do with drainage – the City is on low ground – we have water problems. What happens is a neighbor decides to build a driveway and it is above the neighbors – where do you think the water will go – to the neighbors – they will have water problems. The Building Department goes out and C.T. Consultants say what has to be done and the person does not like it at first but eventually does it because we have to protect the neighbors. This happened where I live. One of my neighbors did a job and ended up upgrading ten inches – where do you think the water from his home comes – into my back yard and my neighbors' back yard. So, when the CBO tells them what they have to do according to the ordinances and building codes – and, they do not want to do it. They feel they don't have to do this. Before they contact you they contact me. It is tough to do but we show them why they have to do it – the Ohio Building Codes says they have to do it – our Ordinances say we have to do it. That is why we have to be very careful that we follow the Ordinances and the Building Codes. The CBO gets the grief and I get the grief long before you guys do. When you get it – it has already gone through a couple of steps.

Mr. Morley: I had a funny situation with Mr. Stigalt this week – a new resident moved into the City and the residents around him decided to go over there and ask him if he built up his land – the funny thing when I got Mr. Stigalt's memo last week – the person who complained is the one who had the sewer blockage in this back yard. I got calls for a week straight on that and Mr. Semik was working on it and Mr. Stigalt went over to the yard and found out the person who was complaining was the one who had the drain blocked.

Mayor Andrzejewski: It was a common yard drain?

Mr. Morley: Yes.

Mayor Andrzejewski: That is very common throughout the City. We have a lot of complaints about water draining onto other people's property. That is why we have to be very careful when people do additions and driveways.

There were no further questions of Mr. Stigalt.

CITY ENGINEER – Tom Gwydir

Mr. Gwydir: We have been working with the Administration on a path to rehab the bike path from Lakeshore Blvd. to Curtis and along Curtis to 361st Street and then to Willoughby. Once improved the bike path will extend from Mayfield Road all the way to Lakeshore Blvd. I have also been working on the Roberts Road railroad crossing and reviewing the information from CSX. We have been working on the Robin, Forest and King pump stations which are nearing completion. The Quentin Road pump station design is nearing completion. I met yesterday on the pre-application for Round 24 OPWC grant – I will be working on the Administration on these applications. Also, I have been working with the Building Department of various matters. This concludes my report and I am open for questions.

Mr. Knuchel: Is the bike path being changed from its present location.

Mr. Gwydir: We will go from Curtis Blvd. to East 361st Street and under the bridge.

Mayor Andrzejewski: Instead of over the bridge.

There were no further questions of Mr. Gwydir.

POLICE CHIEF – John Ruth

Chief Ruth was absent and excused.

FIRE CHIEF – Ted Whittington

Chief Whittington: I would like to thank the Council Clerk, Law Director and Finance Director for all their help in getting me through my first renewal process. It is a renewal levy – we use it for capital improvements. Right now we are working with the Finance Director to put aside some of the monies as we can for the pending radio transfer. As it is now the Fire Department is fortunate to have over \$500,000 – adding this to the Police Department we will be responsible for \$1 million. The levy pays for capital improvements – fire trucks *inaudible* Yesterday we swore in our new firefighter – he was sworn in and took pictures with his family and changed and went right to work. We are trying to get him on shift. We are also working on getting Chief O'Neal replaced. One firefighter who has been out on injuries as also he would be retiring. I have been notified by the Insurance Services office that they will be here to do their insurance survey which sets the standard for residential and commercial properties so apparently my schedule will be changed over the next few weeks. It has probably been ten years since we did this. *inaudible* I did receive a memo from the Mayor on May 5th asking that I schedule a meeting with Chief Zwegat of the Willoughby Fire Department. I sent a memo as of today explaining that I contacted Chief Zwegat and he advised he would not be available for a meeting and Mayor Anderson said if our Mayor had any questions he should contact him. I feel I handled this in a timely manner. *inaudible* This concludes my report and I am open for questions.

There were no questions of Chief Whittington.

ADJOURNMENT

The meeting was adjourned at approximately 8:30 p.m.

DEREK W. ELSHAW, COUNCIL PRESIDENT

APPROVED: _____

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