

**EASTLAKE CITY COUNCIL
REGULAR COUNCIL MEETING MINUTES
MARCH 22, 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 7:13 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 Mr. Morley. Also attending was Council Clerk Mrs. Cendroski.

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

APPROVAL OF MINUTES

PUBLIC HEARING – MARCH 8, 2011

MOTION: Mr. D'Ambrosio moved to approve the minutes of the Public Hearing of March 8, 2011 regarding a Conditional Use Permit for FNJ Automotive, LLC, 1630 East 361st Street, Eastlake. Mr. Lajeunesse seconded.

ROLL CALL: Yeas unanimous.

Motion carried. The minutes were approved.

REGULAR COUNCIL MEETING – MARCH 8, 2011

MOTION: Ms. Vaughn moved to approve the minutes of the Regular Council Meeting of March 8, 2011. Mr. D'Ambrosio seconded.

ROLL CALL: Yeas unanimous.

Motion carried. The minutes were approved.

COUNCIL PRESIDENT'S REPORT – Mr. Morley

Meetings Scheduled

Mr. Morley: The next Council-as-a-Whole Committee Meeting is scheduled for Tuesday, April 12, 2011 at 7:00 p.m. The Regular Council meeting will be convened immediately following the adjournment of the Council-as-a-Whole Committee meeting.

Mr. Lajeunesse's daughter's last high school banquet is tonight and he would like to attend. Therefore, we will read the legislation on the 2011 budget so we can vote on it while he is present.

LEGISLATION PROPOSED - First number will be 2011-033

Requested by: Finance Director Slocum
Sponsored by: Mr. Knuchel

ORDINANCE NO.: 03-22-(05)

An Ordinance to re-appropriate for the expenses of the City of Eastlake, State of Ohio, for the period beginning January 1, 2011 and ending December 31, 2011, and declaring an emergency.

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

ROLL CALL: Yeas unanimous.

DISCUSSION:

Mr. Hoefle: I would like to make a statement in regards to line item #101.240.5594 in regards to the fireworks for \$11,700. We pulled the economic development of \$10,000 and in my opinion I feel it should be back in there.

Mr. Knuchel: We did not pull that Mr. Hoefle.

Mr. Hoefle: Right. Council did not pull it. But, it was removed by the Administration. I really feel that economic development should be back in there and the way our situation is with the City I cannot agree to putting \$11,700 towards fireworks – with the way we are right now.

Ms. Vaughn: I agree wholeheartedly with Mr. Hoefle. This City is in a very precarious financial situation right now and I feel it is unwise even though we spent funds on recreation for the residents I think it is more important we stay within our budget. Therefore, I will second his motion to remove that line item from the budget.

Mr. Lajeunesse: I agree with Mr. Hoefle and Ms. Vaughn and believe that should be removed.

Mayor Andrzejewski: We discussed the budget thoroughly at the last budget meeting. The opportunity to bring this up was never brought up. The people of Eastlake like the fireworks as demonstrated by the fact that we get over 8,000-9,000 people at the stadium. It is something they look forward to. They tell me they expect that as part of the tax dollars they pay. Remember, tax payers in this City are paying tax dollars and they want something back for it. This is one of the things they look forward to. And, if you look at some of the other items in the budget that I don't have to bring out but I am sure you know what I am referring to \$11,000 for enjoyment for the people of Eastlake during the celebration of the birth of our country is very minimal. If you take that \$11,000 and compare it to the \$13,000,000 revenue it is not even a quarter of a percent. So, speaking for the residents I will say they want the fireworks and they enjoy the fireworks.

Ms. Vaughn: Speaking for another portion of the residents – the residents want their streets maintained, they want the Fire Departments to come when needed, they want safety services, they want their swimming pool – we included that in the budget – and I think they are wise enough to understand our financial position and how dangerous it is this year. Therefore, I

suggest we watch very carefully the small expenses because they add up to big expenses. That is just my opinion. We will agree to disagree.

Mayor Andrzejewski: It is something the residents want and for not even a quarter of a percent. I bet if I figured it out it is not even that and you are going to deny 8,000 or 9,000 people the enjoyment of the fireworks. We spent \$10,000 - \$11,000 on things we could easily cut from that budget – why are you picking on fireworks?

Ms. Vaughn: I am not picking on anything Mr. Mayor. The people in my Ward would rather not have water in their basement and we cannot afford to fix that.

Mayor Andrzejewski: You need millions of dollars to fix that. \$10,000 is not going to mean anything.

Ms. Vaughn: But, it is the principle.

Mayor Andrzejewski: It is the principle to the people to – they want something for their tax dollars. You take this away and you are virtually giving them nothing as far as enjoyment and recreation.

Mr. D'Ambrosio: This is the first I have heard about this – as far as removing the fireworks. Without thinking about it I would have to keep it in there. I would not want to take this out. I would have to hear some discussion – more than what is going on right now. For my point of view I am happy with the way this is. This is the first time I am hearing about it. It was not brought up as the Mayor said at any of the meetings. For me, I would have to keep it in right now.

Mr. Morley: I am going to ask the people who are against the fireworks – is this item going to be an issue on the vote? Are you going to vote the budget down?

Ms. Vaughn: No. It is just my opinion.

Mr. Morley: I did not think it was going to be a deal breaker.

Mr. Lajeunesse: Last year I voted yes on the budget and I believe Ms. Vaughn did also and we also stated that we were skeptical of the expenses and revenues at that point. And at the end of the year we found out that we spent money on ice skates. From my own personal view of that expenditure – we are okaying the budget and what gets spent and in my opinion going out and telling the residents this is why we are not doing fireworks this year – I will be more than happy to explain that to them. That is just my opinion.

Mr. Knuchel: From my perspective, I would agree with Mr. D'Ambrosio that this is the first time this has really been brought forth. My position would be since we are not going to spend the money right away – I will go into part of my comments about the budget – our budget this year will be flexible and fluid. We are going to have to keep a close eye on our revenues and expenditures. I agree with the Mayor – it is a small amount of money – and, I understand the principal part too. But, when you look at the whole picture my recommendation would be at this particular point in time that we keep this in the budget and pass it as is and bring this

to discussion at a later date. Right now to ask us to vote on this without proper time to do investigation and without knowing what all the numbers are going to be at this particular point in time I do not feel comfortable taking it out. After all we did discuss this – there was ample time to bring this up during discussions.

Ms. Vaughn: I left the meeting early because I was sick.

Mr. Knuchel: Okay – Mr. Hoefle was there. And, we did go through that and it was pointed out that we did have the line item for fireworks. My recommendation would be to hold this and have it come up in a Finance Committee meeting at some later date.

MOTION TO AMEND:

Mr. Hoefle moved to amend Legislation No. 03-22-(05) to remove line item #101.240.5594 from the 2011 budget. Ms. Vaughn seconded.

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

Motion failed. Line item #101.240.5594 is not removed from the 2011 budget.

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

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Ordinance No. 2011-037.

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Mr. Lajeunesse was excused from the meeting at this time.

COMMUNICATIONS & PETITIONS

A Liquor License Transfer Request was received from Anjalee, Inc., dba Beverage & Tackle, 35579 Lakeshore Blvd., Eastlake to Rishee, Inc., dba Beverage & Tackle, 35579 Lakeshore Blvd., Eastlake. This was referred to Planning Committee.

Conditional Use Permit renewal recommendations were received from the Administration for WalMart Stores, Inc. #1863, 34440 Vine Street, Eastlake and R & K Enterprises, Inc., dba Surfside Sunoco, 36241 Lakeshore Blvd. Eastlake. These were referred to Planning Committee.

Conditional Use Permit amendment and renewal recommendations were received from the Administration for LeMay Enterprises, Inc. dba Creative Beginnings Daycare, 34060 Glen Drive, Eastlake and C & C Auto Repair, LLC, 35760 Lakeshore Blvd., Eastlake. These were referred to Planning Committee.

A sponsorship request was received from the Eastlake Youth Football League. Mr. Morley explained that this was for each Councilperson’s individual consideration.

Codified Ordinance replacement pages were received from The Walter Drane Company and an invoice for services rendered. This was referred to Finance Committee.

A communication was received from Finance Director Slocum regarding a Lease Agreement for the financing of a Sewer Jet-Vac for the Service Department. Mr. Morley explained that this was referred to Council-as-a-Whole Committee and that this was for the lease agreement – we are approving the contract for the sewer jet tonight.

COMMITTEE REPORTS:

FINANCE COMMITTEE – Mr. Knuchel

Mr. Knuchel: I would like to thank everyone for their diligent work on the budget – the Mayor, Finance Director, Department Heads – you all did a wonderful job in a difficult situation to say the least. I will address my Committee report first. We had two Finance Committee meetings –one on March 15th and one on March 9th. On the agenda for those meetings besides budget reviews was the change order for Houston Fisher Pool – A.J. Goulder Electric – this was discussed in Council-as-a-Whole and was moved forward to this evening’s meeting. The March 15th meeting had the grant acceptance from NOPEC for \$118,038 and \$71,022 for the communication systems. The second item was the State Contract for 2 Crown Victoria automobiles for the Fire Department – this was also covered in Council-as-a-Whole. A State Contract for the sewer vac was discussed and moved forward to Council-as-a-Whole Committee pending Mr. Slocum’s investigation and I guess we will be talking about that in two weeks. This concludes my report on the other items we discussed in Finance Committee. Now, the budget – we took two evenings to discuss the budget and again I would like to express my sincere honors to Mr. Slocum for two reasons. One, is because he made this a lot easier process by reconfiguring some of his spreadsheets. It made it easier for us to read and also made it easier for us to see where the revenues and expenses came in and went out. I appreciate that. It made everyone’s job a lot easier. We spent a lot of time looking at our employee related expenses this year because such a large percentage of our expenses are due to employee costs. It also made our budget process a lot easier because it would be more accurate with our numbers as we plugged numbers into each one of the Departments. Also, when we talked about personnel expenses we talked about raises for those individuals who were promoted – those were all figured into the cost of the employees which made a much more accurate picture of our actual costs. A new format for the funds outside the General Fund was excellent. I would like to take a few seconds to talk about items that were taken out of the budget prior to its submission – this is where the rubber met the road because there were a lot of tough decisions our Directors had to make – new police vehicles this year for \$120,000 was put off; a possible deferment of \$67,000 for a police backbone system; repairs to the Police Station garage of \$40,000; part-time Service workers were reduced from \$10 per hour to \$8 per hour and reduced hours; software for the Building Department for \$16,000 was taken out; Service Department roof repair - \$24,000 was taken out; and, not replacing two firefighters for the time being was taken out. There were a couple of items that Council looked at and took out of the budget – one as Mr. Hoefle mentioned earlier was Economic Development. The original appropriation for that was \$25,000. Since we decided not to go through with a grant proposal that was reduced to \$10,000 and then it was further reduced by the Mayor to -0-. The other area that was decreased by Council was the Recreational Capital Improvements fund and when we come up with a plan as to how we are going to spend that money and are able to stick to it I believe that fund will stay dormant for a while. We are facing a lot of unknowns this year. We don’t

know what or how the Senate Bill 5 will affect us; we don't know how much the Local Government Fund will be reduced this year – if passed as proposed we could see up to at 25% reduction this year; we do not have solid numbers on the cost of our new backbone system and radios; we don't have a proposed raise in the amount of money needed for capital improvements for our WPCC sewer fund; and, we don't know how the SSES study will affect our budget this year or in years to come. There are a lot of unknowns out there and we just have to plan the best we can to cover all the situations that may come up. I think with our diligence and looking at the budget and keeping close tabs on it we will be able to accomplish that. Again, I want to thank all that were involved in the budgeting process and the members of Council for putting up with a couple of long meetings. I will be making the following Motions:

Legislative Recommendations

Legislation No. 03-22-(07)

MOTION: I hereby move to add Legislation No. 03-22-(07) to the evening's agenda authorizing and directing the Mayor and Director of Finance to accept an Assistance to Firefighters Grant from the Federal Emergency Management Agency (FEMA) in the total project amount of Sixty Thousand Dollars (\$60,000.00), said grant to be utilized for the purchase of defibrillators for the City of Eastlake Fire Department. Ms. DePledge seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation No. 03-22-(07) is added to the evening's agenda.

Legislation No. 03-22-(08)

MOTION: I hereby move to add Legislation No. 03-22-(08) to the evening's agenda authorizing and directing the Mayor and Director of Finance to enter into a Contract with ZOLL Medical Corporation, the sole provider, for three (3) E Series ACLS Manual Defibrillators with accessories for the total amount of Sixty-One Thousand Nine Hundred Eighty Nine Dollars (\$61,989.00). Ms. DePledge seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation No. 03-22-(08) is added to the evening's agenda.

Legislation No. 03-22-(06)

MOTION: I hereby move to add Legislation No. 03-22-(06) to the evening's agenda authorizing and directing the Mayor and Director of Finance to purchase through the State of Ohio Cooperative Purchasing Program, with Jack Doheny Supplies Ohio, Inc., for One (1) New Vactor Manufacturing Model 2100 Series "Plus" Combination Sewer Cleaner mounted on an IH7500 Series Single Axle Chassis for the total amount of Two Hundred Ninety-Nine Thousand Seven Hundred Twenty Dollars (\$299,720.00). Mr. DePledge seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation No. 03-22-(06) is added to the evening's agenda.

Additional Comments

Mr. D'Ambrosio: I just had a comment. There was one other thing that Council did take out of the budget – it was actually prior to any discussions – we used to have a part-time Council Clerk and I believe it was Mrs. Cendroski's suggestion that we did not eliminate the position but decided not to fill it. That kind of leaves more of a burden on Mrs. Cendroski to do everything now. I just want to mention that. Thank you, Mrs. Cendroski for being so considerate.

There were no questions of Mr. Knuchel.

ORDINANCE COMMITTEE - Ms. Vaughn

Ms. Vaughn: The Ordinance Committee has not met and will not be meeting in the near future. 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 has not met since our last meeting. Therefore, I have nothing to report. Nothing has been referred into Committee so I will not be scheduling a meeting at any time in the near future. I am open for questions.

Mr. Morley: Mr. Klammer, we had something in Ms. DePledge's Committee with the City of Willoughby. Do we need to take that out of Committee.

Ms. Cendroski: It is no longer in Service/Utilities Committee – it is pending in Council.

Mr. Klammer: You can either put it on the table or you can remove it from the table and put it back on the table when you want to address it or you can put it back in Committee. I know from the Clerk's standpoint it is difficult to keep track of things that are tabled.

Mr. Morley: I thought about removing it if you were not getting anywhere.

Mr. Klammer: I have tried two – maybe three – times to get a response from Mr. Wiles and I have had no a response one way or the other.

Mr. Morley: My suggestion is to remove it from the agenda and if we get a response we can go back and review it.

Ms. DePledge: That is fine.

Mr. Klammer: Is it on First Reading?

Mr. Morley: Yes, but tonight we might remove it.

There were no questions from Ms. DePledge.

SAFETY COMMITTEE – Mr. Lajeunesse

Mr. Lajeunesse was absent and excused

RECREATION COMMITTEE – Mr. Hoefle

Mr. Hoefle: The Recreation Committee has not met since our last meeting and nothing has been placed in Committee so I will not be holding a meeting. On another note we did have the WPCC meeting last evening and I will give more details on that when I get the minutes. It was a pretty lengthy meeting and a lot of stuff was discussed. So, I am going to wait for the minutes to be finalized so I can recap it. I would like to thank Mr. Knuchel for the work he has done on the finances. The reason I did bring it up was that I did miss the fireworks line item during our meetings but it was the memo that came out on March 18th that brought it to my attention. That is why it was last minute. I thank you for your efforts. I am open for questions.

Mr. Morley: Just a side note on the WPCC meeting. The Committee did move forward with the recommendations of C.T. Consultants. The only item that I brought up – and I talked to Mr. Slocum today – that the Mayors and Finance Directors should get together and figure out how we are going to pay the EPA. It is a large amount of money and adds up to almost \$50 million between the two communities. It will draw out but there is money we might need to have this year or next year.

There were no questions of Mr. Hoefle.

PLANNING COMMITTEE – Mr. D’Ambrosio

Mr. D’Ambrosio: The Planning Committee has not had a meeting since our last Council meeting. There have been a few things put into Committee from Communications and Petitions and I will get together with my Committee and Mrs. Cendroski this week and set a meeting. I will be making the following Motion:

Conditional Use Permit Renewals

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

G.P. Enterprises, Inc., 34799 Curtis Blvd., Eastlake, OH

R.D.P. Enterprises, Inc., 34799 Curtis Blvd. , Eastlake, OH

Willoughby Cab Service, Inc., 34799 Curtis Blvd. , Eastlake, OH

Palmer Express, Inc., 34799 Curtis Blvd., Eastlake, OH

Mr. Knuchel seconded.

ROLL CALL: Yeas unanimous.

Motion carried. The Conditional Use Permit Renewals are approved.

Additional Comments

Mr. D’Ambrosio: That concludes my report and I am open for questions.

There were no questions of 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.

Ted Beres, 36706 Lakehurst Drive, Eastlake

Mr. Beres: The other day I called the Lake County Department of Utilities because I noticed my last two water bills showed a substantial increase and I was informed the City of Eastlake raised their sewer charges last August. I do not remember being informed about this increase. They also told me that other Eastlake residents have called to complain too. I did not see anything in the Eastlake Gazette. I did not see anything in the News Herald. I just wonder why the residents have been kept in the dark about this increase?

Mr. Morley: I had an article in the Gazette as did Mr. D'Ambrosio. We had three special meetings on the sewer rate increases and it was in the News Herald. We had three special meetings on the rates. Unfortunately, no one came to the meetings.

Mr. Beres: Was it reported to the media?

Mr. Morley: Yes, we have to put it in the paper.

Mr. Beres: I do not remember seeing it.

Mr. Morley: There was an article in the News Herald about the increases. I understand what you are saying but we did – I know I put in a Gazette article. We can go back to August or September – Mr. D'Ambrosio did. We had an article in which I was interviewed and I believe Mr. Slocum and the Mayor were about the increases in the News Herald and we had three special meetings. Unfortunately, no one came to the meetings. And, there were Committee meetings. We had mandates with the sewer rates. I will let Mr. Slocum explain a little.

Mr. Slocum: Basically, we operate the sewer plant with the City of Willoughby – we operate it as a business. The rates the City of Eastlake was charging last year were the lowest and the lowest by far of Lake County. The rates that did go up we are now in the middle of the pack within Lake County and at the current time to meet our ongoing expenses. General tax revenues do not pay for the sewer. People who use it pay for it and we are required to keep it operational.

Mr. Morley: We were pretty clear about it, Mr. Beres.

Mr. Beres: I also want to talk about ODOT. In the almost 39 years I have been living here I have never seen so many boondoggles. On S.R. 91, Lost Nation Road, Lakeshore Blvd. There are no lane markings on Lost Nation Road. Driving is an adventure. There are no lane markings on S.R. 91 north. If you take S.R.91 south when you get near Euclid Avenue there is congestion and confusion. I don't know how long it is going to take for them to finish this or how much planning really went into it but it is our tax dollars that are paying for these boondoggles. And, again, I did not see anything in the News Herald reporting anything about the problems they are having. But, it does cause a problem for us as residents.

Mr. Morley: I agree. Mr. Gwydir, do you have any information on when they will do the lane markings? I actually had a conversation with Chief Reik about this – coming out of Willoughby just when you get into Eastlake all the lanes are merging into one and you cannot tell which lane you are in. Do you know when they are going to start marking the lanes? I agree things are bad – there are no markings anywhere.

Mr. Gwydir: I do not have a schedule for when they will do that. I will tell you that to do lane markings requires dry services and a certain temperature and if you don't get those they wear off rather quickly. On a lot of these areas I would venture to guess that the markings were temporary. I would also venture a guess that presently they are just waiting for the temperature and weather to get the striping back down again.

Mr. Morley: If you can get us some information because even the new lane they put in to get onto Route 2 west by the Radisson – if you don't live around here you are just lost in that lane. You may think it is just a berm. We all live around here so we know.

Mr. Gwydir: You are speaking of the west bound on ramp coming south on Route 2?

Mr. Morley: Yes.

Ms. DePledge: Also, northbound on S.R. 91 coming from Willoughby as you are approaching the Route 2 exit is really bad. I have seen people make a mistake driving through there. I have actually made the mistake – it is like the lanes – they don't merge but they get wider and you really don't know which lane you are supposed to be in and cars are swerving through there trying to figure out where they are supposed to be. That is actually worse than the southbound issue.

Mr. Gwydir: I will check with ODOT about that. I understood that bridge deck would be redone this year – that is the reason why the lanes are a little bit funny especially northbound. I will speak with the ODOT project engineer tomorrow.

Chief Whittington: They actually ground down temporary lane markings when they did the first construction. That is what causes the confusion. There appears to be 4 lanes as you approach that area. I can definitely sympathize with the fact that they want better weather but we need to look at getting that right away. We are getting enough complaints on this now that it is causing a problem. They may want to do something temporary now to at least get it fixed up before we have more problems there.

Mr. Gwydir: I will speak with the project engineer tomorrow.

Mark Fuerst, 1630 East 361st Street, Unit 1, Eastlake

Mr. Fuerst: We feel it is unfair that we have to pay the full price of our Conditional Use Permit based on previous meetings where it was lowered or changed. Had we known that we would have waited to apply. The only reason we did apply was because we were pretty much told we had to do it. We did it. We don't have the type of money to come up with \$400.

Mr. Morley: It was \$200 and it is now waived – it is -0-.

Mr. Fuerst: We had to pay that.

Mr. Morley: I am in agreement with you since you just did this while we were in the middle of the amendment. It is my recommendation that we can reimburse them the \$200. Is there an issue with that?

Mr. Klammer: No, Mr. D'Ambrosio called me earlier. I am trying to decide procedurally. I guess you could declare it by motion. It is technically in the Building Department's budget. The Mayor could reimburse it.

Mr. Morley: I am not looking at it – if other people find out whom three months ago got their permit – these guys were unfortunately in the process while we were discussing it. I am okay with reimbursing the \$200. I don't know how the rest of Council feels.

Mr. Klammer: There are a couple of different ways you can do it. With due respect to the Administration I think it is an administrative decision because it is in the budget of the Building Department. You obviously have the discretion to do it as a morals claim. I would be happy with you doing it by way of motion if you want to do that tonight.

Mr. D'Ambrosio: You are FNJ?

Mr. Fuerst: Yes.

Mr. D'Ambrosio: I think you were at the Planning Commission meeting before the Ordinance Committee meeting where we discussed this.

Mr. Klammer: You could not ask for more pleasant guys.

Mr. Morley: I did my homework on it. That is why I am not going to say we would give it to everyone. Does anyone want to make the motion?

Morals Claim: FNJ Automotive, LLC, 1630 East 361st Street, Unit 1, Eastlake

Mr. D'Ambrosio moved to approve the reimbursement of the City of Eastlake Council public hearing fee in the amount of \$200 as a Morals Claim for FNJ Automotive, LLC, 1630 East 361st Street, Eastlake, Ohio. Ms. Vaughn seconded.

DISCUSSION:

Ms. DePledge: Mayor, does the Administration have a position on this?

Mayor: No.

ROLL CALL: Yeas unanimous.

Motion carried. The Morals Claim for FNJ Automotive, LLC is approved.

Additional Comments

Mr. Morley: It may take a while – if there are any difficulties just contact Mr. D'Ambrosio, you Ward Councilman. Good luck with your business.

Mr. Jukiewicz: I was just going through all the paperwork. As far as I am aware of we have not had to pay anything.

Mr. Morley: I thought you had already paid. If you have not paid it that is easier for us. We will send something to the Mayor's office and the Building Department. If you receive something contact me, Mr. D'Ambrosio, the Mayor's office or the Building Department.

There was no one else who wished to speak.

LEGISLATION PROPOSED - First number will be 2011-033

RESOLUTION NO.: 03-22-(01)

Requested by: Administration
Sponsored by: Mr. Knuchel

A Resolution authorizing and directing the Mayor and Director of Finance to accept Change Order No. 1- Final for A.J. Goulder Electric Co., Inc., in the amount of Five Thousand Seven Hundred Ninety-Eight Dollars (\$5,798.00) for rehabilitation of Houston Fisher Pool, with said new contract total being Fifty-Four Thousand One Hundred Forty Eight Dollars (\$54,148.00), and declaring an emergency.

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

ROLL CALL: Yeas unanimous.

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

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Resolution No. 2011-033.

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RESOLUTION NO.: 03-22-(02)

Requested by: Administration
Sponsored by: Mr. Knuchel

A Resolution authorizing and directing the Mayor and Director of Finance to enter into a Grant Agreement between the City of Eastlake and NOPEC, Inc. for the acceptance of a "Powering our Communities Grant" in the amount of One Hundred Eighteen Thousand Thirty-Eight Dollars (\$118,038.00), 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 unanimous.

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

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Resolution No. 2011-034.

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Requested by: Administration
Sponsored by: Mr. Knuchel

RESOLUTION NO.: 03-22-(03)

A Resolution authorizing and directing the Mayor and Director of Finance to enter into a Grant Agreement between the City of Eastlake and NOPEC, Inc. for the acceptance of a “Powering our Communities Grant” in the amount of Seventy-One Thousand Twenty-Two Dollars (\$71,022,00), 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 unanimous.

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

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Resolution No. 2011-035.

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Requested by: Administration
Sponsored by: Mr. Knuchel

RESOLUTION NO.: 03-22-(04)

A Resolution authorizing and directing the Mayor and Director of Finance to purchase through the State of Ohio Cooperative Purchasing Program from StateWide, two (2) 2011 Ford Crown Victoria P7B Automobiles for the City of Eastlake Fire Department for the amount of Twenty-five Thousand Five Hundred Ninety-Four Dollars and Fifty Cents (\$25,594.50) each, said Vehicles to include incidental work/items for an amount of Two Thousand Dollars (\$2,000.00) each, with said grand total amount not to exceed Fifty-Five Thousand One Hundred Eight-Nine Dollars (\$55,189.00), 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 unanimous.

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

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Resolution No. 2011-036.

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Requested by: Administration
Sponsored by: Mr. Knuchel

RESOLUTION NO.: 03-22-(06)

A Resolution authorizing and directing the Mayor and Director of Finance to purchase through the State of Ohio Cooperative Purchasing Program, with Jack Doheny Supplies Ohio, Inc., for One (1) New Vactor Manufacturing Model 2100 Series "Plus" Combination Sewer Cleaner mounted on an IH7500 Series Single Axle Chassis for the total amount of Two Hundred Ninety-Nine Thousand Seven Hundred Twenty Dollars (\$299,720.00), and declaring an emergency.

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

ROLL CALL: Yeas unanimous.

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

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Resolution No. 2011-038.

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Requested by: Fire Chief Whittington
Sponsored by: Mr. Knuchel

RESOLUTION NO.: 03-22-(07)

A Resolution authorizing and directing the Mayor and Director of Finance to accept an Assistance to Firefighters Grant from the Federal Emergency Management Agency (FEMA) in the total project amount of Sixty Thousand Dollars (\$60,000.00), said grant to be utilized for the purchase of defibrillators for the City of Eastlake Fire Department, and declaring an emergency.

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

ROLL CALL: Yeas unanimous.

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

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Resolution No. 2011-039.

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Requested by: Fire Chief Whittington
Sponsored by: Mr. Knuchel

RESOLUTION NO.: 03-22-(08)
A Resolution authorizing and directing the Mayor and Director of Finance to enter into a Contract with ZOLL Medical Corporation, the sole provider, for three (3) E Series ACLS Manual Defibrillators with accessories for the total amount of Sixty-One Thousand Nine Hundred Eighty Nine Dollars (\$61,989.00), and declaring an emergency.

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

ROLL CALL: Yeas unanimous.

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

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Resolution No. 2011-040.

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LEGISLATION PENDING (Placed on First Reading 03/08/2011)

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

ORDINANCE NO.: 03-08-(01)
An Ordinance authorizing the issuance of a Conditional Use Permit to FNJ Automotives, LLC, 1630 East 361st Street, Unit 1, Eastlake, OH, 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. 2011-041.

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

ORDINANCE NO.: 03-08-(03)
An Ordinance amending Ordinance No. 2005-095, adopted September 27, 2005, and authorizing the issuance of a Conditional Use Permit to G. P. Enterprises, Inc., 34799 Curtis Blvd., Suite A, Eastlake, OH 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. 2011-042.

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

ORDINANCE NO.: 03-08-(04)
An Ordinance amending Ordinance No. 2000-079, adopted August 22, 2000, and authorizing the issuance of a Conditional Use Permit to R.D.P. Enterprises, Inc., 34799 Curtis Blvd., Suite A, Eastlake, OH 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. 2011-043.

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

ORDINANCE NO.: 03-08-(05)
An Ordinance amending Ordinance No. 2000-080, adopted August 22, 2000, and authorizing the issuance of a Conditional Use Permit to Willoughby Cab Service, Inc., 34799 Curtis Blvd., Suite A, Eastlake, OH 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. 2011-044.

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

ORDINANCE NO.: 03-08-(06)
An Ordinance amending Ordinance No. 2000-082, adopted August 22, 2000, and authorizing the issuance of a Conditional Use Permit to Palmer Express, Inc., 34799 Curtis Blvd., Suite A, Eastlake, OH 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. 2011-045.

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Requested by: Administration
Sponsored by: Ms. DePledge

RESOLUTION NO.: 03-08-(11)
A Resolution authorizing and directing the Mayor to Execute a Quit Claim Deed releasing the operation of the revisionary clause from a .1298 acre parcel per the Deed dated August 14, 1956, and declaring an emergency.

DISCUSSION

Ms. DePledge: It is my understanding this will be removed from tonight's agenda?

Mr. Morley: The only reason I suggested it is that we are getting nowhere with the City of Willoughby. Mr. Klammer?

Mr. Klammer: My only expression is – I cannot believe there is any objection and they are not just saying execute a lease that covers the whole property that we have been using for decades.

Mr. Morley: Do you want to put this on second reading?

Mr. Klammer: I do not have an opinion one way or the other. I think whatever is easiest for the Clerk – sending it back to committee so she could keep track of it better there.

Mrs. Cendroski: We could read it one more time.

Mr. Klammer: I don't have an objection.

Ms. DePledge: The whole point of delaying was to try to negotiate something with the other party.

Mr. Morley: We are not getting anywhere.

Mr. Klammer: I have received no response from Mr. Wiles at all. I have cc'd you on everything I have sent.

Mr. Morley: I received those too. It is not a big issue – we can place it on second reading.

Ms. DePledge: I have not received any of those emails – there was a point in time when I was not receiving them through the server.

Mr. Morley: We will place this on second reading. Mr. Klammer, if you will talk to Willoughby. I don't see a big issue as to why we can't come to an agreement.

Mr. Klammer: The substance of the emails was this is what Council wanted to get the conversation started. If you have any concerns about the safety of the plant or the welfare of the plant let us know because I am sure the City of Eastlake will do everything they can to make sure it is secure. We just want a lease agreement that covers the entire property as we have always used it. It seems pretty reasonable to me.

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

Legislation No. 03-08-(11) is 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: I have nothing to report and am open for questions.

There were no further questions of Mayor Andrzejewski.

LAW DIRECTOR – Randy Klammer

Mr. Klammer: I have been working on trying to get the City of Willoughby to respond back on the lease agreement for the Port Authority. I am open for questions.

There were no questions of Mr. Klammer.

CITY ENGINEER – Tom Gwydir

Mr. Gwydir: Your engineer has been working on the railroad and managing to get them to spring another \$6,900 back as refund to the City for work they did bill us for that was of no benefit to the City. We are hoping given a little bit of reasonable weather to wrap up Lakeshore Blvd. but all I am seeing is measurable snow. This concludes my report and I am open for question

There were no questions of Mr. Gwydir.

SERVICE DIRECTOR – Mike Semik

Mr. Semik: I would like to thank the Administration and Council for passing the legislation for the sewer vac. Everyone knows it is a much needed piece of equipment. As all know I have been off for a while and I would like to thank everyone for their well wishes on the untimely deaths of my brother and father. Again, I want to thank the Administration and Council for all their support. It was greatly appreciated. This concludes my report and I am open for questions.

There were no questions of Mr. Semik.

POLICE CHIEF – Larry Reik

(Chief Reik as absent and excused. Present on behalf of the Chief was Lt. Herron)

Lt. Herron: I have nothing to report. I am open for questions.

There were no questions of Lt. Herron.

FIRE CHIEF – Ted Whittington

Chief Whittington: I would also like to thank the Administration and Council for passing the legislation to purchase the two vehicles and accepting the grant and authorizing us to purchase the defibrillators. We did have an interesting event happen – we had a house fire in the Community – everyone got out safely. To bring to light some of the hazards we face when fighting a fire the service line burned through the house and actually fell on top of the fire truck we had personnel on. With a little coercing in getting CEI there in a timely manner we were able to avoid any problems. That is just one of those events that typically does not happen but every once in a while it does present. The family that was affected by the fire is being assisted through Red Cross. The interesting thing was we had just installed smoke detectors not too long ago in their home. They were special needs people who were actually woke up by the smoke detectors. That reinforces our lesson on how important it is to have smoke detectors. On that line I will be sending to Council – we were awarded a 5,000 grant from WalMart to purchase additional smoke detectors for our smoke detector program. The ladder truck is still out of service. It was recalled and I am working with the Law Director to try to find out a course of action. It has affected about 22 Departments in the U.S. and Canada. In the interim Wickliffe and Mentor have both offered their assistance to provide ladder trucks in the event we should need one in our community. I know Mr. Slocum worked with Council on a \$50,000 deferral to pay for the costs. I will continue to work with the Administration and Mr. Klammer to expedite that. I thank you for your support and I am open for questions.

There were no questions of Chief Whittington.

FINANCE DIRECTOR – Mike Slocum

Mr. Slocum: I just need to report that I believe I will be in the position to release my initial 5-year forecast for the City by the end of this week. I am working on the finishing touches on that. This concludes my report and I am open for questions.

Mr. Morley: I, too, like Mr. Knuchel said – since I have been on Council this has been the most informative breakdown of costs I have ever seen in the budget. I thank you, to the Mayor's office and the Directors who were involved to come up with this budget. It will be a very tough year for the City of Eastlake. As Mr. Knuchel said we will meet on quarterly basis and if we have to meet more than quarterly to review the budgets we will go back to month to month. That will be at the Finance Chair's disposition. I appreciate everything the Administration and your office has done to get to this budget. If we all continue to work together I think hopefully we can weather the storm. We will have to make some tough decisions together – Council and the Administration – to take care of the residents of Eastlake as well as we can.

Mr. Slocum: Thank you for your comments. I would like to take the opportunity to thank the Mayor, the Department Heads and I really want to go on the record to thank Mr. Vuckovich because he was extremely invaluable to me. Not just prepping the budget but in the operation of the Department.

Mr. Hoefle: I just want to let everyone know that I just received an email that the Eastlake Block Watch will be on Channel 3 News tonight at 11:00 p.m. – something about the Block Watch and their upcoming meeting Wednesday.

Mr. Morley: Ms. Vaughn, Chief Reik and I met a week ago with Mrs. Krajnyak – there was a rash of the K-2 and the salt balls that are going around the high schools – and drug paraphernalia. It is not marijuana but it is fake marijuana.

Lt. Herron: As quick as someone legislates to outlaw the stuff someone else invests something. Even if they go off one molecule it makes something legal. So, someone has to jump in and – over and over again. K-2 and stuff like it is available at head shops and unfortunately we have at least one of them in the City at this point. The kids are really getting sick off it. The squad transferred a couple of them. It is actually worse than marijuana because of the effects. The Block Watch is actually talking about approaching some of the businesses who sell the paraphernalia and tell them they are not going to do business with them if they continue to do this type of business.

Mr. Morley: They will be at the Block Watch at 7:00 p.m. tomorrow at the Senior Center where they will discuss trying to get petitions and going in and talking with the stores about removing it or not going in the stores until they do. The Chief is going to talk to the Law Director. There are some gas stations where the pipes are right there. We may be doing legislation and are talking with Chief Reik about being able to add something that says – if they are used for tobacco. But, we need to know from you, Mr. Klammer, what we can and can't do.

Mr. Klammer: Chief Ruth wanted to do something like that before. I don't know to what extent he may have talked about it with Chief Reik to bring him up to speed. I think there is a way of doing it.

Mr. Morley: There has been a rash of kids getting sick from it.

Mr. Klammer: The way I look at it I would rather get sued by a business that is selling it then have a little kid die from smoking it. If you want to pass it tomorrow it is fine with me.

There were no further questions of Mr. Slocum.

CHIEF BUILDING OFFICIAL – John Stigalt

Mr. Stigalt was absent and excused.

TAX ADMINISTRATOR – Angela Keneven-Zanella

Mrs. Keneven-Zanella was absent and excused.

ADJOURNMENT

The meeting was adjourned at approximately 8:12 p.m.

DENNIS MORLEY, COUNCIL PRESIDENT

APPROVED: _____

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