

**REGULAR COUNCIL MEETING
MINUTES
TUESDAY
FEBRUARY 11, 2025
7:00 P.M.**

The Regular Council Meeting of the Eastlake City Council was held at Eastlake City Hall, 35150 Lakeshore Boulevard. The Meeting was called to order by Council President Meyers at approximately 7:09 p.m.

The Pledge of Allegiance was recited.

ATTENDEES

All members of Council in attendance.

All members of the Administration were in attendance.

APPROVAL OF AGENDA

Regular Council Meeting Agenda -- February 11, 2025

MOTION: Mr. Semick motioned to approve the Regular Council Meeting Agenda for February 11, 2025. Ms. Krajnyak second.

ROLL CALL: Yeas unanimous.

Motion carried. Agenda approved.

APPROVAL OF MINUTES

MOTION: Mr. Kasunick motioned to approve the Minutes from the Regular Council Meeting of January 14, 2025. Mr. Gulley second.

ROLL CALL: Yeas unanimous.

Motion carried. Minutes approved.

PRESIDENT'S REPORT

Meetings Scheduled

Council President Meyers stated that the next Council-as-a-Whole Committee Meeting is scheduled for Tuesday February 25, 2025 at 7:00 p.m. The Regular Council meeting will be convened immediately following the adjournment of the Council-as-a-Whole Committee meeting.

MOTIONS

COMMUNICATIONS & PETITIONS:

COMMITTEE REPORTS:

Mr. Semick reports on Port Authority meeting. They went over the election of officers. Aaron Bolton is the chair. They approved the budget and if anyone wishes to see it, he is happy to forward it.

Ms. Schmidt reports on ECDC. They are doing planning for the year. They have Eastlake Plant Swap Saturday May 17. June and July will be yards of the year. After that, they go into lantern holiday award. Final thing is Councilwoman Kostelnik is heading up the Good Neighbor Awards and they will be having more of those. They have a great committee. Anyone is welcome to join. She also met with the Mayor and Judy to go over all of this as well.

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

No one wished to speak.

LEGISLATION PROPOSED:

02-11-(01)

RESOLUTION NO.: _____
Requested by: Finance Director Schindel
Sponsored by: Administration

A Resolution authorizing the Mayor and Director of Finance to accept a Senior Levy Grant from the Lake County Commissioners for a total of One Hundred Forty-Three Thousand Dollars (\$143,000.00) and declaring an emergency.

MOTION: Mr. Gulley moved to suspend the rules requiring separate readings and readings in full. Ms. Schmidt second.

ROLL CALL: Yeas unanimous.

MOTION: Mr. Gulley to adopt. Ms. Schmidt second.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Resolution No.: 2025-006

02-11-(02)

ORDINANCE NO.: _____
Requested by: Planning Commission
Sponsored by: Administration

An Ordinance authorizing the issuance of a Conditional Use Permit to Sal alRousan dba Rousan Brother's LLC Convenient Food Mart, 34301 Vine Street Eastlake, Ohio 44095, and declaring an emergency.

MOTION: Mr. Semick moved to suspend the rules requiring separate readings and readings in full. Ms. Krajnyak second.

ROLL CALL: Yeas unanimous.

MOTION: Mr. Semick to adopt. Ms. Krajnyak second.

ROLL CALL: Mr. Semick, YEA. Ms. Krajnyak, NO. Mr. Kasunick, YEA. Mr. Gulley, YEA. Ms. Schmidt, YEA. Ms. Kostelnik, NO. Mr. Meyers, YEA. (passed 5-2)

Motion carried. Legislation is adopted as Resolution No.: 2025-007

02-11-(03)

RESOLUTION NO.: _____
Requested by: Building Department
Sponsored by: Planning Commission

An Ordinance authorizing the issuance of a Conditional Use Permit for the sale of firearms to Daniel DiPodova, Agent for Ohio Precision MFG Corp. dba Infitech Industries, located at 35886 Lakeland Blvd. Eastlake, Ohio 44095, an M-3 District, and declaring an emergency.

MOTION: Ms. Krajnyak moved to suspend the rules requiring separate readings and readings in full. Mr. Semick second.

ROLL CALL: Yeas unanimous.

MOTION: Ms. Krajnyak to adopt. Mr. Semick second.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Resolution No.: 2025-008

02-11-(04)

RESOLUTION NO.: _____
Requested by: WPCC Superintendent Gorka
Sponsored by: Council

An Ordinance authorizing the Mayor to enter into an Eighteenth Amendment to the WPCC Joint Agreement with the City of Willoughby, and declaring an emergency.

MOTION: Mr. Gulley moved to suspend the rules requiring separate readings and readings in full. Ms. Kostelnik second.

ROLL CALL: Yeas unanimous.

MOTION: Mr. Gulley to adopt. Ms. Kostelnik second.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Resolution No.: 2025-009

02-11-(05)

RESOLUTION NO.: _____
Requested by: WPCC Superintendent Gorka
Sponsored by: Council

A Resolution authorizing the Mayor to enter into an Agreement with the City of Willoughby for implementing the payment procedure for the Willoughby-Eastlake WPCC Lakeshore Boulevard East Equalization Basin Project, and declaring an emergency.

MOTION: Mr. Gulley moved to suspend the rules requiring separate readings and readings in full. Mr. Semick second.

ROLL CALL: Yeas unanimous.

MOTION: Mr. Gulley to adopt. Mr. Semick second.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Resolution No.: 2025-010

LEGISLATION PENDING:

ADMINISTRATIVE REPORTS:

Mayor Overstreet welcomes the new Service Director to the Council Meeting. He and Finance Director have been working on the budget and the side letter for the Captains.

No questions.

Chief Whittington says through the cold spell, the county had a lot of fire activity. They are also up on Rt. 2 more. It's not a comfortable place for them to work. Be vigilant and follow the laws. If you see activity on the freeway, please move as far left as possible for their safety. National Weather Service was out last week for the river. They have a different perspective. They also came up with a plan for what it takes to flush a river. It probably won't happen for the next few months due to conditions. They are going to be aggressive through the season. They will put out Flood Warnings as well as the Reverse 911 we do. There was already a jam up there and it has frozen again. He feels that the extra layer having them there is good. Promotional exams in the Fire Department are starting and it is going smoothly so far. He appreciates the Mayor and Finance Director for getting that started with him. He will give the Administration a more firm date when he has it.

Ms. Schmidt asks about the promotional exam. Does it mean someone will step up and then will need to hire?

He says yes and explains the timeline for how the exam schedule works. They must post 2 weeks before the civil service opening. He will give the City a firmer date when he knows it.

No additional questions.

Police Chief Werner says they have recently made two conditional offers to people finishing up the police academy currently. That leaves two additional spots they are looking to fill in the next month or two which will bring them up to their budgeted amount. They recently spoke to the Willoughby Eagles who gave them a significant donation that helped finish up the gym upgrades. They are on the cusp of implementing a chaplaincy program. There is a reverend helping with this program. It will be a good addition for officer health and wellness. They are also looking at all the benefits that the City's EAP program has to offer. They want to be able to address issues specifically for police officers. Budget wise, they will be seeing a lot coming across in the next few months. He has been working with Carol Ann as well. The body camera grant awards will be given out next month. There were over 10 million in requests. We are a high priority candidate because we have none. Total cost they were looking at was roughly \$246,000. He submitted about \$180,000 for the grant. He hopes to have an update end of March.

No questions.

CBO Dave Menn says when the snow melted a week ago, the phones started ringing. Once snow came back, phones stopped ringing. Lake County Captains now have a dog that is supposed to be their "bat dog". Looks like a black lab. Should be fun for the kids.

Ms. Schmidt asks what the calls are about?

Mr. Menn says just general complaints about yards and neighbors. There have been a lot of calls about rodents. Not much they can do about that. They tell them to talk to the Health Department.

No additional questions.

Service Director Gorentz says they have been busy patching streets. They are doing their best to keep up. There is a salt shortage right now so they had to cut back on some of the side streets. They are working on getting more salt so they can continue on as usual. They took delivery of the new engine for the salt truck. That is ongoing and will be done as soon as possible and back on the road.

Ms. Schmidt asks about the repair?

Mr. Gorentz says they file an insurance claim.

Ms. Schmidt asks if salt shortage is just because of the winter they have had?

He says yes.

No additional questions.

Mr. Meluch received a message regarding the bridge inspection on SR. 2 from ODOT. They are trying to get all the work associated with that done under each lane restriction.

Ms. Krajnyak asks when?

Mr. Meluch says next week weather permitting.

Mr. Meyers says will this lead to some type of bridge repair or replacement in the future?

Mr. Meluch says yes most likely.

No additional questions.

Finance Director Schindel says you will see the donation acceptance on the next meeting's agenda that Chief Werner mentioned.

Mr. Kasunick asks if we should schedule the meeting now for the budget?

Mr. Meyers says he believes Carol Ann or Mayor sent one out maybe thinking 6:00 before the next Council Meeting.

No additional questions.

Law Director Klammer has no report but open for questions.

No questions.

Mr. Meyers says Councilwoman Krajnyak has something to say.

She says they discussed the morals claim at the last meeting regarding Officer Stanley. During that meeting she feels that the perception was the cost of that \$4000 was something the City would have to eat. Once she contacted people, the City had multiple choices there. They did not have to adopt a policy. Most cities waived the policy when they left. We would not be on the hook for that money at all. If he pays the money back and we uphold the policy, then we have to turn that money over to EMA but it is not required. She feels that this is something we don't have to do... they went through a lot with Covid. She thinks this is something we could waive. She would like us to look at that knowing what we know now.

Mr. Klammer says he was included with everyone on that email. He confirmed back with Vicky Cox. Because we already talked to them, would they require it. Even knowing he left, she confirmed we would not be obligated to pay it back.

Ms. Krajnyak says it didn't even need to go to a moral claim situation. Since admin adopted the policy, they could waive it. Since it came to Council she felt they needed to have all the information. Vicky Cox only needs an email from Finance saying it was waived. She would like us to be able to vote on it again.

Mayor Overstreet says from his own point of view, when he was in the reserves and got hired for Eastlake Department. He had to pay back his reenlistment bonus. Do we want to set a precedent that someone accepts money that they will stay and then we do not enforce that.

Ms. Krajnyak says one officer did leave and no one made them pay that back.

Mayor Overstreet says we were going to go after her for that money.

Law Director Klammer says Chief Werner is going through a process right now where we may possibly pay for police academy for incoming officers. His concern is that they may set a precedent.

Ms. Krajnyak feels this is case by case basis.

Finance Director Schindel says this grant was done so that the Police Department would have the officers and so they would stay. This was done for the residents so there would be staffing and residents would feel safe. Then someone leaves and you are worried about him but not the residents that have not had full staffing. The other person came back. The purpose was the help the residents and the police department and that did not happen.

Mr. Klammer says if the Mayor's position is not to waive, then you must do moral claim by legislation. We wanted feedback about if it needed drafted or not.

Mr. Meyers says this should have been brought up beforehand.

Ms. Krajnyak says when we are in Council and something is brought up that makes a lightbulb go off, we only have two business days to review items because agendas come out on Thursday. The City is not on the hook for the \$4000. She could not make the right decision she feels and believes others feel the same way.

Mr. Klammer says because it was voted down it needs a new piece of legislation. You have the option of doing it all or not or finding another compromise.

Mr. Meyers says he wants to touch on what the Mayor said. This gentleman signed the agreement. He would like to think that he would honor his commitment. It discomferts him that he has reached out and said he has not honored it but would like the money waived. He believes he is not a City Resident.

Chief Werner says he is Mentor on the Lake.

Mr. Meyers says he went to a department outside the County and is very highly compensated at the department he chose to go to and is certainly capable of paying back.

Ms. Krajnyak thinks that is an appropriate statement. He had the ability to move on and do right for his family.

Mr. Meyers says he thinks that is the American way. He made the obligation and he feels he should honor it.

Ms. Krajnyak says as Council, we did not need to make that determination.

Ms. Schindel says we reached out and told him to pay the bill.

Ms. Krajnyak asks when he resigned? August?

Chief Werner yes.

Ms. Kostelnik- he was supposed to stay until December?

Ms. Krajnyak brings up the other officer who left.

Ms. Schindel says that the other officer was back before December 1.

Ms. Krajnyak says the problem is that EMA did not require that we write a policy, but we chose to. It is to keep track of how many people stayed, left, etc. Is it enough to retain those employees? This is federal money received and it is no skin off our back. How long was he here?

Chief Werner says 6-7.

Ms. Krajnyak says he was a good officer and she wants Council to have the opportunity to have another chance at that.

Chief Whittington says another cautionary thing... some of the contractual stuff in the union says that if we hire someone and they leave within that 1 year time, they have to reimburse us. He doesn't want to take that advantage away from the City by not enforcing that. In that contract, he believes that it offers the ability to present hardship. That could be brought to the Mayor. He thinks there is some flexibility but he would hate to see a blanket thing where we take away some of the power we have written in the contracts.

Ms. Krajnyak says that is a great statement because the City would be on the hook for that cost.

Chief Whittington says yeah but there was an agreement made. As the administration of a department, he feels there is an obligation. He does not have a dog in this fight and doesn't know the ins and outs but when you are talking about this, make sure to consider the power we currently have. Now people can pick and choose where they work. It's frustrating to hire someone and then they leave. There needs to be commitment. If someone signed an agreement, he feels we should hold them to it. He would hate for his abilities to administer change.

Mr. Meyers says along those lines, maybe that is something the Law Director needs to address and see if doing something like this weakens our position in the future.

Law Director Klammer says it is possible. If it is built into the contract, they can handle that administratively.

Chief Whittington says it does fall back on them. He has had people have to leave under circumstances and that is where the common sense approach comes. They don't want to leave but they have to.

Finance Director Schindel says we have similar concepts about advancing schooling in your department and you have to agree to stick around. There are a few places where we require employees to agree to that commitment.

Chief Whittington says if we spoke to him and explained that he wonders if he would feel differently. He feels we do have a common sense approach here. If there was someone that legitimately had to leave then maybe in that case, but if we get the grant money for it, I don't know... He is concerned about what might happen down the road.

Ms. Schmidt says she agrees with the integrity about signing the contract. The thing that gets her is that another officer left that signed the same agreement. She chose to come back but her intent was to leave. That is where she gets stuck. How is it okay for her to get out of it? You should hold your word. How is she supposed to say you have to pay, but you because you came back do not have to. That is bothersome. She thinks you should have to pay because you signed an agreement.

Chief Whittington says then maybe you have to include her in the conversation.

Ms. Schmidt says she is on board you have to pay, but she is hung up on that.

Law Director Klammer says he does not see those two as related. He thinks the person leaving and coming back is different because the collection process would have taken a month anyway. He doesn't want to speak for the Mayor, but he feels there is some compromise if there is a hardship and this officer needs a payment plan or something. He would encourage him to have a conversation with the Mayor.

Ms. Krajnyak thinks case by case basis is what we do for everything including passing one CUP or maybe not another.

Law Director Klammer says there is no resident that can say Council didn't spend a lot of time talking about it.

Chief Whittington says a CUP is different than a personnel matter.

Ms. Krajnyak says this is not a detriment to the City financially.

Chief Whittington says he does not know the processes that this officer went through, but he knows there is a process to hire that requires a lot of money to vet them and he thinks that the City does have financial interest in this. That's another part for him. As far as a CUP goes, it's different because that business owner went to Planning. There is an investment in every employee.

Ms. Krajnyak asks if Chief Werner has any thoughts on it.

Chief Werner says he can see all sides. Part of the grant was for work through the Covid time. He did serve through the pandemic. He sees the argument for the City not being accountable for that \$4000. He knows Officer Stanley made the argument that after taxes were taken out it was not the full amount also and felt it was unfair to pay back the amount he did not receive. There is other math that goes into those calculations. As far as personnel goes, they have been down 4 budgeted positions for 3 years. There has been that much turnover. He was the first officer they had in many years that left beyond that 5 year mark. He has had many conversations with officers over the years and he cannot begrudge anyone that makes a decision based on job satisfaction or quality of life. He moved on to a department that he felt was a better fit for him and his future. He cannot begrudge that. It is Council's decision. When we are looking at the possibility of paying for someone's academy and trying to retain them for years afterwards, this is something he has brought up. There is a bit of a difference in his opinion. He feels we should have been doing this. Whether or not this sets a precedent he feels there is a difference between employment provisions. He doesn't remember when the payout was, maybe early 2023?

Finance Director Schindel says November 2023.

Chief Werner says until that was sent out he doesn't know if anyone remembered signing the agreement.

Ms. Kostelnik says this was to work for Covid correct?

Ms. Krajnyak says yes.

Mr. Meyers says he will leave it to Council but it sets a bad precedent that they already voted no on this. They could have put it on first reading.

Ms. Krajnyak says that they didn't have enough information at the time.

Mr. Meyers says it's up to Council what they want to do.

Law Director Klammer says two people could vote to move it forward or not in Committee. 4 to move it forward.

Ms. Krajnyak asks to move it forward and take a vote.

Law Director Klammer says if there's no objection we could move it forward.

Mr. Semick says he does not think we should. The contract says they had to be employed end of the year. Luckily for one they were back in time.

Ms. Kostelnik seconds it.

They opt to move it forward..

Ms. Schmidt announces the WPCC meeting in Council Chambers on Wednesday February 19, 2025 at 6:00 p.m. She encourages people to attend and hear about the plans. For this specific meeting, there is no public speaking portion, but it is very educational.

ADJOURNMENT

The meeting was adjourned at approximately 8:03 p.m.



JOHN MEYERS, COUNCIL PRESIDENT

APPROVED: 2/25/25

ATTEST: 

ALYSSA MORAN, CLERK OF COUNCIL