

**EASTLAKE CITY COUNCIL
REGULAR COUNCIL MEETING MINUTES
OCTOBER 23, 2012**

The Regular Meeting of the Eastlake City Council was held at Eastlake City Hall, 35150 Lakeshore Boulevard. The Meeting was called to order by Council President Mr. Morley at approximately 7:06 p.m.

The Pledge of Allegiance was led by Mrs. Quinn-Hopkins.

ATTENDEES

Members of Council in attendance were Mrs. Quinn-Hopkins, Ms. DePledge, Mr. Licht, Ms. Vaughn, Mr. D'Ambrosio and Council President Mr. Morley. Mr. Hoefle was absent and excused. Also attending was Council Clerk Mrs. Cendroski.

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

APPROVAL OF MINUTES

Regular Council Meeting – October 9, 2012

MOTION: Mr. D'Ambrosio moved to approve the minutes of the Regular Council Meeting of October 9, 2012. Mr. Licht seconded.

ROLL CALL: Yeas: Mr. D'Ambrosio, Mr. Licht, Mrs. Quinn-Hopkins, Ms. DePledge,
Mr. Morley.
Abstain: Ms. Vaughn

Motion carried. The minutes were approved.

– – – – –

COUNCIL PRESIDENT'S REPORT – Mr. Morley

Meetings Scheduled

Mr. Morley: The next Council-as-a-Whole Committee Meeting is scheduled for Tuesday, November 13, 2012 at 7:00 p.m. The Regular Council meeting will be convened immediately following the adjournment of the Council-as-a-Whole Committee meeting.

For those who are in attendance, whether you have already voted or not, we have an election on November 6th and we have a renewal levy on the ballot. We would hope you would pass that levy renewal. There is no new tax for that. We also have some Charter amendments. For those who have been following after Mr. Licht was appointed in June according to our Charter he had to run in the next General Election. This is the first time we have taken a hit on someone running for an unexpired term because our Charter and the Board of Elections timing for the petition filings were different. So, we have to have written ballots. Even though no one filed to run against him we still need to have the election and there is a special cost between \$3,500 and \$5,000. People in Ward 4 who have received their ballot have asked me why they have a separate piece of paper. That is the reason. This will change it for

whoever would be appointed to office – they would just stay until the end of the term. The same thing would be for the position of Mayor – if the Council President would take over for the Mayor due to resignation or death or removal the person who would fill the Mayor’s position would serve until the end of the term.

Mr. Klammer: On Election Day they will still get a separate ballot. I have heard it is causing some confusion but the Board of Elections is trying to explain. They will vote normally but also receive a separate paper ballot.

Mr. Morley: People voting absentee received one ballot one day and the next day they received the separate ballot.

Ms. Vaughn: Can you give information on the Veterans’ Day Ceremony?

Mr. Morley: That is Sunday, November 11th at 11:00 a.m. at the Blvd. of 500 Flags. Also, Saturday, November 17th at 8:30 a.m. we will be taking down the flags.

COMMUNICATIONS & PETITIONS

Referrals were received from the Planning Commission regarding Conditional Use Permits for Vista Consulting, Inc., 150 Christine Court, Eastlake, OH and El Palenque, 35520 Vine Street, Eastlake, OH. These were referred to Planning Committee.

A liquor license transfer request was received from Franchise USA, LLC dba Easy Trip 1121, 35068 Vine Street, Eastlake to 7 Eleven, Inc. dba 7 Eleven 36216, 35068 Vine Street, Eastlake. This was referred to Planning Committee.

A communication was received from the Administration regarding a Conditional Use Permit renewal/amendment for Karen Hayes Interiors, Inc., 37703 Lakeshore Blvd., Eastlake. This was referred to Planning Committee.

COMMITTEE REPORTS:

Mr. Morley: Ordinance and Finance Committees were held last week.

Finance Committee – Ms. Vaughn, Chair

Ms. Vaughn: The Finance Committee met on Tuesday, October 16th with all members of Council in attendance. In attendance from the Administration were Mayor Andrzejewski, Finance Director Slocum, CBO Stigalt and Fire Chief Whittington. We discussed the Lease Agreement for Jean Chase Memorial Fund, Inc. which appears on tonight’s agenda as a renewal of the current lease agreement and as Legislation No.10-23-(02). It was recommended and forwarded by the Committee. We then discussed the bid situation for the Classic Park field renovation and decided because of the timing to reject all bids and this appears on the evening’s agenda as Legislation No. 10-23-(03). We will also be pulling the legislation on the Side Letter until some items are straightened out. We could not do the planned budget review as the budget was not available. It is now available. Therefore, I am scheduling a meeting for October 30th at which we will review the September budget. I am also scheduling a meeting for November 20th at which time we will review the towing bids

and the results of the levy – it will give us something considerable to discuss. Under Miscellaneous we received a report from the Finance Director on the Spyglass Program. Mr. Slocum?

Mr. Slocum: Spyglass did an audit of our telephone system and the phone lines we are purchasing from AT&T Windstream. They indentified several lines that were no longer needed and we are removing. There costs were 12 months worth of savings and half of whatever credits they collected. The bottom line is through the end of next year we will save \$10,000 and starting in 2014 we will be saving over \$20,000 a year going forward. It was a great project for us.

Ms. Vaughn: Thank you for researching that. We appreciate your efforts – they have paid off. This concludes my report and I am open for questions.

There were no questions of Ms. Vaughn.

ORDINANCE COMMITTEE – Mr. Hoefle, Mr. D’Ambrosio – Co-Chairs

Mr. D’Ambrosio: The Ordinance Committee met on October 16th with all members of Council in attendance. In attendance from the Administration were Mayor Andrzejewski, Finance Director Slocum, CBO Stigalt and Fire Chief Whittington. As mentioned in the Council-as-a-Whole Committee meeting the Committee reviewed an amendment regarding fence heights, specifically the posts with decorative caps. This amendment ensures compliance with the ordinance and right now it exceeds what the ordinance allows. This was addressed for residential and industrial. It was moved forward by the Committee. This concludes my report. The Planning Committee did not meet but as items have been referred to the Committee I will be scheduling a meeting. I am open for questions.

There were no questions of Mr. D’Ambrosio.

ECONOMIC & COMMUNITY DEVELOPMENT COUNCIL – Mrs. Quinn-Hopkins, Chair
Brownfield Development Study Grant

Mrs. Hopkins moved to approve the payment of \$500 as the City’s share of a Brownfield Development Study Grant as applied for by the Eastlake Port Authority. Ms. Vaughn seconded.

Roll Call: Yeas unanimous.

Motion carried. The payment of \$500 as the City’s share of a Brownfield Development Study Grant is approved.

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.

Kimberly Evers, 34237 Beachpark, Eastlake

Mr. Evers: I am here to tonight on behalf of the Eastlake Citizens' Task Force. I would like to thank the Administration and also Council for forming this Task Force and allowing the citizens to look at the books and to have the opportunity to find ways for the City to save money. The members of the Task Force are all residents of the City and have all volunteered their time. The Task Force looked for ways for our City to increase revenue and decrease expenses and present their recommendation in a formal report. The Task Force began meeting on January, 2012 and met until October, 2012. This preliminary report is the result of research and review done by the Eastlake Citizens' Task Force. There are several other areas the Task Force will review in greater detail before making any final recommendations and therefore are committed to continuing their efforts. With that being said I would like to thank each and every one of them and ask them to stand. These guys put in a lot of time and a lot of effort. On behalf of that Committee I would like to present these findings to Council. The report is broken down into three primary areas – immediate, intermediate and long term. We look forward to working with Council and the Administration on any further area they are in need of help.

Mr. Morley: Thank you, Mr. Evers. I would like to thank the Task Force. I know you spent a lot of time on this. We will take a look at it and get with the Mayor and Directors. Perhaps when we go to our budget hearings it will be helpful. We appreciate all your time.

Derek W. Elshaw, 760 Camino Drive, Eastlake

Mr. Elshaw: I am here to talk about the two amendments to the City Charter as they appear on the November 6, 2012 ballot. I focus are Article V. Section 6 which addresses the President of Council and more specifically changes the procedure in the case of a removal or death or resignation of the Mayor – the Council President would take that place. More importantly the provision for a vote of the people has been removed. The amendment now removes the vote of the people. For example, if both Charter amendments pass there could be a scenario where a member is appointed to Council, becomes Council President and then is appointed as Mayor without there ever having been a vote of the people. I have issues with that. I understand that there are costs related to it – to having an election – sometimes there are necessary costs. I think that the provision allows for us to facilitate democracy and to remove it I think goes against it. I have an issue with that. I think the removal is a restriction of civil liberties and I think it removes the voice of the people and it is not in my opinion a movement for good government. I know that the first amendment to the Charter is more basic and not complex but it still removes the vote of the people. The unlikelihood of that – I am hoping it is unlikely but then again I am hoping that if God forbid something happens to the Mayor or a member of Council or anyone where they have to be replaced - but I don't feel the scenario I brought up is any more unlikely than a need for change if something happens to the Mayor or Council. With that I am urging the residents to consider this information – members of Council, Mayor – please consider this when you vote on November 6th. I don't think this is a movement to good government and I will be voting against it.

Ted Beres, 36706 Lakehurst Drive, Eastlake

Mr. Beres: Last Thursday morning there was an accident at the intersection of S.R. 91 and Vine Street. If you read some of the comments on line one person said it was a very dangerous intersection. It specifically mentioned right turn lane on Vine Street – that there should be a sign there – no turn on red. If this person experienced the same thing I have – when you are traveling south on S.R.91 as you approach Vine Street someone invariably pulls in front of you. The situation also exists farther down S.R. 91. I thought I would suggest it to you as a safety measure. Also, Channel 12 – there is a radio station that plays music in the background and it also airs car commercials and political ads. My question is – is that within the law?

Mr. Klammer: I have not heard the advertisements but I can look at them if you can forward me a copy.

Mayor Andrzejewski: I don't know how to answer your question. All I can say is no matter what radio station we put on this time of year there will be commercials. The alternative is to turn the radio station off from summer until the end of the election year.

Mr. Beres: There are businesses that advertise on Channel 12 – do they pay for that advertising?

Mayor Andrzejewski: Yes.

Mr. Beres: Then these car commercials on that radio station are getting free advertising.

Police Chief Reik: I am fairly confident that accident was not a right turn on red accident. It was actually someone making a left turn on a red light. We are aware that is a difficult intersection. Living in the City myself I am in the left hand lane and there are people who seem to think – if I have 15 feet and I should be able to get out in front of this car doing 45 mph or 50 mph. Unfortunately, if we make them all no turn on red with safety in mind we will also have extreme traffic backups. We are trying to do different things to monitor that intersection better. We have a right turn only lane onto Curtis which has alleviated some of the problems. Defensive driving is the biggest part of it. We are aware of the intersection and are doing things to try to improve it. I appreciate your comments.

There was no one else who wished to speak.

LEGISLATION PROPOSED - First number will be 2012-067

ORDINANCE NO: 10-23-(01)

Requested by: Administration

An Ordinance amending City Ordinance

Sponsored by: Ordinance Committee

Section 1361.10 "Fence Height," and declaring an emergency.

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

ROLL CALL: Yeas unanimous.

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

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Ordinance No. 2012-067.

- - - - -

Requested by: Administration
Sponsored by: Finance Committee

RESOLUTION NO.: 10-23-(02)
A Resolution authorizing and directing the Mayor and Director of Finance to enter into a Lease Agreement between the City of Eastlake and the Jean Chase Memorial Fund, Inc. for use of the City of Eastlake Community Center, 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 Resolution No. 2012-068.

- - - - -

Requested by: Administration
Sponsored by: Finance Committee

RESOLUTION NO.: 10-23-(03)
A Resolution Rejecting all Bids Received by the City for the Eastlake Classic Park Field Renovation, 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 Resolution No. 2012-069.

- - - - -

LEGISLATION PENDING (Placed on First Reading 10/09/2012)

10-09-(03)

Requested by: Administration
Sponsored by: Finance Committee

RESOLUTION NO.: _____

A Resolution authorizing and directing the Mayor and Director of Finance to enter into the Seventh Side Letter Agreement between the City of Eastlake and Cascia, LLC, in relation to the “Amendment” to the Lease Agreement for the years April 1, 2012 through March 31, 2015, and declaring an emergency.

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

Legislation No. 10-09-(03) is referred off the table with no action taken.

UNFINISHED BUSINESS

There was no Unfinished Business.

NEW BUSINESS

There was no New Business.

ADMINISTRATIVE REPORTS:

MAYOR/SAFETY DIRECTOR – Ted Andrzejewski

Mayor Andrzejewski: On October 15th we received from the State Auditor our audit report for the years 2010 through 2011. I am pleased to report that once again Eastlake has come out with a very good audit. The State Auditor’s came in here and spent two months and looked over every aspect of our finances – all the revenues coming in and all the money coming in from separate levies and our expenses – the expenses we pay out each month and the checks we write. Everything was accounted for and was in very good shape. The residents of Eastlake should know that the revenues they give us through their tax dollars and real estate taxes and various fees are spent the way they are intended and everything is accounted for. This is the fourth such audit we have received since I have had the pleasure of being Mayor.

Mr. Slocum: A copy of the audit is on the City web site.

Mayor Andrzejewski: If anyone wants to read the whole audit go to www.eastlakeohio.com – there is link to the Auditor’s website.

There were no questions of Mayor Andrzejewski.

LAW DIRECTOR – Randy Klammer

Mr. Klammer: The important thing I mentioned was when residents receive the two ballots they should not be frightened by the second ballot. I am open for questions.

There were no questions of Mr. Klammer.

FINANCE DIRECTOR – Mike Slocum

Mr. Slocum: I do not have a report and am open for questions.

Mr. Morley: I trust that the results of the levy – whether it passes or fails – will be ready for discussion at the November 20th meeting?

Mr. Slocum: The big things we are waiting for is the re-valuations of our property tax. We are fully dependant on the County Auditor to release the valuations – at least the initial valuations. The talk is that it could be anywhere from 8% to 20% in devaluation in our collections. In addition, we are waiting to hear what type of increase we will face with the hospitalization although I did get a preliminary call that the number will probably be less than 8%. It still far exceeds the cost of inflation but it is not 20% that other people are seeing.

Mayor Andrzejewski: We had \$102 left over in our levy account so I am having some small cards made up. If any Council members has a few hours on November 6th and wants to pass out cards at the polls I will have them in my office. They just say “Vote Yes on Issue 3 – No New Taxes – Renewal Levy.”

There were no further questions of Mr. Slocum.

CITY ENGINEER – Tom Gwydir

Mr. Gwydir: It has been quiet on the engineering front. I am turning in the final application to the Ohio Public Works Commission for the project on Erieview which should go next year. I am open for questions.

Mr. D’Ambrosio: I just wanted to thank you – Camino Construction did come back and take care of those aprons that were across from Edwards – the residents are happy.

There were no questions of Mr. Gwydir.

SERVICE DIRECTOR – Mike Semik

Mr. Semik was absent.

CHIEF BUILDING OFFICIAL – John Stigalt

Mr. Stigalt was absent.

POLICE CHIEF – Larry Reik

Chief Reik: We have had two people retire now over the last couple of months. Detective Bergant and Patrolman Greer – we will be having a retirement party on November 9th. Between the two is 60 years of experience lost. Fortunate for the Department and with the agreement of the Administration they are going to stay on as part-time officers. Detective Bergant still works at one of the schools and is pitching in to help with things around the station. They will both be missed. Try to be there at noon at the Fire Station on November 9th. I am open for questions.

Mrs. Quinn-Hopkins: We had someone complain about the timing of the lights on Lakeshore Blvd. up by Hillcrest. The traffic backs up – I have seen it – it backs up so badly. Can we work with the light timing?

Chief Reik: I think that issue has been handled now – it was retimed about 8 or 9 days ago. I take that route home myself and it was fine – the day before I was stopped by Erie – but this day I got all the way through to Hillcrest. The timing has been set from 3:00 p.m. to 6:15 p.m. and we have been watching it. It seems to have handled the problem. If you see a problem there at a different time let us know.

There were no further questions of Chief Reik.

FIRE CHIEF – Ted Whittington

Chief Whittington was absent.

Additional Comments

Mr. Morley: I hope everyone gets out to the polls on November 6th regardless of you candidate or issues.

ADJOURNMENT

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

DENNIS MORLEY, COUNCIL PRESIDENT

APPROVED: _____

ATTEST: _____

DEBORAH A. CENDROSKI,
CLERK OF COUNCIL