

**EASTLAKE CITY COUNCIL
REGULAR COUNCIL MEETING MINUTES
JUNE 22, 2010**

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 7:12 p.m.

The Pledge of Allegiance was led by Mr. Knuchel.

ATTENDEES

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

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

APPROVAL OF MINUTES

REGULAR COUNCIL MEETING – JUNE 8, 2010

MOTION: Ms. Vaughn moved to approve the minutes of the Regular Council Meeting of June 8, 2010. Mr. D'Ambrosio seconded.

ROLL CALL: Yeas: Ms. Vaughn, Mr. Knuchel, Mr. Lajeunesse, Mr. Hoefle,
Mr. D'Ambrosio, Mr. Morley
Abstain: Ms. DePledge

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, July 13, 2010 at 7:00 p.m. The Council meeting will be convened immediately following the adjournment of the Council-as-a-Whole Committee meeting.

There are a couple of events that are coming up in Eastlake. This weekend is "History Comes to Eastlake" on Saturday, June 26, 2010 from 10:00 am – 5:00 p.m. and Sunday, June 27, 2010 from 10: am – 4:00 pm. This is presented by Lake County's own Ramrod Busters. It is a historical encampment recreating life from the 18th and 19th centuries. The demonstrations will be on muzzle loading, cooking, tomahawk throwing and more. It's located at the Eastlake festival grounds on Erie Rd. and Lakeshore Blvd. across from the soccer fields. On Saturday, July 10, 200 p.m. Mr. Bill Wynne, author of the book Yorkie Doodle Dandy, about Smoky, will be at the War Dog Memorial 35754 Lakeshore Boulevard. Mr. Wynne will also be signing his book. Those are the two events I have from the veterans.

Motion to Approve Summer Break

MOTION: M. Lajeunesse moved to approve, in accordance with Article V, Section 5 of the Charter of the City of Eastlake the suspension of the last meeting in July, 2010 and the first meeting in August, 2010 for the summer break. Mr. D'Ambrosio seconded.

ROLL CALL: Yeas unanimous.

Motion carried. The 2010 Summer Break is approved.

COMMUNICATIONS & PETITIONS

A communication was received from Finance Director Slocum regarding the 2011 Tax Budget. This was referred to Finance Committee.

A Liquor License Transfer Request was received from John Werner Enterprises, Inc., dba Beef O'Bradys, 35400 Vine Street Unit J & Patio, Eastlake to Xtra Innings Bar & Grill, LLC dba Xtra Innings Bar & Grill, 35400 Vine Street, Unit 10, Eastlake. This is referred to Planning Committee.

A sponsorship request was received from the Eastlake Swim Team. This is for each Council person's individual consideration.

A communication was received from the administration regarding the account for funds received for the Ohio EPA Eastlake Service Yard Bioretention Demonstration Project Grant. This was discussed in Council-as-a-Whole and will be added to the evening's agenda as Legislation No. 06-22-(10).

A communication was received from the Administration regarding the Construction Administration and Inspection Services for the S.R. 283 Slide Failure. This is referred to Finance Committee.

A communication was received from the Administration regarding the E.347th St. and E. 348th St. Pavement Replacement Contract Award. This is referred to Finance Committee.

Additional Comments

Mr. Morley: Mr. Gwydir, on this last communication is there a certain date that it has to be passed because Mr. Slocum has given us something that we have to add on to Finance and we won't be ready to meet next week for a Committee meeting, therefore, we would have to meet the week after? Is that going to hold you up at all?

Mr. Gwydir: No. The week after will not hold us up. We just want to make sure we get it in before summer break.

Mr. Morley: It would be ready for the Regular Council Meeting held on July 13, 2010 before we go on break – so is that good?

Mr. Gwydir: That would be great.

Mr. Morley: Also, Mr. Slocum has asked if we need re-appropriation legislation. When we discuss the 2011 Tax Budget we will discuss the need for re-appropriation legislation. The legislation for the re-appropriation will also be referred into the Finance Committee.

COMMITTEE REPORTS:

FINANCE COMMITTEE – Mr. Knuchel

Mr. Knuchel: The Finance Committee has not met since our last regularly scheduled Council meeting. I will schedule a Meeting for July 6, 2010.

Legislative Recommendation

Legislation No. 06-22-(10)

MOTION: I hereby move to add Legislation No. 06-22-(10) to the evening's agenda authorizing and directing the Mayor and Director of Finance to enter into an "Ohio Environmental Protection Agency Surface Water Improvement Fund Grant Agreement" with the Ohio EPA for the recommended revenue amount of Sixty-Four Thousand Hundred Seventy-Nine Dollars (\$64,479.00), and declaring an emergency. Mr. D'Ambrosio seconded.

DISCUSSION:

Mr. Knuchel: I have a question for Mr. Slocum. What fund is that going into?

Mr. Slocum: It is going to the State Grants.

Mr. Knuchel: Then we are going to offset that with the improvements that we do - when we do them.

Mr. Slocum: Anything that gets paid will get paid out of that fund and any monies received will be separately segregated within that fund.

ROLL CALL: Yeas unanimous

Motion carried. Legislation No. 06-22-(10) is added to the evening's agenda.

Additional Comments

This concludes my report and I am open for questions.

There were no questions of Mr. Knuchel.

ORDINANCE COMMITTEE - Ms. Vaughn

Ms. Vaughn: The Ordinance Committee met on June 18, 2010 with all members of the Committee in attendance as well as Ms. DePledge, Mr. Knuchel, Mr. Lajeunesse and Council President Mr. Morley. In attendance from the Administration were City Engineer Gwydir, CBO Stigalt and Law Director Klammer. The first item we discussed was the new enactment for the "Small Wind Energy Systems" and "Solar Energy Systems" and it was recommended that they move forward with some changes to the initial legislation. They appear on tonight's agenda as Legislation No. 06-22-(07) and Legislation No. 06-22-(08). We then discussed changes to the penalties of the "Housing Maintenance and Housing Occupancy." They appear on tonight's agenda as Legislation No. 06-22-(05) and Legislation No. 06-22-(06) and we recommend that they move forward. Added were the fees for the "Small Wind Energy Systems" and "Solar Energy Systems" under 1301.01 and they appear on tonight's agenda as Legislation No. 06-22-(09). We then spent considerable discussion on a new Title Building Code Chapter 1383 "Housing and Property Maintenance." This is a very long, complicated process. We got through most of the definitions and we will continue to work diligently on this to have everything in an orderly fashion by early fall, I would hope. I would, also, like

to bring to everybody's attention that we had a meeting on June 16, 2010 with 60 residents from Ward 2 regarding the severe flooding that appeared in people's basements. I would like to thank the residents that showed up. I would like to thank Mr. Gwydir – who gave a very honest forthright report to the members of Council that were there which was Mr. Hoefle, Ms. DePledge, Mr. Knuchel and Council President Mr. Morley. Mr. Morley did a great job of monitoring the meeting. We all will be dealing with the Administration on this issues and suggestions and solutions for these issues. We don't have any firm answers and we don't have a quick fix, but I'm sure the Administration is working on it – correct Mayor?

Mayor Andrzejewski: Correct.

This concludes my report and I am open for questions

There were no questions of Ms. Vaughn.

SERVICE/UTILITIES COMMITTEE - Ms. DePledge

Ms. DePledge: The Service/Utilities Committee met on Tuesday, June 15, 2010 at 6:07 p.m. In attendance from the Committee were Mr. Hoefle and myself. Mr. Lajeunesse was absent and excused. In attendance from Council were Ms. Vaughn, Mr. D'Ambrosio and Council President Mr. Morley. In attendance from the Administration were Law Director Klammer, City Engineer Mr. Gwydir, CBO Stigalt and Finance Director Slocum.

Ms. De'Pledge: There were two items on the agenda for the evening and they were the bid advertisement for the HUD properties located at 773 East 347th Street, Eastlake and 259 Courtland Blvd., Eastlake. There was a suggestion made that the Finance Director be given the language added to the legislation to give the Finance Director 30 days to extend the bid period. That language has been added to the legislation and it's on tonight's agenda for approval. Currently there are no other items pending in the Service/Utilities Committee.

There were no questions of Ms. DePledge.

SAFETY COMMITTEE – Mr. Lajeunesse

Mr. Lajeunesse: The Safety Committee has not met since our last scheduled meeting, therefore, there is nothing to report this evening.

This concludes my report and I am open for questions.

There were no questions of Mr. Lajeunesse.

RECREATION COMMITTEE – Mr. Hoefle

Mr. Hoefle: The Recreation Committee has not met since our last scheduled meeting. I have nothing pending and nothing has been put into my Committee.

This concludes my report and I am open for questions.

There were no questions of Mr. Hoefle.

PLANNING COMMITTEE – Mr. D'Ambrosio

Mr. D'Ambrosio: The Planning Committee had a meeting on June 15, 2010. All members of Council were present. Mr. Lajeunesse was absent and excused. In attendance from the

Administration were Law Director Klammer, Assistant Director Hawkins, CBO Stigalt, and City Engineer Gwydir.

Mr. D'Ambrosio: There were two items on the agenda that evening. The first one was a Conditional Use Permit for Sherwin Shooting Sports, LLC 33140 Vine Street. This business has been in the same location since 1971. The gentleman never renewed his conditional use permit so he had to go through the whole process all over again. Mr. Stigalt was at the meeting and said that they never had any complaints from the original conditional use permit so there was no reason not to move this forward. We had some discussion on it and it was decided by the Committee to move it forward. There will be a Public Hearing on this July 13, 2010. The second item on the agenda that evening was for Karl W. Koch dba K & E Automotive, 1585 E. 361st. Street. This is going to be some light auto repair. Mr. Koch has been working out of his garage and he didn't want to bother his neighbors so he wanted to move into a building. Good for him - I give him credit for that. This was discussed by the Committee and it was moved forward and he will have a Public Hearing on July 13, 2010.

This concludes my report and I am open for questions.

There were no questions asked for Mr. D'Ambrosio.

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.

Steve Ostrowski. 32904 Edwards Ave., Eastlake

Mr. Ostrowski: We are having sewer backup problems and water drainage problems. Apparently you guys had filled in a creek behind our houses years ago. You didn't leave ample sewer drainage to get the water out of there. There is a lot of water damage going on by us. I've already discussed this with Mr. D'Ambrosio several times over. My driveway is heaving, my garage is starting to cave in at the back of it and the concrete is shifting. Recently I just started noticing my basement floor is starting to crack. All the water pressure when we get heavy rain - the water doesn't go anywhere and gets underneath my house just like a boat and it comes up and cracks. The City of Willowick on E.328 has a 4' wide ditch. The water is coming down there and is hitting the ditch and has nowhere to go. Your City Engineers did this - they put in an 8" pipe and back filled the hole that they had dug. When the Stanford's moved in there was already a 4' deep ditch. The water came down the street and it's jumping over and going right next to my house and my one neighbor's house. All this water is creating massive sewer backup problems. We are getting water shooting out of the sewers in the street. I'm constantly getting water in the basement. Every time we get a heavy rain I can't sleep anymore because I have to get up and do something. Your codes state that I cannot pump this water out of my house into the backyard because it's now considered sanitary sewage. I'm not allowed to drain that out to the back of the house just to get rid of the water. You have all this sewer backup problems. It's putting 20 lbs. of pressure in my house and my sump pump is only putting 5 lbs. of pressure out. There is no way for me to physically get this water out of my house. Several people on our street are having this problem and they asked me to come down here and discuss this with you guys. This has been going on for three or four years now. I've been discussing this with Mr. D'Ambrosio, we've had the City Engineer out there, we've gone through this and we've gone through this. They came out and they occasionally want to jet the drains and stuff like

that. Jetting the drains isn't working anymore. If you want to jet the drains that's great but you guys need to come out and do it every single week because we have driveways starting to shift because of all the water that is under my house. There are basements that are starting to shift – it's only a matter of time before the foundations start to crack. Who's liable for all this damage? This is something I want to know because you're City Engineer's backfilled this creek. It's against the law to impede the flow of water and not leave ample water runoff. Every time we get a heavy rain I'm shelling out \$500-\$600 from my deductible on my house and I'm losing thousands of dollars on top of that. Four or three years ago when we got that heavy rain I lost \$18,000 worth of stuff in my basement and I only received a \$5,000 check for it all. I just got hit again this past week and I had to throw another \$1,000 worth of stuff out. There's no need to call my insurance company because if you call your insurance company too many times they are going to drop you and then who's going to want to pick you up. I'm not in the flood zone. I would like something to please be done with what's going on with our street. I don't want this to be overlooked. I've discussed this for the last several years with Mr. D'Ambrosio. I'm losing sleep over this because every time it rains heavy I have to get up and do something. If we have to get lawyers or something involved in this I would love to do it. Your engineers created this mess and nothing is getting done to fix it. I would gladly sit down with your engineers to discuss what I see going on and what I know is going on. I do work for a general contractor. I've asked Mr. D'Ambrosio not to snowball me on this and I'm not going to try to snowball you guys. I would appreciate if we could get something done on this street please.

Mr. D'Ambrosio: Mr. Ostrowski, I would like to thank you for coming tonight. Mr. Gwydir called your wife this afternoon to set up a tentative meeting for Tuesday, June 29, 2010 for 4:30 p.m. Mr. Gwydir just applied to see if there are any grants available for this. The Mayor was also is checking on grants for storm water projects. We might have to wait for a week or two so Mr. Gwydir can get all his paperwork in when he submits it. Mr. Gwydir could comment on basically what was designed and discussed at the meeting on Tuesday, June 29, 2010.

Mr. Gwydir: We just did a quick design downs Edwards over to the east to try to pick up some of the drainage, to try to pick up the basement drainage and try to pick up the problem from E. 328th. We made an application to OPWC - we asked for a 70% Grant, 30% local money due to the monies going out and we'll see what happens. Those grant applications were made just this week.

Mr. Ostrowski: What we do in the meantime - watch our property deteriorate in the meantime? This is the problem we are running into. Thousands of dollars are being spent and they have to come out of our pockets because of the mistake that was made by the City of Eastlake not to leave ample water flow out of here. Who's got to keep paying for this the home owners?

Mr. D'Ambrosio: Mr. Ostrowski, I can understand. You know I met with you a couple of times. Right now I know the Service Department did work there years ago and I know we haven't had any problems until just recently. Is that correct?

Mr. Ostrowski: I'm still getting water going through my yard. I hadn't got it in the basement until this last heavy rain. But once, again, when we got this heavy rain I had two feet of water in my front yard.

Mr. D'Ambrosio: It seems like you need those drains cleaned out. Mr. Semik is not here so I can't ask him about it. You can't really just start digging you have to have a set of plans. Mr. Gwydir is in the planning stage now and he is trying to get the grant money. We have to take it from there.

Mr. Ostrowski: Once, again, you have to realize this is personal property that is getting destroyed. One of the biggest investments you make in your life is your house.

Mr. D'Ambrosio: Let me know if you are free to get together on June 29, 2010.

Mr. Ostrowski: I'm freed up.

Mayor Andrzejewski: We did respond and we spent a lot of time and work and money on putting in the new drainage pipe in the front. As you pointed out up until this last heavy rain it did a pretty good job. I just want you to know that we didn't hear anything from the residents up until this heavy rain. I happen to live in an area where we have the same problem. Mr. Ostrowski, I did the same thing. I had \$20,000 worth of damage and got a \$5,000 check for all of it and was dropped by my insurance company and had to find another one. I understand what you are going through – every time it rains we also have to get up and watch the water come into our front and back yards and try to do something with it. It isn't that we've ignored you – we did a lot of work in your area and we thought solved the problem. What happens in a lot of these heavy rains - no matter what you do it still backs up – and we will continue to try to do something – in my area on July 6, 2006 the storm sewer caps were actually thrown in the air by the backlash of water coming into our area. So it seems to work except for the big heavy rains. What we are going to have to address is what happens when we get those big heavy rains and if we can do something for you. But I don't want anybody here to think that we didn't do anything because we spent a lot of time and effort and reconfigured the drainage on Edwards' right after the 2006 flood.

Stan Hosterman, 32871 Edwards St., Eastlake

Mr. Hosterman: I would just like to continue what Mr. Ostrowski was trying to say to you people. I've been living in the City of Eastlake over 38 years. We've never had a problem on Edwards St. until the last 4 or 5 years. Now you're talking about E. 328th coming down to Edwards St. Your City's Service Department has not done any maintenance on that open ditch this year at all. The last time I saw a service person was from Willowick. He came down and mowed the grass around the barrier at the end of E.328th and that's all he did. Eastlake Service Department has not been down there. I have a gentleman that does lawn maintenance part time and he's taken care of my next door neighbor's property. He mows that grass in that area. The City has not sent a mower down there. We have a problem with that open ditch - there is a three story apartment building on E.328th St. with little kids coming out of that apartment building – this ditch is 4-1/2' wide and 3' deep at least. It's an open ditch with water, garbage and trash in it. Somebody's kid is going to fall into that ditch and drown. I would like to see something done to it. I'd like to see it taken care of. That's all I have to say. Thank you.

Mr. D'Ambrosio: I will have to look to see if there is an easement over there. I have never looked at it. I will talk to the Service Director Mr. Semik and I will call you when I find out that information. I thought that was private property.

Mr. Hosterman: No sir, this is no-man's land. It's between Willowick and Eastlake and no one wants to take care of this property. Mr. Mansell - before he passed away - he tried to buy

that 10' wide section of land so he could maintain it. He maintained it with the help of the City but nobody does it anymore. Now this gentleman that lives on the end of our street has taken over for Mr. Mansell.

Mr. D'Ambrosio: I'll see what I can find out.

Mr. Hosterman: Thank you Mr. D'Ambrosio.

Mr. Ostrowski: The ditch Mr. Hosterman is talking about is draining from Vine Street down towards our street on Edwards. If you manage to fill in that 4' wide ditch that is going into a little 8" pipe - I believe you are going to create a lot more problems unless you start doing something with the pipes around there. Once again you have a 4' wide ditch that is 3' deep that is pushing gallons of water into an 8" pipe. So if you are going to fill that in you're going to have to consider all that water that you are about to raise above ground and put in everybody's back yards.

Mayor Andrzejewski: We are not going to fill anything in.

Mr. Ostrowski: If you want to maintain it that's great but once again the issues we are having is all that grass backing up into the sewer.

Mayor Andrzejewski: We'll take a look at it.

There was no one else who wished to speak.

LEGISLATION PROPOSED - First number will be 2010-054

ORDINANCE NO.: 06-22-(01)

Requested by: Council Clerk
Sponsored by: Mr. D'Ambrosio

An Ordinance repealing Ordinance No. 2005-017, adopted February 22, 2005, and declaring an emergency.

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

ROLL CALL: Yeas unanimous.

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

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Ordinance No. 2010-054.

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ORDINANCE NO: 06-22-(02)

Requested by: Planning Commission
Sponsored by: Mr. D'Ambrosio

An Ordinance authorizing the issuance of a Conditional Use Permit to Xtra Innings Bar and Grill, LLC, 35400 Vine Street #10, Eastlake, Ohio, 44095, and declaring an emergency.

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

ROLL CALL: Yeas unanimous.

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

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Ordinance No. 2010-055.

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Requested by: Finance Director Slocum Sponsored by: Ms. DePledge	<u>RESOLUTION NO.: 06-22-(03)</u> A Resolution authorizing and directing the Finance Director to advertise for bids for the sale of HUD property located at 773 East 347 th Street, Eastlake, Ohio, P.P. #34A014J000840 as found on "Exhibit A," attached hereto and incorporated herein, there will be no bid accepted under Ten Thousand Dollars (\$10,000.00), said bids to be in accordance with specifications on file in the Office of the Finance Director, and declaring an emergency.
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MOTION: Ms. DePledge moved to suspend the rules requiring separate readings and reading in full. Mr. Hoefle seconded.

ROLL CALL: Yeas unanimous.

MOTION: Ms. DePledge moved to adopt. Mr. Hoefle seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Resolution No. 2010-056.

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Requested by: Finance Director Slocum Sponsored by: Ms. DePledge	<u>RESOLUTION NO.: 06-22-(04)</u> A Resolution authorizing and directing the Finance Director to advertise for bids for the sale of HUD property located at 259 Courtland Blvd., Eastlake, Ohio, P.P. #34B025D000620 found on "Exhibit A," attached hereto and incorporated herein, there will be no bid accepted under Ten Thousand Dollars (\$10,000.00), said bids to be in accordance with specifications on file in the Office of the Finance Director, and declaring an emergency.
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MOTION: Ms. DePledge moved to suspend the rules requiring separate readings and reading in full. Mr. Hoefle seconded.

ROLL CALL: Yeas unanimous.

MOTION: Ms. DePledge moved to adopt. Mr. Hoefle seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Resolution No. 2010-057.

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Requested by: Law Director Klammer Sponsored by: Ms. Vaughn	<u>ORDINANCE NO.: 06-22-(05)</u> An Ordinance amending Chapter 1385 “Housing Occupancy Code” of the Codified Ordinances of the City of Eastlake, specifically Section 1385.99 “Penalty,” and declaring an emergency.
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MOTION: Ms. Vaughn moved to suspend the rules requiring separate readings and reading in full. Ms. 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. 2010-058.

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Requested by: Law Director Klammer Sponsored by: Ms. Vaughn	<u>ORDINANCE NO.: 06-22-(06)</u> An Ordinance amending Chapter 1387 “Residential Building and Property Maintenance Code” of the Codified Ordinances of the City of Eastlake, specifically Section 1387.99 “Penalty, subsection (b),” and declaring an emergency.
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MOTION: Ms. Vaughn moved to suspend the rules requiring separate readings and reading in full. Ms. 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. 2010-059.

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Requested by: Administration Sponsored by: Ms. Vaughn	<u>ORDINANCE NO.: 06-22-(07)</u> An Ordinance enacting new Chapter 1371 “Small Wind Energy Systems” of the Codified Ordinances of the City of Eastlake, and declaring an emergency.
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MOTION: Ms. Vaughn moved to suspend the rules requiring separate readings and reading in full. Ms. 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. 2010-060.

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Requested by: Administration	<u>ORDINANCE NO.: 06-22-(08)</u>
Sponsored by: Ms. Vaughn	An Ordinance enacting new Chapter 1373 “Solar Energy Systems” of the Codified Ordinances of the City of Eastlake, and declaring an emergency.

MOTION: Ms. Vaughn moved to suspend the rules requiring separate readings and reading in full. Ms. 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. 2010-061.

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Requested by: Administration	<u>ORDINANCE NO.: 06-22-(09)</u>
Sponsored by: Ms. Vaughn	An Ordinance amending Section 1301.01 “Permits and Fees” of the Codified Ordinances of the City of Eastlake, specifically to include new Sections 1301.01(d)(21) and 301.01(d)(22), 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. 2010-062.

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Requested by: Administration
Sponsored by: Mr. Knuchel

RESOLUTION NO.: 06-22-(10)

A Resolution authorizing and directing the Mayor and Director to enter into an “Ohio Environmental Protection Agency Surface Water Improvement Fund Grant Agreement” with the Ohio EPA for the recommended revenue amount of Sixty-Four Thousand Four hundred Seventy-Nine Dollars (\$64,479), and declaring an emergency.

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

ROLL CALL: Yeas unanimous.

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

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Resolution No. 2010-063.

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LEGISLATION PENDING (Placed of First Reading 06/08/10

ORDINANCE NO.: 06-08-(04)

Sponsored by: Charter Review Commission An Ordinance to provide for an election
Sponsored by: Ms. Vaughn on the adoption of a proposed amendment of Article II, Section 2, of the Charter of the City of Eastlake, and declaring an emergency.

There was no motion to suspend the rules requiring separate readings and reading in full. Legislation No. 06-08-(04) was placed on Second Reading.

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ORDINANCE NO.: 06-08-(05)

Sponsored by: Charter Review Commission An Ordinance to provide for an election
Sponsored by: Ms. Vaughn on the adoption of a proposed amendment of Article III, Section 2, of the Charter of the City of Eastlake, and declaring an emergency.

There was no motion to suspend the rules requiring separate readings and reading in full.

Legislation No. 06-08-(05)) was placed on Second Reading..

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ORDINANCE NO.: 06-08-(09)

Sponsored by: Charter Review Commission An Ordinance to provide for an election
Sponsored by: Ms. Vaughn on the adoption of a proposed amendment of Article VIII, Section 2, of the Charter of the City of Eastlake, and declaring an emergency.

There was no motion to suspend the rules requiring separate readings and reading in full.

Legislation No. 06-08-(09) was placed on Second Reading.

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ORDINANCE NO.: 06-08-(10)

Sponsored by: Charter Review Commission An Ordinance to provide for an election
Sponsored by: Ms. Vaughn on the adoption of a proposed amendment
of Article VIII, Section 4, of the Charter
of the City of Eastlake, and declaring
an emergency.

There was no motion to suspend the rules requiring separate readings and reading in full.

Legislation No. 06-08-(10) was placed on Second Reading.

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ORDINANCE NO.: 06-08-(11)

Sponsored by: Charter Review Commission An Ordinance to provide for an election
Sponsored by: Ms. Vaughn on the adoption of a proposed amendment
of Article XI, Section 3, of the Charter
of the City of Eastlake, and declaring
an emergency.

There was no motion to suspend the rules requiring separate readings and reading in full.

Legislation No. 06-08-(11) was placed on Second Reading.

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UNFINISHED BUSINESS

There was no Unfinished Business.

NEW BUSINESS

There was no New Business.

ADMINISTRATIVE REPORTS:

MAYOR/SAFETY DIRECTOR – Ted Andrzejewski

Mayor Andrzejewski: It has been relatively quiet so I have nothing to report tonight.

This concludes my report and I am open for questions.

There were no questions of Mayor Andrzejewski.

LAW DIRECTOR – Randy Klammer

Mr. Klammer: You have all heard about my legal opinion and if anybody is interested I have sent a copy of it to Council President Mr. Morley and Mr. D’Ambrosio.

This concludes my report and I am open for questions.

There were no questions of Mr. Klammer.

FINANCE DIRECTOR – Michael Slocum

Mr. Slocum: The only thing I would like to bring to Council's attention is that I did provide you with the report on the pool sales and I intend to give you an update of that right before the next Council meeting. There will be one at the end of the season, also.

This concludes my report and I am open for questions.

There were no questions for Mr. Slocum.

TAX ADMINISTRATOR – Angela Keneven-Zanella

Mrs. Keneven-Zanella was absent and excused.

CITY ENGINEER – Tom Gwydir

Mr. Gwydir: We placed in our Issue 1 application last week. We placed an application for Erie Road construction. We placed an application for the short section of E. 347th St. We placed an application for the Edwards storm and we are working on various drainage issues. I'm working with Mr. Slocum on trying to get ODOT to return the unused funds from the Rt. 91 signal job. Also, I am working with Mr. Slocum to get the CEI bill down and getting power requirements from the contractors so we can send the final costs on to CEI. We are working on the railroad for the Roberts Road rail crossing which looks like it will come in somewhat underneath our initial deposit made to them. I'm also making inquiries to both CSX and Norfolk Southern about the condition of the crossing at E. 361st.

This concludes my report and I am open for questions.

Mr. Morley: Is there any time frame on the signal repairs on Rt.91?

Mr. Gwydir: The signal repairs on Rt. 91 have been done. We have got the buttons in and fixed those. If you are asking me what I am working with it's that we made a deposit with ODOT for that city wide job. It came in at half the bid price and we are just trying to get the excess funds back now.

Mr. D'Ambrosio: Thanks for what you are doing on E. 361st. When you go over the railroad tracks at E. 361 you know how bad it is. Mr. Gwydir is trying to see if CSX will repair that area. CSX just likes to maintain the parts within the tracks and if the City would try to do the other part which goes to the tracks there are all kinds of permits and a lot of legalities. It is too involved for us to actually do some work there, Mr. Gwydir is trying to get CSX to try to extend the whole right of way to take care of some of those bumps. You can feel them when you are heading northbound on E. 361st. Correct Mr. Gwydir?

Mr. Gwydir: Yes sir.

That concluded by report and I am open for questions.

There were no questions of Mr. Gwydir.

SERVICE DIRECTOR – Mike Semik

Mr. Semik was absent and excused.

CHIEF BUILDING OFFICIAL – John Stigalt

Mr. Stigalt was absent and excused.

POLICE CHIEF – John Ruth

Police Chief Ruth was absent and excused.

FIRE CHIEF – Ted Whittington

Chief Whittington: The last couple of weeks have been pretty busy for us. We had four water rescues, we had a boat fire and we had to rescue a person out of the stacks at CEI. All of these are low occurrence high impact incidents. Our special operation group maneuvered quickly and we were able to have no loss of life and no injuries from the Fire Department. I'm proud of the guys and their performance – through training and good equipment. We deliver good service at the Fire Department.

That concludes my report and I am open for questions.

There were no questions of Chief Whittington.

ADJOURNMENT

The meeting was adjourned at approximately 7:57 p.m.

DENNIS MORLEY, COUNCIL PRESIDENT

APPROVED: _____

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

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