

**REGULAR COUNCIL MEETING
MINUTES
TUESDAY
SEPTEMBER 24, 2019
7:00 P.M.**

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. Meyers at approximately 7:07 p.m.

The Pledge of Allegiance was recited.

ATTENDEES

All members of Council in attendance.

Those attending from the Administration were Mayor Morley, Police Chief Reik, City Engineer Gwydir, Finance Director Schindel, Chief Building Official Menn and Law Director Klammer. Service Director Rubertino and Fire Chief Whittington were absent and excused.

APPROVAL OF AGENDA

Regular Council Meeting Agenda – September 24, 2019.

MOTION: Mr. Zuren moved to approve the Agenda for September 24, 2019. Mr. Spotton second.

ROLL CALL: Yeas unanimous.

Motion carried. Agenda approved.

APPROVAL OF MINUTES

Minutes Pending:

September 10, 2019 – Regular Council Meeting

September 17, 2019 – Special Council Meeting

PRESIDENT'S REPORT

Meetings Scheduled

Mr. Meyers stated that the next Council-as-a-Whole Committee Meeting is scheduled for Tuesday, October 8, 2019 at 7:00 p.m. The Regular Council meeting will be convened immediately following the adjournment of the Council-as-a-Whole Committee meeting.

There were no questions for Mr. Meyers.

COMMUNICATIONS & PETITIONS

COMMITTEE REPORTS:

Ordinance Committee Meeting Report – Jason Kasunick, Chair

Mr. Meyers: Mr. Kasunick, I believe there was an ordinance committee meeting?

Mr. Kasunick: Yes. We had discussed the slow-moving vehicle ordinance which was also discussed in Council-as-a-Whole. We decided to move that forward. Additionally, we discussed an amendment to the ordinance pertaining to passing school busses when the school bus is stopped. That is still in committee but we are proposing raising the fines for people who illegally pass a school bus. We had a brief discussion on the feral cats which is also in council today and the mayors court which is still a pending issue in the Ordinance Committee. That was it and I am open for questions.

No questions for Mr. Kasunick.

ECDC Meeting Report – Mike Zuren, Chair

Mr. Zuren: Thank you Mr. President. There was an Economic Community Development Committee Meeting that was held today at City Hall at 5:30 p.m. We had numerous items on the agenda. The main item was the partnership with helping Eastlake Middle School and the Willoughby/Eastlake School District with the seventh-grade field trip. We have their day planned out for Friday. It's an all-day excursion for the seventh graders that is going to involve the front of the middle school which is near the old Indian burial dig, the Library, City Hall, and the Eastlake Police Athletic League. I want to thank the Archeological Society from Ohio, Ron Ironhorse, Chuck Anderson, the Eastlake Women's Club, the Library, Boulevard of 500 Flags, American Legion, VFW, Mayor Dennis Morley, Severino's, and EPAL for all their participation in this event for the seventh-grade class. The other item that we discussed was setting a date for the Eastlake Dog Show. This would be the third one. This was unanimously passed from the ECDC committee to Council and I would like to make a motion for this to be voted on by Council. There is not a date set but we would like permission to set a date with the Croatian Lodge under the parameters that were discussed at the ECDC meeting.

Mr. Meyers: I think Council would like to ask some questions that they have regarding the Dog Show. We can do so whenever is convenient for you, Mr. Zuren.

Mr. Zuren: Okay. With that I am open for questions.

No questions for Mr. Zuren.

RECOGNITION OF THE PUBLIC: 1/2 hour, 3-minutes per person

Mr. Meyers 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.

Willoughby Eastlake Schools

Willoughby Eastlake Schools Superintendent: Thank you Mayor Morley and City Council for allowing us to appear. I'd like first to start off by a very special thank you to Fire Marshall Drake, Chief Whittington, and to Mr. Menn who, I don't know how many hours they've had in our schools trying to make sure that we're safe, and they were ready for students to enter so we sincerely appreciate all that you did. Mayor Morley was even at

the school more times than I wanted him to be. He was there a lot also, pitching in, trying to make sure we were ready to open, and then once we did open Chief Reik gave us a lot of extra officers, and auxiliary people to help make sure the traffic flow went well and the kids got in safe. The first time, as you can imagine, coming into North High School, we had some issues, but we got that resolved pretty quickly. Thank you very much for allowing that to occur. And we want to also let you know that we are on the ballot this November. It is a 4.99 Bill Levy. It will generate roughly \$8.27 or \$8.3 million which is the amount were losing from loss and damages and personal property tax. So, we're just trying to stay even with where our budget has been historically. Any questions I could answer?

Mr. Meyers: I don't think so. Thank you for coming we appreciate it.

Superintendent: Thank you for allowing us to appear. Thank you.

Mr. Meyers: The next person who is signed up to speak is Rich White.

Rich White – 1372 E. 340th St. Eastlake, OH 44095

Mr. White: My purpose of being here today is twofold: one is the Rallies. When the Planning Committee back when it was introduced, introduced it with the promise that it would be open no later than 11:00 p.m. Unfortunately, due to some oversight or whatever that never made it to their office to implement. So, day one when they opened they opened until 1:00 a.m. which was within the ordinance that we currently have. Since then, fast forward to today, they're open until 2:00 a.m. We sent a letter into the City dated September 9th and we have still not heard anything as to how they can operate that early in the morning with that ordinance. Now, with the oversight and where we're at now the residents don't have any choice but just to deal with it. Cars, noise, speakers, car radios, all of that because it's right against a residential neighborhood. Due to the lack of whatever is going to happen with the city we're about left to deal with it. My main point being here is hopefully Council might be able to do something to facilitate the city's response to inquiries from residents particularly with something like this because here we are almost at the end of the month and we still don't have any confirmation as to whether or not they're allowed to operate within those business hours – 2:00 a.m. And that brings me to my second point. I had another issue relating to a property that I have inquired about two years ago now where a new home was built behind my property and when it was being built there was water shooting from my transit almost five feet. None of my questions were answered at any point including up to today on whether there was any mitigation required for the offline from the stormwater for the property that is behind was never answered so, now today I'm in the position where the last 20 – 30 feet of my property is unusable until around June when it finally dries up. So, I'm left to probably have to invest around \$4,000.00 in running a storm drain from the back of my property out all the way to the front. And again, it's just a situation where two years later I still haven't gotten a response as to whether or not it is going to get looked at. So, I guess just I am just looking to Council to address these concerns and I hear it throughout the city sometimes from other residents that there is just simply no response to a lot of issues that's just left to float off and either you get blown off or you just give up. So, I guess I just wanted to make that point and hopefully Council will look into the various departments and help outline what is required for a response to general inquiries particularly something like the construction of property and what's happening and nothing was ever done. So that is basically all I wanted to say.

Mr. Meyers: Thank you for your comment.

Donna Zink - 35550 Stevens Blvd. Eastlake, OH 44095

Ms. Zink: I am here to talk about my neighbors that are making my life miserable. I really don't know where to turn. I have been in contact with the building department, and recently got in contact with my councilman. I am getting responses that things are going to be monitored over there, which I don't understand what that means. There are some specific, what I think are violations. I have pictures here if you want to see the extension cords drug across the backyard, plugged into the shed in the back. And its just not a sanitary area. I feel like I live next door to a campground. They burn every single night. I have pictures of fires and smoke. I can't sit on my deck because I can't breathe out there. His mouth is foul, I don't know what you can do about that but every other word is "f" that comes out of his mouth in the backyard so I can't even have children over my house. I just don't know where to turn. Like I said I sent pictures about the mess in the backyard and all I get back is that it will be monitored or that we're going to keep an eye on it. I don't know what that means. What does that mean? Are you going to drive by today? Are you going to stop there to see the fire burning? What does that mean? What can I do?

Mr. Meyers: Mr. Menn?

Mr. Menn: Yeah, we've been watching it. Fire department has been out there. The fire department went and checked about the burns. I can't state exactly for them what's going on. But as far as I know they weren't in violation of a fire pit or the fires. I do know the fires are going on quite a bit. Not sure how you control that. I did personally go over there last week, knocked on the door, no one was home. Another zoning inspector went over there the week before that and talked to the home owners. Didn't really see at that point any violations that she's seen. Mainly we're looking at the fire pit, the fire wood, stuff like that. So right now, at this point, and I believe the police might have been over there too I'm not sure yet, so.

Chief Reik: I went over there as well. The firewood was neatly stacked, the yard was in good order, there were no vehicles that were out of any compliance to anything and I had to double check to make sure I had the right address. So as far as being responsive, I don't think in a lot of cities you would get two or three directors showing up at the same complaint. You know, it's unfortunate you're not happy with the result. As far as the language and such if that's occurring you can call us at the time and the officers can address that. We can't.

Ms. Zink: Is it okay in the City of Eastlake to run extension cords, and I have pictures, tied in a knot. I mean they're permanently, like, stapled to the shed. That's okay? That's not in violation of anything? Is that what I'm hearing?

Mr. Menn: No what you're hearing on this is that I would like to talk to the resident first and go over the situation and actually go in his yard with him instead of going by the pictures. And I'm sure the pictures are true and everything but we're trying to get ahold of the home owner and do it that way. See if we can come to a resolution on that.

Mr. Meyers: Thank you. Thank you, Chief. Thank you, Mr. Menn. Next resident scheduled to speak is Bill, I'm sorry I can't read your last name. Curtis Boulevard Eastlake, OH? Okay thank you. The next person who is scheduled to speak is Lori Lawarski, if you'd like to step up.

Lori Lawarski

Ms. Lawarski: What I am going to talk about has to do with the particular subject of the trees on Vine. I was able to learn about this week and Mayor Morley graciously allowed me to speak on the feral cats and I did speak with him for a little while and asked about the removal and the subject related to that. The things I did learn were that some of the reasons were in this type of climate. The wrong trees were put in at some junction were unaware of. The sidewalk was bubbling, can't use strollers, wheelchairs, this space is in bad condition. There

are rules that mandates people fix this that were not discussed. Wondering if we can save the trees in some way. A \$38,00.00 grant was discussed. And with the Vine Corridor Project up and coming and some sort of phase one clean up was discussed. What I discovered in my own research is I spoke with everybody, I feel like this is our tiny little corridor, we don't have green any space. There's a park down Erie Street, park down Lakeshore. We turn into Willowick Garden on Vine Street, which is not a great area, etc., etc. my destiny is to put a variety of trees to shade park benches for people on the bus. So, I spoke to virtually every business between the drive thru beverage place all the way down past the restaurant. I walked the sidewalks up close and personal. I foot measured the distances of the sidewalks to see if these would bubble. I took pictures to show people what was happening before and after. I spoke with Willowick and Willoughby and the arborists. There are two arborists, one in Willowick, named David Allen. He was beside himself that they were taking trees down. What I discovered that were absolutely zero businesses were complaining. They didn't know the trees were going away until there was a sign that said "don't park by the trees because we're cutting them down." The Rallies manager herself said "why?" I learned that the trees were called Honey Locust, they are often close to businesses and streets, things like that. They self-pollinate. They line Downtown Willoughby, both sides and they circle City Hall. They're also in Chardon Square, said the arborist. None of the sidewalks are bubbling except maybe two. Why the giant surrounds almost every single one of them and they impede the sidewalk. All five feet of sidewalk toward 91, and near the Circle K there as well as little bit right on the brush toward Lakeshore Blvd. When you get toward the Chinese Restaurant and other areas, the surrounds are ginormous that's why strollers and wheelchairs have a hard time. They also spoke with me about a study that has been proposed for the Vine Street Corridor project that is with Willoughby, Willowick, Laketran and Eastlake. The study is getting approved but the money has not been dispersed. He told me simplicly that could be in over a year to get the money for the study. So, the study hasn't even happened yet about the Corridor Project. Then the study will take place, then one must have the funding to even give toward that study because there are tests going out further. So, David Allen also gave me a lady names Kathleen Wolf from the University of Washington who does research on socioeconomic impact of trees outside retail shops. I watched two full videos related to that. She explains how businesses are more welcoming and friendlier, people spend more money, people pay for parking and they will stay longer in businesses where trees are flourishing around businesses. The video also told me that these things reinforcing are years and years away. So, if this is in fact some sort of phase one clean up project that had no study. How can you start a project with a study that hasn't even happened yet? I'm curious why the trees were taken down? What part of the \$38,000.00 grant was used for this?

Mr. Meyers: Okay. Thank you for your comments.

Ms. Lawarski: So, I am not normally here should I expect a response?

Mr. Meyers: I believe you and the Mayor have talked in the past.

Ms. Lawarski: This is a response post research.

Mr. Meyers: I understand that.

Mayor Morley: I'm not going to sit here and debate everything.

Mr. Meyers: I understand that also.

Mayor Morley: I just can't. Just like I don't debate on Facebook. I tried to answer and every answer it doesn't really matter what I say. At this point I've sent you other emails when you've requested things but you don't, it gets to a point when someone doesn't want to hear anything and there is nothing I will say today.

Ms. Lawarski: Is it different than what we talked about??

Mayor Morley: It will be the same. But you have your data and I have mine.

Ms. Lawarski: My way.

Mayor Morley: You have your data about business owners and I have mine. And were miles apart.

Ms. Lawarski: I spoke with them.

Mayor Morley: I know you spoke to managers or did you speak to the owners of the buildings?

Ms. Lawarski: Okay the gas station was an owner.

Mayor Morley: Okay. This is, I'm good. Thank you.

Ms. Lawarski: You too.

Mr. Meyers: Okay.

Ms. Lawarski: One email did not answer all of these research questions. Is that correct?

Mayor Morley: I don't believe you sent me all that but okay I'll...

Ms. Lawarski: I didn't, I have the research with me now. Cause I have to do research before I speak about it.

Mr. Meyers: If you'd like to send the information to us.

Ms. Lawarski: That's why I came and still no research has been completed.

Mr. Meyers: I understand. Thank you. Is there anyone else who wishes to address Council? State your name and address for the record please.

Tanya 5278 Wavery Rd. Eastlake, OH 44095

Ms. Tanya: I just want to check on feral cats' proposal that you guys are talking about. I have sent 10 emails to Eastlake Cat Club or whatever with no response. My neighbor has twenty cats that he's been feeding. Her dogs' been sickened from it, he has had two surgeries because of issues she's been having with the cats. Three weeks ago, basically they're getting no response from the cat people, and what you guys are basing this entire thing on is that these people are going to reach out to the cat group and the cat group is going to handle/facilitate the TNR, they're going to facilitate that these people have gone for or gotten vaccinations, and that the animals will live. If they're not even responding to my email, how do you think that they're actually going to be able to, how are they actually going to be able to implement this? I think Willowick has a very big group. You guys really need to look at what they've done so far, how are we going to implement this and how will it roll out? Secondly, three weeks ago my husband cut the grass, sat down on a porch chair out front, and passed out. Now, he had a quadruple bypass four years ago. He walked into the house, he was red, his eyes were swollen and he couldn't breathe. The only thing I knew he was allergic to were cats. The neighbor down the street, who I will call "the cat lady", walks down the street every single morning and every single night and she drops mounds of cat food in people's yards. These are homes that are vacant, these are homes that are bank owned, and these are homes that people don't want to say anything because she's a really sweet old lady. I had to give my husband an epi-

pen because he almost died. Why? Because I've got two feral cats that I have on video, peeing and crapping in my yard. And my husband had the effect from that. If I wanted a cat, I'd get a cat. I don't want a cat. Studies have shown that when you put a feral cat colony in a community it does not increase the cat size. The power actually goes up because people start dropping cats off because they know this is feral cat colony, these people are really nice and they'll feed it. It actually goes up. Cats once you catch them and vaccinate them they are extremely hard to re-catch again so a lot of the cats go unvaccinated, rabies actually goes up in those populations. You're messing with the entire ecosystem. We look at feral cats and we go "Oh, it's a little domesticated cat," but it's not. It's out there with racoons and skunks and cats are going to survive whether we intervene or not. And I just find it irresponsible that you looked at Mentor's ordinance and it was a little too complicated so you went with Willowick's. Actually, you should look at Mentor and say "Gee, maybe these people put a little bit more thought into it." What is different about theirs that we are willing to forego to get a simpler legislation? I just want you guys to think this entire thing through. Look who you're depending upon running it, and really listen to the other people because I was appalled by the fact that we were all so patient here letting the cat people come up and talk. Very respectful we were. One woman got up here and started to say a few words they didn't find comfortable so they started to pity her. Now I don't want this whole taking care of something and representing out city and managing it. I think you really need to look at, these are not domesticated cats. Now I don't know of any feral dog colonies we've got around here or rat colonies. We've got a rat problem around here. It's going from Willowick, to Eastlake to Wickliffe. And I've got people walking around and feeding these things. Now I'll allow feral cat colonies in designated places. The one behind VFW is decimated because all the coyotes are eating them. You can hear them. But instead of decreasing that colony, that colony is constantly having more cats coming in. It's a buffet. I mean you don't understand when you start messing with the ecosystem like that what you're doing. You're trying to create an intervention when it's something that should naturally happen. If these cats are going to die they're going to die a mother. Period. And I think you really need to go back, do a little bit more research, there's tons of it out there I was able to scan a bunch of it. I'm not saying you're not doing your due diligence, but I think instead of jumping on and being moved by the emotional aspect, but I think you need to go back and look at how its effecting other people. As far as the people contacting the city and not getting responses. I have had several issued with building and I have still not gotten responses on those things they are both records requests. We can't just ignore people's requests for public records. It's against the law and you have to do it. Now if from what I understand the attorney is stepping in, fine you can send a notice to me and explain that. But you don't ignore your residents, you just don't. Chief Reik has been very good about getting back to me. I email him almost daily with stuff and he gets back to me right away. I appreciate that. The other one other thing about the lady's issues with neighbors. You made a reference to "neighbor wars." There are neighbor wars out there but it is because people do not sit down and mediate. I would call the police department, call actively and sit down and mediate and say "you are having these issues here. Can we understand each other? Can we get on the same page?" Instead, Building goes and says "well I tried talking to them. Well there not doing that much wrong over there." Well clearly there's something wrong because this woman is practically in tears. People are already getting pulled from the City. Why? Because of their neighbors. Not just because their neighbors but because of all of you. Because you aren't doing your jobs and helping them stay here and live in a good community, and be good residents. They left, after twenty something years living here. That's a shame. So, please just think whether it's a cat, or a neighbor situation, or trees, those are real issues that could have improvements in the city. Don't discount it. Just take it more seriously. That's all I'm going to say. Thanks.

Mr. Meyers: Thank you for your comments.

LEGISLATION PROPOSED:

09-24-(01)

RESOLUTION NO.: _____

A Resolution amending resolution number 1999 – 013, adopted January 12, 1999 and authorizing and directing the Mayor to deliver to licensure a termination letter to remove parcel number two from the license agreement dated February 1, 1999, and declaring an emergency.

MOTION: Mr. Evers moved to suspend the rules requiring separate readings and reading in full. Mr. Overstreet second.

ROLL CALL: Yeas unanimous.

MOTION: Mr. Evers moved to adopt. Mr. Overstreet second.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted.

09-24-(02) ORDINANCE NO.: _____

An ordinance amending Chapter 505 “Animals and Fowl” of the Codified Ordinances of the City of Eastlake to include a new section, 505.16 “Feeding of Nuisance Animals Permitted,” and declaring an emergency.

Mr. Meyers: This was discussed at council as a whole and was placed on first reading.

09-24-(03) ORDINANCE NO.: _____

An ordinance to establish Fund 802, Compensated Absences Fund of the Codified Ordinances of the City of Eastlake, and declaring an emergency.

MOTION: Mr. Spotton moved to suspend the rules requiring separate readings and reading in full. Mr. Evers second.

ROLL CALL: Yeas unanimous.

MOTION: Mr. Spotton moved to adopt. Mr. Evers second.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted.

09-24-(04) ORDINANCE NO.: _____

An ordinance to authorize a transfer from the General Fund to Fund 802, Compensated Absences Fund, and declaring an emergency.

MOTION: Mr. Kasunick moved to suspend the rules requiring separate readings and reading in full. Mr. Overstreet second.

ROLL CALL: Yeas unanimous.

MOTION: Mr. Kasunick moved to adopt. Mr. Overstreet second.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted.

09-24-(05) ORDINANCE NO.: _____

An ordinance to authorize and direct the Mayor and Director of Finance to purchase for Twenty-Nine Thousand Nine Hundred and Two Dollars and Fourteen Cents (\$29,902.14) a new Clark Fork Lift at state minimum pricing or lower, and declaring an emergency.

MOTION: Mr. Evers moved to suspend the rules requiring separate readings and reading in full. Mr. Spotton second.

ROLL CALL: Yeas unanimous.

MOTION: Mr. Evers moved to adopt. Mr. Spotton second.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted.

09-24-(06) ORDINANCE NO.: _____

An ordinance to reappropriate for the expense of the City of Eastlake for the period beginning January 1, 2019 and ending December 31, 2019, and declaring an emergency.

MOTION: Mr. Evers moved to suspend the rules requiring separate readings and reading in full. Mr. Overstreet second.

ROLL CALL: Yeas unanimous.

MOTION: Mr. Evers moved to adopt. Mr. Overstreet second.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted.

09-24-(07) ORDINANCE NO.: _____

An ordinance amending Chapter 333.04 for "Slow Speed" and declaring an emergency.

MOTION: Mr. Spotton moved to suspend the rules requiring separate readings and reading in full. Mr. Kasunick second.

ROLL CALL: Yeas unanimous.

MOTION: Mr. Spotton moved to adopt. Mr. Kasunick second.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted.

LEGISLATION PENDING: (Placed on First Reading on 08/27/2019)

08-27-(08) ORDINANCE NO.: _____
Requested by: Administration
Sponsored by: Ordinance Committee

An Ordinance amending Chapter 505 "Animals and Fowl" of the Codified Ordinances of the City of Eastlake, to include a new Section 505.15 "Hunting Permitted," and declaring an emergency.

Mr. Meyers: This is on third and final reading. Is there a motion to adopt?

MOTION: Mr. Overstreet moved to adopt. Mr. Spotton second.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted.

UNFINISHED BUSINESS

There was no Unfinished Business.

NEW BUSINESS

There was no New Business.

ADMINISTRATIVE REPORTS:

MAYOR/SAFETY DIRECTOR – Dennis Morley

Mayor Morley: Thank you Mr. President and welcome to this meeting to our residents who are in attendance. With the passage of 505.15, as is said in Council-as-a-Whole we will meet with Division of Wildlife on October 2nd. Chief and I and a couple members of our community that were interested. I am also inviting President Meyers to that meeting. Also, the TLCI for Vine St. we met on last Friday. Myself, Mayor Regovich, Mayor Fiala and Laketran. We did get all the proposals in. We are going to pick our person or our group tomorrow. I did send in my thoughts on who we should pick. The other two mayors and Laketran will be also submitting that, and we will meet with NOACA, not a year from now, but in the next month or so. Also, Waverly, Gallalina and Willowick Dr. Willowick Drive if you go down that I believe this will be our final repair to that. As the engineer said, it wasn't the route we would want to go to but over the last four years, at least right now from what I've driven from Lakeshore all the way to at least Waverly it is like a brand-new road so we are finally happy with that. The Waverly road we started doing some of the culverts, they're going to put in the cement aprons then they are going to grade the road. Some residents have called and said they "didn't have a culvert before why are they having one now?" The new pitch will be different than the old pitch and Waverly will be about a foot wider right Tom?

Mr. Gwydir: In some places yes.

Mayor Morley: Yeah, so, it will be uniform all the way down. Before Waverly was a little off so it will be uniform down the whole way. Gallaline, I'll let the engineer discuss that when we get to that. Also, we have received letters from all the unions. The negotiations will start here soon and I will keep you apprised to that through executive session if need be. Actually, we have October 5th the trick or treat with the car cruise from 3:00 p.m. to 6:00 p.m. The event is sponsored by RTF Service Center, Bill Start, Doug and Lou Wager, Creator Printing, Serena's Trophy world and Mike and Debbi Prepared. And then also on October 6th and 13th from 11:00 a.m. to 5:00 p.m. we will have Boo, Bats and Baseball. We are sponsoring that event along with EPAL and the Lake County Captains. That concludes my report and I am open for questions.

There were no questions for Mayor Morley.

FIRE CHIEF – Ted Whittington

Chief Whittington was absent and excused.

There were no questions for Chief Whittington.

POLICE CHIEF – Larry Reik

Chief Reik: Just to address a couple things in general. As far as the things that are going on in the city whether its deer, cats, unlicensed vehicles, every ordinance we pass to try and deal with something we please the people who were looking to get it passed, and we upset the people who do not want more government in their life. We're making these decisions as a group to hopefully move the city forward. We go to everything whether we get called where a six-year-old is not listening to mom and dad, they're calling the police wanting us to instruct their six-year-old to listen to them. And people parking inches on their own grass to be addressed as yard parking. We don't get a choice of where we get assigned, where we get dispatched, we go there, try to resolve it. Neighbor complaints for years people have been talked to and mediated. One of the additional hats that the officers wear, I've always used the line, "I'm going to leave because I have to go to other business and you've got to live here." So typically, we try to get people to come to some sort of resolution but that's not always the case. They keep calling, we keep coming but if there is not anything to address there's nothing we can address. And as far as the general stuff I know we get stuff from the mayor pretty often and I would challenge to find a city half the size that the directors are out individually addressing ground level concerns like myself, Mr. Menn, Chief Whittington, Mr. Gwydir, Rubertino, I mean it just doesn't happen anywhere else. Our contemporaries aren't going out and dealing with that stacked. Its being transferred down a couple levels and maybe coming back up and dealt with a lot, a lot slower pace than it's done here. I think we get the stuff we get it off our plate and we move on to the next thing. Unfortunately, not everything is held to the degree that the people want but we try to stay within the confines of what's expected. So, if you have any individual questions, any concerns, please feel free to bring them to my attention. I am open for questions.

There were no questions for Chief Reik.

CHIEF BUILDING OFFICIAL – David Menn

Mr. Menn: There will be no BZA meeting this week. But we do have a planning commission meeting at 7:00 p.m. there will be two items on there. As far as the Rallies what I'll comment on the Rallies is when I got the emails it took a while to put everything together. I was not here when Rallies opened up, so I had to do some research on that, talk to some other departments. And we are still working on it and when I have an answer or

when me and Mr. Law Director will get back to me and we'll talk about it we'll get that answer out to people. That's it.

There were no questions for Mr. Menn.

SERVICE DIRECTOR – Nick Rubertino

Mr. Rubertino was absent and excused.

There were no questions for Mr. Rubertino.

CITY ENGINEER – Tom Gwydir

Mr. Gwydir: As a follow-up to the Mayor's comments on Waverly Rd. That should be under black top sometime next week I believe we are scheduled for Monday. They're permitting. As soon as the first couple courses go down they'll go in with the drive aprons and we hope to be a distant memory there within a month. As far as Gallalina, that's still moving along. It is moving we are scheduled for a November completion and all I can say is we'll see on that.

There were no questions for Mr. Gwydir.

FINANCE DIRECTOR – Carol-Ann Schindel

Ms. Schindel: Nothing to report but I am open for questions.

There were no questions for Ms. Schindel.

LAW DIRECTOR – Randy Klammer

Mr. Klammer: Just a couple things. I just think there is a missed impression on what this feral cat thing is supposed to accomplish and I don't want any residents to see any videos or read any minutes about the comment on the feral cat program. It's designed to do a couple things. First and foremost, it's the first time were going to have a prohibition on feeding animals and feeding cats and leaving food out. So, it's to deal with that first and foremost. Then it's designed to eliminate feral cat population, it is not designed to increase feral cat population. Feral cat colonies exist by the nature of them being feral cats and by the nature of them being cats. This program is designed to find those colonies, to engage with a certified care giver or certified animal rescue program. It could be a number of them, not just the one that appeared in those instances. To adopt the trap, neuter and release program so that you're not killing these cats because if you're killing these cats then you have the animal rights people that are going to be up in arms over that too so it's a middle of the road program to capture these cats, to return them to the colony nurtured so that they cannot increase the size of the feral cat population. It's not a quick fix but it is the first mandatory step if you want to address this problem. So, for any resident who is hearing those type of public comments thinking we're increasing the feral cat population by increasing this ordinance, it's designed to do exactly the opposite. Doing nothing is only going to increase the feral cat population. So, it's designed to have multiple steps to solve those problems. And you know, I know the Chief was pretty delicate when he made his comment. I have worked in the practice of law for twenty something years at this point, there is no city, now cover your ears chief, there is no city that would do what Chief Reik does. Absolutely not. You're not going to have chiefs of police going out over building code violations and neighbors arguing over the yard maintenance, and whether there is an unlicensed car in the front yard. Its not going to happen in most cities. So, to the extent that the residents have any idea that the chief is not living up to any of his obligations, he's doing above and beyond what he's supposed to do. And this building department gets calls

non-stop. The residents don't always know how many calls they get, how often they have to go out and deal with two residents who just don't get along, maybe both of their properties are in disrepair, maybe one of them is elderly and can't afford to fix her things. They go above and beyond trying to help these people, trying to find solutions at times helped them find organizations that can help them fix their gutters, or get their lawn mowed. Motion carried. Legislation is adopted. ed. And at times we have to send out people to get their lawn mowed. That is an incredibly time-consuming process. They have to get the contractors out there after they've done the citation then finance has to worry about getting everyone paid if they don't get paid then it has to go on the tax duplicate. To suggest that anybody would read these minutes to believe that these directors are not going out to be attentive to these residents and somehow be left with the impression that the Chief of Police or the Chief Building Official is supposed to be mediating property disputes that's an absurd impression to have. That's not their obligations. If they were to come to me and say "should I be doing this?" I would say "you need to be careful doing that because these residents have their own feelings and their own opinions. It's your duty to find code violations, cite people for those code violations, and try to fix them. It's not your duty to try and go out and mediate these disputes. Because often times you can't reason with unreasonable people. And often times that's the problem." You quite often are going to leave the residents with a bad taste if you try and mediate. That's why they live through their obligations to follow the code, to cite people for the violations and through the process if it needs to go to criminal. But these guys go above and beyond there are no ifs, ands or buts about it. And I'm open for questions.

There were no questions for Mr. Klammer.

Mr. Meyers: I have two more things. We will be having a special council meeting next Tuesday October 1st at 6:00 p.m. to interview potential candidates for the open Clerk of Council position. Then also we need a motion to adjourn into executive session council will be interviewing to for the open Council Clerk Position.

Mayor Morley: I have a question on the October 1st meeting. So, you guys are going to go into executive to interview it's not public?

Mr. Meyers: No, it's public. According to the Law Director it needs to be a public meeting.

Mr. Klammer: Yes, I asked him to hold off on sending the notices but my inclination is that because they're public officials not employees there is no basis to go into executive session to do the interviews. I know it's gone back and forth in the past but some of that happened without my advice. Whether they want to do it at a public meeting is still another concern because some candidates may not want to.

Mayor Morley: I'm just throwing it out because I never, when I was on council when we interviewed for openings we just did it in the room we didn't do it in public so I don't know.

Mr. Klammer: I wouldn't think we could have a public meeting and then go into executive session for that.

Mayor Morley: What I'm saying is about the interviews. They could interview not in, they could interview without being in executive session.

Mr. Meyers: The question is also then we have all seven of us.

Mr. Klammer: Then that becomes an issue. I mean there is all different ways to do it, but very rarely to councils have public interviews about these things. Usually they have an application process and it goes to a vote.

Mr. Meyers: And we may go that route, we are scheduling a meeting to discuss it.

Mayor Morley: Okay.

Mr. Zuren: I hereby motion to adjourn into executive session to interview potential candidates for the council clerk position.

Mr. Overstreet Second.

ROLL CALL: Yeas. Unanimous.

Motion carried.

ADJOURNMENT

The meeting was adjourned into executive session at approximately 8:00 p.m.

Mayor Morley: Motion to adjourn out of executive session

Mr. Zuren Second.

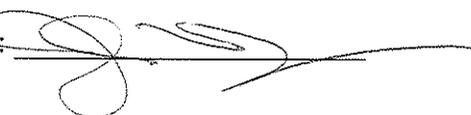
ROLL CALL: Yeas. Unanimous.

Motion Carried

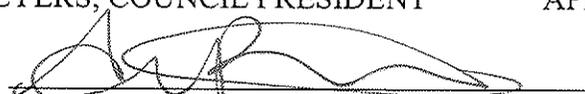
The meeting was adjourned out of executive session at approximately 8:51 p.m.

The Regular Council Meeting was adjourned at approximately 8:51 p.m.

JOHN MEYERS, COUNCIL PRESIDENT

APPROVED: 

ATTEST:


ANNA RUBERTINO, CLERK OF COUNCIL