

ORDINANCE COMMITTEE MEETING

January 15, 2019

Committee Co-Chair Mr. Kasunick opened the meeting at approximately 6:00 p.m. Members of the Committee in attendance were Co-Chair Mr. Overstreet and Mr. Spotton. Present from Council were, Mr. Zuren, Mr. Hoefle, and Mr. Evers. Council President Mr. Meyers was absent and excused.

Present from the Administration were Mayor Morley, Police Chief Reik, and Law Director Klammer.

PROPOSED

1. Deer Hunting.

Mr. Kasunick: Visiting us from the Ohio Department of Natural Resources is Jeffery Westerfield. This is an issue that we had explored a couple of years ago. There are a few sticking points to the proposed legislation that we couldn't get around, so the legislation kind of died, but we have continued getting some complaints for resident's and things regarding the deer and we decided to revisit the matter. Mayor Morley, Mr. Westerfield, and I actually did some exploring around town today to show Mr. Westerfield some of the areas around town that could be conducive to deer hunting and with that I will turn the meeting over to you Mr. Westerfield...or the Mayor.

Mayor Morley: We went around today and the ordinance that we have in front of us I would just put to the side. Talking to Mr. Westerfield on a ride with Mr. Kasunick and I and we were out for about two and a half hours today. We went to the big areas where they could hunt...went to a few resident's homes who have been complaining. One on Lakeshore Boulevard and a couple of people came out on Valleyview Drive when we went down...at the end of Riverdale Drive we showed him all of the different parks there. I think from talking with Mr. Westerfield and he's talked about...he's looked at the ordinance before about our footage and all of this. We talked about just doing a case-by-case, instead of looking at this ordinance and trying to re-vamp it. You can explain what we talked about. I think that it would be a little bit more conducive to the city than just saying "here are these strict rules." And if we have someone that is going to look and oversee this they are going to make those decisions. What he said is the applicant that wants to go out and hunt the deer has to hit all of this criteria and then we say yeah or nay. Again we were on Lakeshore Boulevard for one of the big problem spots. Today we probably saw three or four spots with thirty to thirty-five deer just out during the day today while we were out on the rides.

Mr. Westerfield: You definitely have no shortage of deer in town. But what it really boils down too is at least on a lot of what I've heard over the years is that the topic at hand really is because resident's that have concerns for them baring levels on shore regarding the deer. At the end of the day what I typically suggest as far as the approach to take is too simple from the city side open up the opportunity for residents too...essentially do a proposal for what they would like to do. Then the city essentially takes a look at that proposal and then makes a determination if what they are asking to do...really the basis is can it be done safely. And also looking at some side bar things as well as looking at the welfare of the people in town and stuff like that. Rather than

trying to think of all the things that you could put into an ordinance to try and make this thing as safe as possible. You're probably not going to catch them all and you're probably going to have some stuff in there that probably will end up turning into restrictions. That probably in the end you will go "yeah I see your point but it's in the ordinance." So my typically suggestion is keep the ordinance pretty simplified. Basically just saying "hey there is a process to follow for looking at controlling the...property, if you want to do that here's the process and submit the proposal to us." That within the rules of that process you can have some more of the guidelines for what you look at. Not necessarily rule per say but guidelines. That's how we handle...like if we're dealing with...it doesn't matter if it's a city or a rural area, if we have a homeowner or landowner that has deer damage and they apply for a deer damage permit from us. Our law that covers deer damage permits is very simple, very short and sweet. It basically says that there is a process to follow in order to get this permit. Then within the permit we have the rules and the guidelines that we follow for issuing that, and the restrictions and that kind of thing. The biggest thing is you guys want the whole...like I said really in most cases the whole thing is really circulated around this...maintaining the safety of the residents in town. Having the ability to make case-by-case decisions for what will make that situation safe provides you guys with most flexibility as well as really the residents the flexibility as well.

Mr. Kasunick: Mr. Westerfield just a quick...what other communities...I know that Mentor is one and it is probably our closest, but what other communities in Northeast Ohio just off the top of your head...I don't expect you to know all of them. What other communities have a deer hunting program?

Mr. Westerfield: There's a lot. It's growing every year. Probably some good ones close by...Mentor has a program that they've had for many years now, Pepper Pike has a program that is maybe three years into the program at this point. They are really one of the first cities that really harness this proposal concept for residents coming to them. It's worked out very well in that town. Hudson, Twinsburg, and I am trying to think of some folks that are close...Gates Mills, I believe Orange...you get down to southern Cuyahoga there are quite a few down there as well that utilize this hunting a component on how they manage the deer there. Again it comes down to on what level do you want to tackle this. Does the city want to take the reins and deal with deer management or basically...because you guys decide that hey this is what we are going to do for our residents or is it really about saying that we have residents coming to us with concerns? We want to listen to their concerns and listen to what they are wanting to do and then make decisions from there. If you want to look at like Seven Hills is a really good community that started the program and it worked out really, really well and went pretty smoothly using this application proposal type process.

Mr. Kasunick: Does anyone else have any questions for Mr. Westerfield or any other comments regarding the deer hunting?

Mayor Morley: I don't remember if I talked...did you have any of the samples that you guys have given out to the residents and then the deer...for when it's destroying their property if they ask for that permit.

Mr. Westerfield: I don't have a copy of our damage permits that we issue. I can certainly get that in your guy's hands. What I do have inside here...I try to make things as simple as possible for city leaders. Because this is not necessarily your guy's bag of tricks, but kind of view me as the consultant side of things. I deal with a lot of cities and I go to a lot of Council Meetings, a lot of Ordinance and Safety Meetings. I understand a lot of the hertels and questions and stuff that you guys come up with all the time. So what I did is kind of build that into the proposal kind of process. Inside here has kind of a template if you will for a city permit, and you can modify this as needed. Other than secondarily is municipal permit that should the person do that proposal to get accepted then this would be the permit that you issue with a lot of the rules of that on the back. Again I understand what you're...a lot of the concerns are and that kind of thing and trying to address that. I think if you take a look at those you will see "oh okay that makes sense, that makes sense, and that makes sense." It kind of outlines the duties both for who's getting the permit, who the people are that are doing the actual work on the ground the hunting, and then also from the police or city side of things as well.

Mayor Morley: A couple of the resident's homes that we went to like the one on Lakeshore Boulevard and a couple of others...you didn't see any issues of where he talked about possibly having the tree stands or for neighbor issues or anything else? And he has already said that he's talked to other neighbors in the area, but you didn't see anything especially the ones in the back yard like he said that are going to go out on the lake.

Mr. Westerfield: The interesting thing with this whole thing is that often times city leaders they try to think of all the things right? But you don't know what's going to come in, so the beauty of this process is that it leaves it open. You're basically sitting there saying "hey we're here if you need us and if you are sending something in, send it in, and we will take a look at it." So you go out and take a look at that case-by-case of what's going on in...it really puts some of the ordinance back on them. As I always say the message to the resident that's submitting that is bring your best foot forward, because we are going to take a look at this and if we don't deem it safe we're not going to approve this. So you best talk to your neighbors and get as many people together as you can, because when you submit this, and have an idea of what you want to do. That ways when the city goes out and takes a look at it then they already have an idea and the concept is on the resident's side. And it allows you the flexibility to say "hey yeah that great your thinking maybe this tree but no we would be okay if it was over here. We feel that would be safe and we would be comfortable with you doing it over there." Or to say sometimes I've seen situations where it comes in and you're out there taking a look and you say "Yeah okay but here's what I need...that house over there where your thinking I'd be okay with it if they are okay with it. So you need to get them to sign on to your proposal here." Then it puts the burden back on that resident to go forth and do that and go from there. Again it all puts it really back in their hands to really bring the best case forward. And at the end of the day if they aren't bringing their best case forward then it's not going to...so to your question is yeah I mean with my knowledge going into a lot of different cities and what cities allow hunting, and where hunting has occurred? There are lots of places within the City of Eastlake that certainly fit that bill no questions asked. It really boils down to who essentially submits those proposals. But like that one property that is on Lakeshore Boulevard yeah personally I don't see an issue. Now keep in mind that is just my opinion and at the end of the day I can give you what my two cents is but it really it's on the city.

I don't know whether you layer that down to you now the Police Chief, or the chief's designee, or a safety person, or how you do that but to somebody that the city feels can make good decisions for the city on safety to make that decision. What I may be comfortable with that person may not be. Really it comes down to just that case-by-case senerio when that proposal comes in to take a look at it and make that determination.

Mr. Klammer: What are the other cities...part of our concern when we were doing this I don't speak for the Chief is that...I don't know anybody in the city that has the skill set like you do to make those determinations...how are some of these other cities hand on that? Because the last I've...if we don't know how Orange is handeling it and for all we know they have the Mayor/Safety Director making those determinations? And they've been luck that no ones been hurt. Other than that these cities are spending money or contracting out to somebody that has that expertise to make those determinations...

Mr. Westerfield: Typically within the Police Department the Chief or the Chief knows somebody within the Police Department that...usually it is someone who has hunted or is a hunter that can relate to the person and understand where those stands are going that goes out and makes those determinations. Really that's in my opinion where you want that to lie, because that's their job. It's the Police Departments job...is safety for the town.

Mr. Klammer: I know enough about hunting. When you get a hunting license for a deer is there any type of testing that goes into that? So even if they were a hunter that happens to work for the Chief, who may have hunted for thirty years and lucky not to hurt anybody, but there's no training that an individual hunter would have gone through so that we know that he is other wise skilled?

Mr. Westerfield: Correct, but at the same time you know it really comes down to the Chief and what his knowledge in his staff and how comfortable he is with that person making safety related decisions. That's what it boils down to and usually it lies within the Police Department that is making those decisions.

Mr. Klammer: You guys don't have anybody on staff that would do that for us?

Mr. Westerfield: We don't. And again at the end of the day...I could say that I'm comfortable with it but at the end of the day I'm not a police officer I'm just a biologist. I can tell you from my experience and knowledge whether I think it's safe. Now to your point could you hire somebody to do that yes absolutely. Mentor has Natural Resource staff on...

Mr. Klammer: Part of our last challenge and I don't want to speak for the Chief, is it wound itself falling on the Chief and I'm not sure he was thrilled with idea either. I don't want to feel like I 'm speaking...I don't know if you guys had somebody on staff or...

Chief Reik: Do they have them on retainer in Mentor?

Mr. Westerfield: They have them on as paid staff. They're not and I think what they have is one full-time and a couple of part-time. They do a lot of different duties in town other than just deer

as well. But the deer is one of the big things that they deal with. They're not always necessarily the ones that do all the approvals either, but that is something again if you go through that process to hire somebody...really it could be just for a period of time. We are only talking probably a couple of month window here. Looking to do that just comes to cost.

Member of the audience: Has anyone discussed it with the Game Warden himself?

Mr. Kasunick: We will have time for recognition of the public near the conclusion of the meeting.

Member of the audience: Yes sir.

Mr. Kasunick: Thank you.

Mr. Westerfield: Ususally when we kind of start the programs I will usually try and go out with whoever is going out for the first couple of times. We also...so if in an ideal world this would open up opporitunity both during hunting season, which runs at the end of September through the beginning of February. And then also for allowing some deer damage permits if we would issue those permits, which can and usually outside hunting season for damage on properties. In those situations where it's a damage permit we are issueing, because we've got to go view the property as well. Then we usually collaboratively work together on those ones and go out with one of our officers.

Mr. Kasunick: Are there any other comments or questions regarding the deer hunting ordinance?

Member of the audience: What kind of liabililty...

Mr. Kasunick: Again we will have time for recognition of the publice near the conclusion of the meeting.

Mr. Kasunick: Seeing none I'm just going to poll Council to find what the general feelings about this matter are whether we want to proceed with something and what stipulations you would want on it. I will start to my right with Mr. Zuren.

Mr. Zuren: I have not received any calls on this in the last year. For some reason the calls have stopped. Going back a year I got a lot of calls about deer problems and I'm not sure if it's the weather or there's a lesser population of deer. But I haven't received any calls in over a year.

Mr. Kasunick: My personal...I don't think it's the latter but there are plenty of deer in town that I see all the time.

Mr. Zuren: I would like to see if other Council Members have received calls.

Mr. Kasunick: Okay. Mr. Evers?

Mr. Evers: I haven't received any calls.

Mr. Kasunick: Mr. Hoefle?

Mr. Hoefle: I haven't received any calls. I had a resident who approached me and they felt that the population in our area has dropped. That's the only comment that I had.

Mr. Zuren: Sorry to interrupt again but I have not seen the deer. We live in the same development and I have not seen the pack of deer that was there a couple of years ago. They are not around anymore.

Mr. Kasunick: Mr. Spotton?

Mr. Spotton: I haven't received any new calls. There are still the ongoing complaints in our area from the same people. Being that I'm on rotating shifts I go to work at eleven o'clock there are a ton of deer when I'm leaving at 10:30 p.m. to go to work. So deer is still a problem and it's not going to get any better just because people aren't calling about it.

Mr. Kasunick: Mr. Overstreet?

Mr. Overstreet: The main complaint that I get is from that same individual and I think that we all know who. And maybe his deer has moved down to my yard because I see them on my yard on East 332nd Street off of Vine Street.

Mr. Kasunick: Mayor Morley?

Mayor Morley: I guess I'm lucky enough to receive most of the calls. I think a lot of people went away because when you tabled it last year...I get calls from people saying...because what I do is not to throw you guys under the bus is talk to your Council people and a lot of people tell me that I'm not going to talk to my Councilman because they aren't going to do anything. That's what I've told you before about the thing...we were out today for a couple of hours and in the areas we went to we saw over forty to fifty deer. So they're there and you might not be getting the calls, but they're there and we eventually do have to do something. If we do it around what Mr. Westerfield is talking about we can look at it that way. We have to do something we cannot sit back anymore and just say "They are going to go away or the phone calls are going to go away because people are frustrated and they are tired of calling me and they are tired of calling you guys. I get the calls I document it...I showed him today and that was at four o'clock at night in certain areas. And maybe it is Ward 4 that gets the most calls, because we have a lot of the woods at the end of the street, we have a lot of woods off of Reeves Road in Mr. Kasunick's area. So yeah you might not get them in Ward 1 where you guys live, they may not come in that field but over here they are everywhere. There are twenty of them that sit right on Reeves Road and Lakeshore Boulevard at nine o'clock every night. I don't know if they just go there to talk...so today we were on Erie Road. We drove by slow and they were standing on the road and didn't even flinch. They don't flinch anymore. That twelve point buck out here when I leave my office to go to my car doesn't even move. It's a problem you're just not getting the calls but they're out there and we need to look at doing something.

Mr. Kasunick: For me personally there are a lot of re-curring people who like to talk about this issue. Certainly in the area of town where I live, which is on Reeves Road, there are hurds of them that you see quit frequently.

Mayor Morley: I wouldn't have brought it back up if I didn't think that was an issue. I know that we tabled it a year ago.

Mr. Kasunick: Mr. Spotton?

Mr. Spotton: To the Chief...is there still any up tick in vehicle deer incidents? I remember that we talked to Mr. Rubertino last time and he said it's exponentially increased in the last five years for him finding deer carcasses. So where are we at?

Chief Reik: We've had some including cruiser related. Mr. Overstreet knows you get around in the dark on Surfside and mid-night shift especially you'll see them back towards the end Saint Lawrence Boulevard, Riverdale Drive, and all in that area. But I could get the numbers I don't have them.

Mr. Kasunick: I think it's always worth mentioning that when you're dealing with deer car collisions, even if they're not frequent it is still potentially a pretty serious accident there, because of the size of the deer.

Mr. Spotton: I do remember Mr. Rubertino saying that in the five years that it's gone up a ton.

Mr. Kasunick: Yeah he did say...he said that...and obviously that's a big clean up for the Service Department when you have a big deer carcass in the middle of the road. Mayor Morley the over taxing the Police Department as far as...

Mayor Morley: I think to after what I've heard tonight we can contact Mentor...again if it's going to be a few months window we can talk to Mentor and what they would charge if someone came out and look at that. I don't want to put it on the Chief and I know that we had one of the residents before that was thinking on doing it, but I don't know if he's still available to do that or not.

Member of the audience: He's offered for free.

Mayor Morley: We also have that, what we talked about, and the Chief...

Mr. Kasunick: Mr. Evers?

Mr. Evers: We talked about a resident doing it but they had to be an employee of the city for insurance purposes.

Mayor Morely: That won't be an issue. That's a special one.

Mr. Evers: I'm talking if it's from our Police Department...yes...but if it's a resident from the city we can't do that.

Mr. Kasunick: I think what we're discussing now is maybe we would hire somebody. Just a temp for this issue or else like the Mayor said maybe we would work with Mentor. If they already have people that are doing this maybe just for a reasonable cost maybe they would be willing to work with us on this and do what they in Mentor in Eastlake basically.

Mr. Spotton: Is he still OPADA, because the last time I talked it was expiring.
Member of the audience: Notre Dame.

Mayor Morley: We had a resident that is an officer somewhere else that we could swear in to run the program. He's a big hurt as well.

Mr. Kasunick: With that I assume that we want to keep this matter on the agenda and work out some of there details. Chief Reik did you want to talk to somebody in Mentor to see if they would be willing to work with us?

Mayor Morley: I'll talk to...if he's feeling better.

Mr. Kasunick: Sure, so that's how we'll persue this. Chief Reik?

Chief Reik: Just the last thing that I would add from what he was saying and it seems to make the most sense to have the devil in the details of permit rather than in the law itself. Because it's a lot easier to change policy and permit then it is to change the laws. You have to come in here and provide the basic frame work that we are comfortable with and then we can adapt as we go, because we're not Mentor. We're a lot smaller and of the communities that he spoke of are still a lot more open as to here. We would probably be on the cusp of heavy populated of a city as any of those that I would think...persons per square mile.

Mr. Kasunick: I was thinking that we might want to designate a goal number. Maybe have four or five places in town where we would have a platform set up and our goal maybe to take four or five deer down in each of those places. So that would be twenty-five deer out of the population each year. I think that might be about what a city our size might be looking at. Does that sound about right Mr. Westerfield?

Mr. Westerfield: You know honestly it really doesn't matter for you guys. If the process you take is simply allowing the residents to submit those proposals and to do it on...use the stuff on their properties. It really doesn't matter what that number is right, because if one resident wants ten deer less then he will work to get ten deer less. If one resident wants one deer less they will work to get one deer less. Maybe that's all it takes to get those deer weary of that area and get it off of that property. Really the numbers are really immaterial at the end of the day. Because ultimately each property that they are managing that deer hurd there determins what their comfort is with those deer population. Once their comfort level becomes good then they are not complaining to

you guys saying there's a problem, their problem is fixed at that point. If they need more then they do more work to get more deer killed to reduce that number there. Really it's immaterial and really it's dependant on what the resident attitudes are of those that are submitting those applications. The Chief is 100% right that detail stuff works out really well with just having it inside that permit, because that's where you have the flexibility of putting specific limitations and that kind of stuff on there depending on whatere that site is.

Mr. Kasunick: Okay and thank you. I sense that the number of the people who are joining us tonight are here specifically for this issue and there are other issues that might or I think are going to take some time, so would anybody object if I just moved on to a public comment section regarding deer hunting only? It's a little bit off the agenda that was scheduled I don't want to keep people here that just want to talk about this issue.

RECOGNITION OF PUBLIC

Phil Lazer, 36254 Reeves Road, Eastlake, OH

Mr. Lazer: Probably five years ago I tried to start a small pick your own apple farm. I planted fifty apple trees...three years in a row they were completely destroyed. The deer were jumping my 6 ½ foot fence. I finally called the Lake County Game Warden saying "How do I defend my trees? What do you recommend for fences? Is it a height issue or what ever?" And he said "Why don't I come and look at it?" The Lake County Game Warden came out walked on my property say the damage, say that I didn't just plant stuff and say "Oh the deer ate it." I took every step that by the book should stop them and he ask me, I walked him right through my barn and he saw my bow sitting there and said "Well we can issue a nuisance permit." I said "There is no hunting in Eastlake." He said " Well I'm a State Officer this is different under the nuisance progam." So he walked on my property and he asked me where I would shoot the deer at and I said "Well I can shoot him right here." He turned to me and said "He's like you have a good trail out here why don't you just shoot right here?" At first I thought he was unintelligent then I realized he was toying with me. He said "If I miss the deer I would hit a house." And he was waiting for me to say "Oh no that's a bad idea I should shoot this way." He was like yeah I have no problem you have a good back stop and we have elevation change...I have a platform. He talked to my immediate neighbor's they said great. He gave me a stack of doe permits and he told me that if I ever have...we have a population problem, because of feeding. He said that if I have deer rubbing my trees and killing them he would give me buck permits. So he handed me a stack of doe permits and he said "If I ever find out that you take a buck you'll never get a permit again." And I said "I understand." Up until 2015 I was shooting doe's on Reeves Road in my back yard under the...of the State of Ohio. Right there it has a big box that you check that says "You need to notify the police before you hunt or you do not." He said "Do not. We do not need to make waves in Eastlake." And that's how it was and everything was fine you never got a phone call about the deer I've taken...you never had a problem. Someone got busted pouching, so the following season the Game Warden said "Well I don't want to step on any toes. I respect Chief Reik. I just everybody to be aware, so just Chief Reik to put in writing that he is aware that you are hunting under my supervision." I don't know what happened I didn't bother you about it, but he just said that he never heard back or there was no agreement and it just kind of fizzled out. What I'm curious about is I don't know why we would need to involve Mentor or hiring. The Game Warden came to my house saw the spot and said "Yeah that's a safe place to

shoot. And your neighbor's are all fine." He talked to them and he said "You're good to go on the property and to retrieve a deer." If it left the property...that never happened...but the Game Warden said "Just call me. I will come drag the deer on your property." We don't have the manpower for the police in Eastlake to be troubled with piddly things like this. If the Game Warden looks at five properties, five land owners...right now I have fifteen fruit trees. Two of which got killed this year by deer and if the Game Warden comes to my property and says that he has a safe place to shoot...if he wants to see me put three arrows in an orange at thirty yards he's welcome to. But I don't think that he needs to see what I've checked in the State of Ohio in the past for archery season. Why do we need to hire someone from Mentor? Why do we need to waste the Chief's or officers time, when the Game Warden can just approve select people who own properties? Not even bring people from other cities and hunt on those properties? Let Eastlake residents who are Eastlake land owners of over whatever amount of acreage you set or just up to the Game Wardens discretion. If you want twenty-five deer out a year...ten are back in Surf Side right where you were talking about Saint Lawrence or Riverview Drive. He has the property and the safe area to shoot. If you want twenty-five deer out he's fine. I'll take whatever you think is appropriate for the Reeves Road area. I've been doing it until it fell through. I don't see why we need to involve other cities. The bottom line is...I have a huge problem over at my house come on over and I'll show you.

Mr. Kasunick: Alright thank you. Are there any other public comments at this time?

Tim Hornak, 401 Riverdale Drive, Eastlake, OH

Mr. Hornak: Kind of the same thing that he was going to say...you know involving other people. There are some people that are out there that just want to kill deer, check them in and just keep killing, killing, and killing. I'm a hunter and I'm not like that. I kill deer and I eat it. I don't need to donate it. I don't want people like that hunting back there.

Member of the audience: The trophy hunters.

Mr. Hornak: The trophy hunters...you have guys like that. It shouldn't be like that if you're a hunter and ethical you shoot the deer, you clean it, and you do it the right way. I don't want people from other cities coming around flinging their arrows around my backyard...my kids walk around back there.

Mr. Kasunick: Are there any other comments on the matter?

Jim Turchack, 36900 Valleyview Drive, Eastlake, OH

Mr. Turchack: I sympathize with your apple trees, but that being said my wife and I have deer in our backyard all the time. We don't have problems with them eating stuff we plant ferns, ornamental grass, we stay away from everything else. In terms of killing five, fifteen, or twenty-five deer and the other ones go somewhere else, that like taking a feral cat and dumping it in a new ward...that's not right. What about insurance by the way? Is this going to cost the city...because things happen.

Mayor Morley: We already have. We have general insurance for everything.

Mr. Turchack: Covers everything.

Mayor Morley: We don't have it all...if we had to itemize everything that could happen...

Mr. Turchack: I didn't know.

Mayor Morley: It's an umbrella that we are through with a company called NORMA with the other cities.

Mr. Turchack: I have an umbrella policy too. I was at the meeting last year. I brought it up to my insurance agent and he says don't let them on your property. You're just inviting trouble.

Member of the audience: I assume you're not a hunter right sir?

Mr. Turchack: No I'm not.

Member of the audience: Usually most cities that do it one of the main rules that they lean on for...stuff does happen mistakes are made. Usually they say you have to be ten, twelve, or fifteen foot above where you are shooting the deer. So lets say that you completely miss that deer, that arrow is going down at a 50...into the dirt.

Mr. Kasunick: There are regulations for safety. Yes maam?

Kathy Turchack, 36900 Valleyview Drive, Eastlake, OH

Mrs. Turchack: We have the park behind us and last time you were discussing culling the deer you were going to put up bow and arrow thing in the park. Now this is a very used park with kids, bikes, and everything. And I am here tonight to make sure you don't do that, because there is no way you can put up a tree thing and have little kids climb it when its empty and play in it. So if you do it on your property and you have a big yard that's one thing, but when you come in a backyard or consider that you can do it in the park behind me, that's a big issue to a lot. There isn't enough room there are kids and bikes...it's asking for trouble. You know kids and they see a latter going up a tree they are going to climb it.

Member of the audience: The deer in the park aren't even the nuisance deer it's the ones that are going into the yards that are doing the damage.

Mrs. Truchack: So I don't want any discussion of people coming in from Mentor and going in the park. On the other hand you're talking about people that did it have you ever gone up to the Holdem Aboretam and their beautiful flowers they got all of their deer out safely without culling them. By chasing them out and putting a fence. I don't know what kind of fence you talked about...but they kept deer out that way and all of their flowers and everything look beautiful and you don't see any deer there. They just pushed them somewhere else somehow.

Mr. Kasunick: Are there any further comments? Chris Krajnyak?

Mrs. Krajnyak: Just for clarity you're talking about bringing people in from Mentor. They're not saying bring people in from Mentor to shoot the deer. They are talking about...am I correct in this talking about bringing someone in from Mentor to consult about the safety of where something could be positioned and if that area is good enough to shoot the deer.

Mr. Kasunick: Let me start with Mr. Lazer. He had the Game Warden come in and the Game Warden apparently assessed the safety and said it was an appropriate. We would need somebody to do that.

Mrs. Krajnyak: It's the same thing.

Mr. Kasunick: It's the same thing so we're not talking about having people from Mentor come in and do the hunting or do anything like that. It would be people from Eastlake applying for the permits and doing it themselves. They would have to have sufficient acreage and the whole thing would have to be set up in a safe manner.

Mrs. Krajnyak: And as far as platforms go some cities they are removeable. They don't leave them up so that kids can climb up and down the latter. They come in and they put them up...in the park...in Mentor.

Mrs. Turchack: I don't want them in the park that's it. I just don't want them back there. One day they could be shooting bows and arrows and some little kid can come out.

Mr. Kasunick: I think that we are going to cut the cross talk please.

Member of the audience: Safety people going to inspect it. It's not going to be willy nilly people shooting arrows throughout the city.

Mrs. Turchack: When there's a park they rope off that area like in the Emerald Park Area. They will actually put closed and they would do that area, well this park is so little I don't see that you could even consider shooting deer there. But you would have to notify everybody.

Mr. Kasunick: That is exactly why we would need a safety person to access the...

Mrs. Turchack: I didn't even know about the...when you were doing all of the meetings last year you didn't send out a notice to any resident. Nobody knew about it.

Mr. Turchack: Especially those that boarder the area.

Mrs. Turchack: Especially those that boarder the parks and you were talking about putting them in the parks. If you're going to have neighbors doing am I going to know two houses they approved it to bow in their back yard in the park...don't go down there?

Mr. Kasunick: Did you want to say something sir we have to...

Mrs. Krajnyak: I actually had to finish my...you glazed over something that I'm not quite clear, so someone would come out and say I have a smaller park I don't have a large park like on Reeves Road or to another...you would have to go to all of the neighbors and they would have to be on the same boat, and then that would take the culmination of how much the property covers. So if six people it covers two acres say that's your perimeter. You would have to get all of those neighbors on board in order to hunt in that area correct? To cull or to...

Mr. Westerfield: So again the resident in their proposal...in their application puts what properties are cooperating with them on this application alright. So let's use you as an example. If you wanted to submit it with just your property you can do that, but if it's a smaller property the likelihood that the application is going to get approved maybe is a little less. So the suggestion would be that you would talk to your neighbors and get as many of them together. So let's say you have three this way and three this way...let's say that you are in a residential area and you get the next road over the three or four that back up to that as well, all together basically sign off together and say "Yeah we're all in agreeance here that if she gets approved we are good with this." That's up to you to put your best foot forward to do that. But ultimately in my suggestion is that you don't acreage restriction or limitations or anything like that, because it's all on a case-by-case basis. If I have a small lot that's next to a big chunk of First Energy's property that's going to be a lot different then a same size lot that's maybe over towards a residential area. So again I don't worry about the acerages and all that jazz it's all on a case-bycase- basis. My response to the residents is to bring your best proposal forward. The better you do the likely it's going to get approved.

Mr. Kasunick: Mr. Westerfield also residents concern regarding hunting that would take place in a park. What type of park would be conducive to deer hunting and how exactly would it work? What time of the day would it be? How would it be blocked off so that lets say someone who is a hiker or just walking through isn't going to step in front of an arrow that somebody shoots or something like that?

Mr. Westerfield: That's a good question. One of the points that I wanted to make is that we have lots of state parks throughout Ohio that have hunting within that state park. Some of them are very well visited parks. Keep in mind that the time when hunting occurs tends to be more of when parks are least used. Usually the confrontation is very minimal at most. You as a city if let's say that is a city park you guys have the discession of putting on whatever limitations you want. You say "Hey we don't want anybody in there until after Christmas, because we know that it's cold and the park visitation is going to be down substantially." You can do that and if you want to say hey...lets say two people...these two people are the people that we are going to allow to do this, but it's going to be when we say you can and so we'll call you when we're comfortable. Because we want it to be when we know it's cold and not on the nicer days. You guys have complete flexibility in how you tackle that. From the park stand point we lots of parks that get hunted and have recreational users using those parks at the same time. You can also dictate out to where those people can be so they don't have to necesarally have to be park wide. You can say "Here's the area or here is the tree where you can shoot from." That's the abilities that you guys have at your disposal. The community of Silver Lake...one of the spots that they started deer hunting a couple of years ago, it was on a very small basis but they use was their village park.

Where their hunters were shooting deer that was the only spot that they were utilizing within the village there. So it can happen but certainly you have to take into consideration some of the neighbors. You guys are nothing different then a land owner and just as you have your homes that have neighbors...you have neighbors there that you should be I hope as well with so.

Mr. Kasunick: I'll address the issue a little bit also of informing the public and that type of thing. The last time we examined this issue we had discussed the possibility of actually putting it on the ballot, so that people would democratically...as opposed to just having City Council decide that the entire community would decide democratically as opposed to that. So that's one thing and also this is just the first meeting we've had on it. Obviously the last time it didn't go through. As far as informing the public I think that there definitely should be a mass information campaign and an education campaign that the city should embark on before anything like that would be implemented. Yes sir name and address.

Richard Kels, 36528 Valleyview Drive, Eastlake, OH

Mr. Kels: Maybe I tend to over, over simplify things. To persue these I don't think that there is any need to ever involve any that has the name park involved in this title in this to ease all of that. I never knew that what the gentleman there brought up about the apple tree situation that you went to the County...

Member of the audience: It was the Lake County Game Warden sir.

Mr. Kels: And again that's taking the place of on a straight line probably less then a half a mile from my house and everything he did was completely legal and everything and he was solving the problem. He wasn't involving the Police Department, or wasn't involving one penny of cost to the city, which that should be in all of our concerns, and is taking care of a problem. I would be willing to bet because my property butts up to the woods there on Valleyview Drive. The valley that's between Valleyview Drive and Reeves Road and I know that obviously I'm on a very crowded street and my property wouldn't be one conducive two that, but from my kitchen window...if it was allowed I could get rid of fifty deer in one day. In one day and there would never have to be an issue again. I'm sure that people that live along those woods...I know sometimes I see the same ones over and over...I have a photograph of twenty-one deer within a range of my camera. On the heavily populated street and the average lot there is sixty feet wide. I have picuters out of my front living room window on paved Valleyview Drive six deer and four of them are in the middle of the street and the other two are eating up the scrubs in my neighbor's yard. In all do respect to you folks with your...you say that you plant things in your yard and everything...I'm a yard fanatic okay and I've lost lots and lots of valuable things due to the deer...also putting up a six foot fence around my yard...my neighbor who is a very new neighbor for just a year and a half. The very first year they were there they didn't have a fence...they had a fence by mirror of the fact that their neighbor on one side and the other side both had fences, so they put a fence across the back...five feet and the next morning after it was installed there were six deer in their yard eating that acrons from their oak tree. So I feel as a property owner I think it's real nice to see the squirles and the cardinals and all of that, but I also think that I have a right...I own that property and I want to fix it up the way that I want I shouldn't be limited to specimens of plants that I put in and everything. I shouldn't be living my life at the mercy of the

deer and that's how I feel. That's in all due respect to how you folks feel. I so like the idea of keeping it so simple when you say multiple deer stand? I think one stand in the whole city could solve the problem tremendously. One stand in the area right in that vally behind my house there's...you can stand in the bottom of that vally and you can't see a resident or anything as far as you can see, you're like in a giant bowl.

Mr. Kasunick: I will briefly address the issue of cost to the city. Any program that we implement I'm sure the bulk of the cost would be bared by whoever wants to do the hunting. The only thing that the city would be particularly interested in is observing for safety that it's set up in a safe manner.

Dennis Hornack, Valleyview Drive, Eastlake, OH

Mr. Hornack: I come to the conclusion and I've lived here for forty years. Your not going to stop they are going to be here all the time. You can't kill them all. They come out of the park in one night and two hours they're out of the park in your yard and my yard. I also have twenty deer back in my yard...turkey everything. Its part of...you like to live in the woods don't you? You like to look back there that's part of the bargain. You mentioned all of these other cities...these other cities all had...I'm very familiar with them all. And they all have big lots like acre, five acre lots; it's more conducive you could probably get away with hunting. We're almost like sixty foot lots...it's not going to happen. And I do a lot of deer hunting I'm seventy-three years old and I've been hunting since ten or twelve years old. I'm not saying that I'm a master but I've done a lot and it's pretty hard to drop a deer right in its tracks. So you mentioned Lakeshore Boulevard there's a good chance that deer panic wise hasn't an arrow in him is going to run across Lakeshore Boulevard hit some car a family is in it. You don't want to be in that position and your Chief of Police will tell you "Who did that?" They can see an arrow sticking in it, who authorized it? You may have insurance...insurance they might drop you and you will never get another insurance policy after that. It's a nice city but its not big enough that's my problem. My neighbor's here...we all have grandkids now and I wouldn't want walk back in a park and see a guy sitting in a tree. Even if he's doesn't do any damage it's a park its passive. I got problems with guys back with motorcycles and four wheelers...they bother me.

Mrs. Turchack: Or cats.

Mr. Hornack: Or cats oh Christ. I can't see it happening. You do have maybe ten places in Eastlake that I know of that actually physically be hunted without doing any damage and no body would even know that you're there...like Mr. Lazer...I know Mr. Lazer well.

Mr. Lazer: Thanks Mr. Hornack.

Mr. Hornack: He's got a buffer he's got the river behind. So he doesn't have to worry about anybody walking in...perfect shoot them all. He's got a big problem down there. There's a lot of deer they come out of the parks...you know that. So if you kill twenty deer here that park is going to re-populate them. You know one doe...that's two or three fauns every year. The same with those coyotes we put a hurt on them...you can't get rid of them. They are there to stay. You can get rid of nine or ten of the coyotes they will have ten pups next year. They will re-populate

within two years. So I just physically don't see it happening. You are going to have more trouble then what its worth. How's that?

Mr. Turchack: One final comment...you had mentioned that there are parks in Ohio that allow the hunting of deer and that's true...they're big. This park that we are talking about I think is about thirty-five acres. It's long and it's there...you have the creek and the path. When you talk about shooting down hill I understand that perfectly there's not too much down hill on our side of the park in Valleyview Drive. It's all flat. Our property goes down okay and when it reaches the park it goes flat. On the other side of the creek maybe a different story. I can't testify, but where we're at it's gone and I just don't see it.

Mr. Kels: Why are you insisting that these stands are or one stand even is going to be involved with the park?

Mr. Kasunick: Sorry the time for public comment is about through. Chris did you one more thing that you wanted to add?

Mrs. Krajnyak: Kind of it's more for Mr. Klammer I think than anything and to you. The permit would kind of circumvent that the ordinance that says that you can't release a projectile right?

Mr. Klammer: So for instance can't and feel bad if the Game Warden is telling anything because you can't shoot arrows in the city.

Mr. Lazer: I'm well aware I'm not going to be in trouble and he said "No I'm a state officer and you're under my supervision."

Mr. Klammer: The ordinance that we propose is that you have either be a property owner or have the property owner's permission. So you're going to make a proposal to shoot on city property you don't have our permission first of all so it creates a complication as it is. My only concern is we created a draft ordinance that a bunch of regulats that we spent a lot of time on trying to decide whats safe. This is a more streamlined process but it puts it back on the Chief who then has to say whoever it might be. And we don't know. We have a guys whose hunted forever and for all we know he knows nothing about hunting. That's the problem.

Mr. Lazer: You don't know.

Mr. Klammer: We don't know. And with all due respect here so if we're going to do it my recommendation is you're going to have to get somebody who does this from the city on a contract basis or whatever. Or you're going to establish some regulation, because what we don't want is the Chief to be responsible and to assign it to somebody who we don't have any training program and we don't have anything. So that's my only cavy on it, so if you're going to do it the property owner like...needs an application and we contract with whoever does it in Mentor to come out and look at his property and he goes it looks perfect.

Mrs. Krajnyak: That would allow him to the culling.

Mr. Westerfield: Mentor sends able to Geauga Boat in Middlefield and they bring the paperwork in and the owner of Geauga Boat watches you shoot five arrows into a certain sized target as whatever it is, and then he signs the paper and says yep. I've witnessed it.

Mayor Morley: We've talked about that the first time.

Mr. Westerfield: I think the judgement call of the person is more important than the accuracy with their weapon. Them seeing something and saying "You know what it's just doesn't make..." just like eliminating it to say "Anybody over two acres is good and anybody under one is not." That doesn't work. You look and say this is safe or it's not. The size doesn't matter, the proficence of the arcer doesn't matter is this person going to pass the shot because it's not right. There are houses back there.

Mr. Klammer: I just want to make sure we're...

Mayor Morley: That's why in the beginning when I said and I agree with the Chief and Mr. Westerfield, when we start it put the ordinance aside that we looked at before...look at what they have now and then build upon that. We're not going to let people just go out here willy nilly and going I'm going to go get a bow and arrow and shoot. We're just not. I took him through some of the neighborhoods where there are issues and he's going to say...like in the Surfside area, like on my street, or Mr. Spotton's area you're not going to be able to hunt there, because the houses are right there. You have to understand when we hire someone or if it would be the Chief that they have the knowledge to say "Yeah or Nay." We're not...do I want someone to get hurt like a kid or anything...absolutely not. All of us are going to be like that. Hunting goes on all the time. Mentor is a little different...they send all of theirs into Garfield Park. Their snippers go in there and they shoot them all. We're not looking at doing that, we're not looking at say "Take the park at the end of your street or behind you and go in there and send in the SWAT team on Monday and put something there to bring them all in and shoot them." We're not going to...the plans that at all.

Mr. Turchack: I never implied that.

Mayor Morley: But we have to just handle it.

Mr. Kasunick: This is just the first discussion we've had about this in two years. We would have to...it would have to be an entire program setup exactly how we are going to do it.

Mr. Klammer: If you want to move it forward...it just sounds like you do. The ordinance that's proposed is only two pages long so it's not overly...

Mayor Morley: It has the footage and all that.

Mr. Klammer: I could streamline that pretty easy if you want something to start talking about, but otherwise you'll be stuck not talking it again for another meeting.

Mr. Kasunick: Okay.

Mr. Klammer: Just give me some heads up if you want to.

Mr. Kasunick: I will just pull the committee...I assume that we just want to leave this in committee for now and further investigate the matters that were discussed. Mr. Spotton is that what you want to do?

Mr. Spotton: Agreed.

Mr. Kasunick: Mr. Overstreet?

Mr. Overstreet: Yes.

Mr. Kasunick: Alright then it's unanimous that we are just going to leave this in committee.

Mr. Klammer: I'll leave it as is tell me what you want me to make...

Mr. Kasunick: Yes.

Mr. Klammer: So that Mrs. Simons can...I just don't want her start with...

Mr. Kasunick: For anyone who was just here to discuss that matter I think that we done with our deer hunting discussion for the evening.

There was no one else wishing to speak at this time.

Police Chief Reik left the meeting at this time.

2. Ordinance regarding the Economic & Community Development Council (ECDC).

Mr. Kasunick: I am now going to turn the meeting over to the Mayor in regards to this matter.

Mayor Morley: I took a look at the ordinance and had some discussion with Councilman Zuren and Councilman Meyers and just wanted to repeal 154.02 "Commercial Design Standards And Guideline" I just believe that we have not...we haven't really and not just now from the beginning we never really looked at this, so either try to work through the Planning Commission and/or go through us. So that would be the repeal of 154.02...154.01 again I spoke with Councilman Zuren, Law Director, and the Council President and we came up with a new 154.01. That talks about "The Economic & Community Development Council (ECDC) is hereby created, with the purpose to advance, encourage, promote economic development and promote the recreational opportunities and civic involvement within the city." I think that's more conducive of what the committee does right now. Then we changed the committee members also added from the Council President's views...it's a two year appointment from the Council President. Actually the Administration has no appointments it goes through City Council since it is a City

Council ordinance and committee. And then the terms should be three (3) years and the only other thing that we also added is that everything goes through City Council and the Mayor for approval. And that being because and I've told Mr. Zuren this also that regardless the responsibility does come down to the city for any issues, insurance problems, or any problems. It doesn't go through the ECDC Committee if there would be an issue it falls back to the city. There really weren't too many other changes in that.

Mr. Klammer: Except my math is still wrong...it's seven (7) members right?

Mayor Morley: It is seven (7) but you had six (6) in there I was accounted if you counted seven (7).

Mr. Klammer: Alright just to be safe.

Mayor Morley: But it is six (6) members approved by Council. The seventh one is the Councilman that the President appoints. You're right it's saying six (6) members approved by Council and then one is appointed by the President. The language is right with the six (6).

Mr. Klammer: I'm just making sure that my math is right. I have to make sure that I have this right.

Mayor Morley: If you do the six and then the one from the Council President that's the seventh of the committee.

Mr. Klammer: Seven (7) Members approved by Council, one (1) Member of the Eastlake City Council...one Member that's two, one (1) Member of the Business Community that's three, one (1) Member of the Port Authority that's four and three (3) Eastlake Residents are seven (7).

Mayor Morley: But did you hear what I'm saying Council...the Council is not going to vote on who the Council President appoints that's his job to do. So it is six (6) and then one (1) from the Council President. I know it's...

Mr. Klammer: So I need to add in Council President.

Mayor Morley: It is on there.

Mr. Klammer: No it's not in here.

Mayor Morley: Yeah it is.

Mr. Klammer: No it's not.

Mayor Morley: Member of Eastlake City Council for a (2) year appointment by the Council President.

Mr. Klammer: That's number one.

Mayor Morley: Um hm.

Mr. Klammer: Then the next one is one (1) member from the Western Lake County Chamber of Commerce.

Mayor Morley: That's two.

Mr. Spotton: The ECDC should read something like: "There's six (6) members plus the Council Appointee" or something like that to make seven.

Mr. Klammer: That's what we're all saying.

Mayor Morley: That's all that I have on it. I think that the other part is that it should go through Council just so everyone's on board with the direction.

Mr. Kasunick: Mr. Zuren?

Mr. Zuren: Yeah I read the proposed changes and I appreciate the clarification on the number of members of the committee. I do believe since the Council actually vets...they receive resumes and they appoint the committee members that the paragraph that reads:"The ECDC shall periodically recommend to City Council on a quarterly basis that certain recreational and civic events" that should be broken down into two sections. One should be "recommends" and I believe that should involve anything that the ECDC Committee suggests that would be public property such as a festival or Classic Park. Any public property or any public funds being used I would agree should be approved by Council. But since the members are already vetted documentation on their qualifications are given and they are appointed by Council. I believe anything on private property such as Taste of Eastlake in a good example. It is completely private there is no cost to the city at all and that would be something that should be informed. The ECDC should inform Council and the rationale behind that thought is that you have two similar but different. Because I'm sure that the Law Director will immediately tell me that they are different. But EPAL is one; they've done a fabulous job with helping the city. They deal with a lot of kids, they've grown every year, they've done a lot of wonderful things in the city, and they are on public property. That's a public building and for them to come and get Council approval on everything they do would be ridiculous. Also you have the Port Authority who's another committee and they also function on public property. They have been vetted resumes, they've been appointed by Council and they do not have to get everything approved.

Mr. Klammer: The distinction though like we talked...EPAL is its own entity, it's its own non-profit...it's not Eastlake. Just because it has the word Eastlake in it does not make it Eastlake's...so it's EPAL.

Mr. Zuren: It's a public building.

Mr. Klammer: It rents city property alright. The Port Authority is its own entity. It's created by an ordinance and it basically rents public property to run the Port Authority and to keep the rivers running properly. It's a totally different then a subcommittee of the ordinance.

Mr. Zuren: I think that there's similitates.

Mr. Klammer: I don't want to create this situation where the ECDC is equivalent of EPAL and has some authority to create whatever activites it wants in the name of the City of Eastlake. I think that's a bad practice. If you want to start the Taste of Eastlake those business owners can start their own Taste of Eastlake. You guys can have a brainstorm session and tell all of those business owners go ahead and run the Taste of Eastlake. You can call it Taste of Eastlake and run your own Taste of Eastlake. It's just not an ECDC event.

Mr. Spotton: As soon as you run any event under the Eastlake umbrella it's going to be under our insurance. So there is a cost to the city.

Mr. Klammer: If we're saying it's the City of Eastlake event it's got to have...it's got to be something that the Mayor cares about and Coucil cares about. They are the ones that decide the policies for the City of Eastlake.

Mayor Morley: And I think in the last meeting we discussed about the dog thing...how everyone keeps telling me not to do the Dog Show. Because at the end of the day whether it's at the Patrician or where ever at the end of the day if someone gets bit, they're not suing the Patrician, they're not suing the ECDC, they are suing the City of Eastlake. And I cannot even make that...just like what Mr. Klammer is trying to say any clearer then we have the liability. I was told to think about the dog thing and I still let the dog thing go through. But at the end of the day if something happens there it's not on you Mr. Zuren, it's not on ECDC, it's on this city and that's what I look out for.

Mr. Klammer: Nobody wants anyone to get bit...we don't think that anybody...

Mayor Morley: There is always a possibility.

Mr. Klammer: I'm just afraid that this distinction between what EPAL is and what the Port Authority is, it's not the same thing. It's the equivalent of saying the Recreation Committee can just go out and run events. Everbody would think that's absurd if I said it out loud. That the Planning Commission can just decide that they are going to go run a Taste of Eastlake, because they were appointed by Council. I just think that we have to create that...I think with all due respect...with everything that we did...we need to get everything back in line. We just need to pull everything back...get everything back in line and make sure that what they are pursuing is consistant with what Council and the Mayor want to pursue. I don't think that's asking too much.

Mr. Zuren: I'd like to read this...if you go online and you type in community events from cities you are going to get thousands of these that pop-up. I just printed one and I could have printed ten. But it's the City of Lethbridge...I mean there are thousands of these. Online these are values

of the city and thousand of cities...community events "The City of Lethbridge recognizes the value of special events and the contributions they make to the vitality of the community. A non-profit community organizations that organize and delivers events, will enhance the quality of life for citizens." You can just put any city in there.

Mayor Morley: You just said non-profit. I told you before if you want to go get bonded Mr. Zuren go get bonded then you can do events.

Mr. Zuren: Can I finish my comment?

Mr. Kasunick: You can finish.

Mr. Zuren: I mean this city gives \$7,500.00 per...who can apply; any non-profit. Any city based organization holding an event in the city. What types of events are eligible? Building and celebrating a sense of community held for the benefit of the residents. Increasing or improving the quality of life. Community festivals, participation events...it goes on and on. But there is great value in community events. There's great value in bringing people together, there's great value in getting businesses to stop fighting with each other and start working with each other. There is great value in bringing the non-profits out of the shadows; where they actually have something vested in the city. All of these things are really important. It's better that the community says "I like living here" then the community saying "I want to move out of here there's nothing to do." And that has changed over the last couple of years.

Mayor Morley: Where have we...

Mr. Kasunick: Mr. Spotton?

Mr. Spotton: We have not talked about canceling anything. We talked about oversight.

Mayor Morley: That was my next point.

Mr. Spotton: It's just oversight.

Mayor Morley: What have we canceled?

Mr. Spotton: We're not cancelling anything.

Mayor Morley: The problem is and what we've talked about... and you know what we talked about is you want to make all of the decisions. There's seven of you and we've talked about this before. It just cannot be everything that you want and again has changed to what we talked about with the Law Director. And what the Law Director explained to you a few minutes ago...it comes in here and goes out here. Because you want to stay directly on you, there are seven of you and then there's the Administration. I've not canceled one event that you wanted to do. So what you just read is...I agree with what you're saying we should do it. And if I didn't believe that I would have said "No Mike there's no Dog Show," "No Mike there's no this show...no Mike

there's no that." I've not done that and City Council has not done that. We want it to run through the steps, so everyone at the end of the day is covered period. That's it, that's all this changes. It changes nothing about whatever event. Like Mr. Klammer said you want to have "Taste of Eastlake" or "Taste of Eastlake/Willowick" they can have it it's off site. But when you're using the City of Eastlake's name at the end of the day if there's a problem regardless it comes to the City of Eastlake for whatever issues there will be a law suit on us. And that is what I keep trying to explain to you that you just don't want to listen to it. We've been good and haven't had any issues. But it only takes one issue that we're in a trip bag. This is not going to say "Well put in on Mike. Randy we'll put in on Mike, Mike's the one who had it." We will take responsibility as a city if one of the events something goes wrong.

Mr. Kasunick: Mr. Evers?

Mr. Evers: Mr. Zuren apparently you're not familiar with EPAL. EPAL's is own entity. We carry our own insurance. Yes that's a public building but we signed a contract and a lease with the city. We accept full responsibility for anything and everything that happens in that building. How can you compare that to what you're doing? You can't. You can't...you can't even come close. Everyone of our board members is insured...every one of them. Up to three million dollars...that's not tthat's through EPAL. That's why we have a board.

Mr. Kasunick: Now I will a little bit with regards to the Port Authority. The Port Authority is actually its municipal entity. In fact it even has its own law enforcement official that being the Harbor Master; which the position is currently occupied by Gary Kipp. That is a whole entire entity onto itself and it's even considered a municipal entity. They can pass ordinances just like we do and all that. Is there any further discussion on this issue? Mr. Hoefle?

Mr. Hoefle: Yeah I'm reading this and I agree that I think keep the seven members but the member that is choosen from Council I think would be best suited as a liason to Council...to report back. We want to make sure that all the other members and I don't know Mr. Zuren if you can see if we have someone from the business community. I don't know the individuals...who's the representative for the Port Authority?

Mr. Zuren: Marc Cain is the Port Authority and the business is...

Mayor Morley: That part of it is all covered.

Mr. Hoefle: It's all covered. Okay and then I would recommend that any events that get submitted...is that they go through the ECDC do you have an event, have an action plan and submit it to the Recreation Committee we'll review it. All of Council gets it approved with the Administration and you can move forward with it. But you would have to have an action plan stating what you want do, how we're going to do. So there aren't any of these last minute things that come up. That's just my opinion.

Mr. Kasunick: Okay. Is there any further discussion...Mr. Evers?

Mr. Evers: I don't mean to vent Mr. Zuren and I'm going to use this as an example. Rainy day you moved it off site no problem there, the problem can is you allowed dogs into that building. Were the waivers signed?

Mr. Zuren: No.

Mr. Evers: For those dogs. No.

Mr. Zuren: No.

Mr. Evers: And this is more about crossing t's and dotting i's. You had food trucks at that event, were the waivers signed for the insurance on them?

Mr. Zuren: No.

Mr. Evers: See that's.

Mr. Zuren: No.

Mr. Evers: Maybe you don't see it but in my eyes that's an issue. That's a problem. That is something that we just can't allow to happen. You're opening the city wide open and we need to protect our city and our residents. Does that make sense? A little bit maybe.

Mr. Zuren: Yes.

Mr. Evers: Thank you.

Mr. Kasunick: Any further discussion on the issue? Mrs. Krajnyak?

Mrs. Krajnyak: Mr. Hoefle when you were kind of explaining the process that it's going to go through...it's going to go through from ECDC, there will be a plan of action, and then it goes to Recreation Committee?

Mr. Hoefle: Yeah that is what I was suggesting correct.

Mr. Klammer: Where ever if the Council President sends it to Recreation.

Mr. Hoefle: The Recreation Committee.

Mr. Klammer: Mr.Zuren the simple thing...right through.

Mrs. Krajnyak: So it's not going from ECDC to Council?

Mr. Klammer: It goes to ECDC to Coucil yes.

Mrs. Krajnyak: You were just recommending something different.

Mr. Hoefle: I was recommending the Recreation Committee.

Mr. Klammer: Yeah sorry...what we were proposing is that if they can...if the ECDC can organize...that they can give quarterly proposals. That gives everybody a quarter to prepare.

Mrs. Krajnyak: Correct.

Mr. Klammer: So that they can send it Council. If there's one that controversial I don't know what it might be...it might require some planning then Mr. Meyers can send it the Recreation Committee for more discussion.

Mr. Hoefle: For a more detailed discussion.

Mr. Klammer: If they're all pretty easy then it can go right.

Mrs. Krajnyak: I think it's a fantastic plan personally. I don't know what the issue would and Mr. Zuren would know what the issue would be for you. That you feel that you wouldn't get any support from Council or are you afraid that they might...

Mr. Zuren: My perfect example is the outdoor movie night. And we did one and we didn't do another one. But the problem with outdoor movie night it was...the concern was somebody was going to get run over. That was the main concern that I kept hearing. And it was behind DrugMart and well off of the road. We had it roped off and we had barrels and we eventually decided on police cars on both sides of the road way in front of the...but I had to go seventeen days in a row to Wal-Mart. I had to meet the Fire Marshall; I fully understood...I think it was a couple of days. It was just over and over with the Service Department. Seventeen days in a row I'm trying to do something for the city. It really was a good thing. It really was nice...people appreciate it. There were a lot of people involved...everyone from Ms. DePledge all the way down...Council was involved. But the amount of grief I had to do to not just say I give up, because I did give up on a recent event. I'm not going to mention it, but that's why it's so frustrating when I hear...

Mr. Klammer: That's what we're trying to avoid.

Mr. Zuren: But when I hear something like I want to do a Job Fair, which we're not doing this year. We're not doing it through ECDC. I'm going to have to put that through and if there's grief...if there is something that I have to keep going over and over and over again. Then that's the issue...that's the issue with me.

Mayor Morley: I'm trying to be nice but again it just...it's like me it always can't be the Dennis Morley bergaid. There are seven of you; I work with all of you. All I want is...the grief that you say you had to go through is what anyone else would have had to do if they wanted something in Wal-Marts parking lot. For you it's like put a screen up and okay we don't need to talk to the Fire

Marshall, we don't need to talk to the service guys...just...everyone can drive through the parking lot. That we did for safety. You take it as grief I take it as we have to look at the people who were there for that event that no one gets run over.

Mr. Zuren: I agree with that. I agree with that but I'm telling you it was seventeen days it wasn't five or six days in a row.

Mayor Morley: If you had that all cleared before we went out. So you know what you had to do or what I have to assign our people to do, instead of all on Mr. Zuren. And I see Mr. Rubertino go out there and go to the thing and put where we need the barrels. The Police Department or whoever we need to do this and the Fire Marshall go there. I'm not asking you to do everything. I told you I think the things that you are doing in the city for the committees is doing well just like you say. But I can't skirt the things you want skirt, because you get impatient. That's the bottom line. I just want it to be good.

Mr. Klammer: If it's planned quarterly in advance you would've only had one meeting with Wal-Mart. Nobody is trying to cut you out. You would've only had one meeting with Wal-Mart because we would've gone through all these issues in advance, because I was in those meetings...the Director's Meetings where the Fire Chief says "I don't know anything about it." Mr. Rubertino laughed outloud "How are we going to do this? Now I have to bring my salt trucks over to block this off." I was in that meeting where nobody knew anything about it. If we had three months to prepare...

Mayor Morley: It's like I've asked Mentor to get the contract so we can start giving contracts out to vendors so people show up and they pay their fare, whatever it is. They're not gouging them, so we have coverage, so we have insurance. It's not about tworting anything that you're doing, because we haven't done that. We just need to line it up and like I said it always can't be the way that you want it unfortunately. There are things that I want and I've talked to you guys about it and I don't get it. But I don't get all upset and go okay I'm just going to be upset and say it's a pain. Know what that's part of the government unfortunately part of the city. We have to do things in steps. If we have all of the information...like when someone wants to do an event here they go through the Building Department. I don't make you jump through hoops through the Building Department. They have to fill out the forms and go through all of that. They have to put deposits down and they have to do this...don't make you do any of that. You just have to work with us a little that's all I'm asking. All I'm asking is what Mr. Klammer said do it quarterly it's not like we have to have a meeting for every event. You usually know what you have and here is what we are going to throw out, this is what we want to do. They meet once say okay done, done, and done. Like Mr. Hoefle said we the vendor things so no ones stiff us and says "Okay maybe I don't feel like being here because Mentor is have a bigger thing and my food truck should go to Mentor, because I don't want to have to deal with Eastlake because I didn't sign anything." That's all we're trying to do. That's it theres nothing we've canceled...nothing.

Mr. Kasunick: Mr. Zuren if you object to any of the proposed ordinance what specific parts of it would you object to?

Mr. Zuren: Its fine the way it is.

Mr. Kasunick: Okay so there really is no argument as to what the proposed other than Mr. Hoefle feels that the City Council position should be changed to a liason as opposed to being an actual board member. Is there any discussion on that issue?

Mr. Spotton: I stated that in the past too. I think the elected official...I don't care who the elected official ever is should not be the chair of the committee it should be a liason.

Mr. Zuren: That's a major change. We are in the middle of a cycle so we are going to change it mid course. I think that's pretty excessive.

Mr. Klammer: If there was a change it would happen until...

Mr. Spotton: Well right now theres not even...I'll say it right now theres not even a person that's on that committee from Council.

Mr. Hoefle: Correct.

Mr. Spotton: As of right now. The appointment was up on December 31st. There has not been a re-appointment. So right now there is nobody....

Mr. Hoefle: It's a vacant position right now based on the ordinance.

Mr. Klammer: I'll toy with it and get it straight to make it....

Mr. Kasunick: Just I have the full flavor of the committee here Mr. Overstreet do you have an opinion on that?

Mr. Overstreet: I think we should go with this.

Mr. Kasunick: The proposal.

Mr. Overstreet: Yeah.

Mr. Kasunick: So you're not for changing the...

Mr. Spotton: Liason.

Mr. Kasunick: The position to a liason?

Mr. Overstreet: I think it should be yeah.

Mr. Kasunick: Oh you do...

Mr. Overstreet: I think it should be a liason.

Mr. Kasunick: Because I don't think that's currently...it's not what the current legislation is.

Mr. Klammer: I'll get it in there.

Mr. Overstreet: I was assigned to the Charter Review Commission as the Council representative. I am not the chair of that commission.

Mr. Kasunick: Okay.

Mr. Overstreet: I don't want to be the chair of that commission. I should not be the chair of that commission.

Mr. Kasunick: Understood. So you want it to be more of a liason type position from Council?

Mr. Overstreet: Yes.

Mr. Klammer: I'll figure something out.

Mr. Kasunick: Okay so that's at least two out of three members of the committee that...that should be added? Part from that do we want to move the issue forward?

Mr. Spotton: Yes.

Mr. Overstreet: Yes.

Mr. Kasunick: Mr. Klammer that's...

Mr. Klammer: I can figure that out.

Mr. Kasunick: So we can move it forward onto the next Council agenda?

Mr. Klammer: If you guys are comfortable...I'll try to get it to Mrs. Simons right away.

Mr. Kasunick: Maybe just have it emailed out to us before the next Council Meeting.

Mrs. Krajnyak: Could I just ask real quick with that in mind changing the liason instead of a Council Member being the chair, does that then remove him from the chair position and he's just a liason? And now you have to appoint another chair?

Mr. Kasunick: That would be correct yes.

There were no questions or comments.

PENDING

1. Rental Inspections.

Mr. Kasunick: We had discussed some possibilities with this...I kind of want to figure which way we want to go one way or the other. It's been on the agenda for quit some time. We want to either figure out a way to move it forward or just stop kicking the can down that road and if we can't come to any kind of resolution then just move it off the agenda. Is there any discussion on the matter at this time?

Mr. Spotton: I'll say it right now there's no appetite in the city for this and I'm fine with taking it off the agenda right now.

Mr. Kasunick: Okay. Mr. Overstreet?

Mr. Overstreet: I agree.

Mr. Kasunick: Okay then we will move rental inspections off the pending legislation and with that we will move back to recognition of the public. There is still a few minutes for recognition of the public, is anyone...with any members of the public remaining does anyone wish...also at the beginning I was supposed to take attendance but I forgot to do that.

There were no questions or comments.

MISCELLANEOUS

There was nothing under Miscellaneous.

There were no questions or comments.

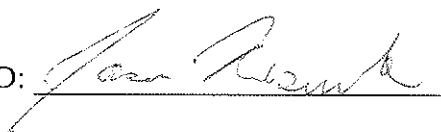
RECOGNITION OF PUBLIC

There was no one wishing to speak at this time.

The meeting was adjourned at 7:26 p.m.

tms

APPROVED: _____



DATE: _____

