

# MINUTES

## REGULAR COUNCIL MEETING

8:00 p.m.

May 15, 2007

Pursuant to Codified Ordinance Chapter 107 and ORC Section 121.22, notice of the following meeting was given on May 11, 2007:

### ROLL CALL

**Councilmen Present:** Mr. Cox, Mr. Harrold, Mrs. Manning, Mr. Ranally, Mr. Woodin

**Absent:** Mr. Fiala and Mr. Black

**Others Present:** Law Director Wiles, Community Development Manager Lipscomb, Service Director Tomaselli, City Engineer Sayles, Fire Chief Zwegat, Assistant Police Chief Cooper, Finance Director Rogowski, Parks and Recreation Director Katz, Clerk Radebaugh

Motion made and seconded to excuse Mr. Fiala and Mr. Black from tonight's meeting.

Roll Call: 5 yes  
0 no

Motion carried 5 to 0

The meeting was led in prayer and the Pledge of Allegiance by President Cox.

### Approval of Minutes

Motion made and seconded to approve the Regular Council minutes of May 1, 2007.

Roll Call: 5 yes  
0 no

Motion carried 5 to 0

### STANDING COMMITTEES OF COUNCIL

**Committee of Full, Mr. Cox** – No Report.

**Economic Development Committee, Mr. Black** – Absent.

**Environmental Planning Committee, Mr. Ranally** – The Committee recommended that one item on the agenda tonight be tabled for further review by the Planning Commission.

**Finance and Audit Committee, Mr. Ranally** – A couple items on the agenda tonight are part of the capital for this year. There was a meeting two weeks ago to discuss capital items. Capital items requested by the administration were approved.

**Parks & Recreation Committee, Mr. Woodin** – No report.

**Personnel Committee, Mr. Harrold** – A form has been sent to the employees not currently participating in the Deferred Compensation Program. This form needs to be filled out and returned to the Personnel Dept. There will be representatives at City Hall on May 23, 24, and 25 to answer any questions.

**Safety Committee, Mr. Black** – Absent.

**Service Committee, Mrs. Manning** – No report.

**WPCC Committee, Mr. Harrold** – No report.

**Clean City Commission, Mr. Cox** – We met last evening. The Spring Garden Raffle will be held this Saturday.

**Planning Commission, Mr. Fiala** – Absent.

**Shade Tree Commission, Mrs. Manning** – No report.

**CORRESPONDENCE**

No correspondence

**PUBLIC PORTION**

No one spoke

**OLD BUSINESS**

None

**NEW BUSINESS**

**Motion made and seconded that all ordinances and resolutions be read by caption only and that as to legislation not containing an emergency clause, the rules requiring that ordinances and resolutions be read on three separate days be waived.**

Roll Call: 5 yes  
0 no Motion carried 5 to 0

**RESOLUTION NO. 2007-57**

**A Resolution approving EAS#9-4-07 for the proposed Chagrin River Walk Project, a mixed use of residential, retail, and office development, which is bounded on the south by Mentor Avenue, north by Norfolk Southern Railroad, east by Kirtland and Pelton Road, and west by the Chagrin River.**

Motion made and seconded to table Resolution No. 2007-57.

Roll Call: 5 yes  
0 no Motion carried 5 to 0

**RESOLUTION NO. 2007-58**

**A Resolution authorizing the Mayor to enter into a contract with Sutphen Corporation in the amount of \$587,280.02, with trade in, through the State of Ohio Cooperative Purchasing Program for the purchase of two (2) 2007 Sutphen Shield S2 Pumpers necessary to the operation of the Fire Department; a security agreement and a secured promissory note for one (1) Pumper; and declaring an emergency.**

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2007-58 be declared an emergency measure.

Roll Call: 5 yes  
0 no

Motion carried 5 to 0

Motion made and seconded to adopt Resolution No. 2007-58.

Roll Call: 5 yes  
0 no

Motion carried 5 to 0

**ORDINANCE NO. 2007-59**

**An Ordinance accepting Amendment No. 1 to Ordinance No. 2007-33, the Manning & Payroll Ordinance, relative to the Division of Police, and declaring an emergency.**

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Ordinance No. 2007-59 be declared an emergency measure.

Roll Call: 5 yes  
0 no

Motion carried 5 to 0

Motion made and seconded to pass Ordinance No. 2007-59.

Roll Call: 5 yes  
0 no

Motion carried 5 to 0

**RESOLUTION NO. 2007-60**

**A Resolution authorizing the Mayor to enter into a contract with Karvo Paving Company in the amount of \$995,908.75 (base bid of \$884,609 with Alternate "A" bid of \$72,065 and Alternate "B" bid of \$39,234.75) for implementation of the 2007 Pavement Repair Program.**

Motion made and seconded to amend Resolution No. 2007-60 to read as follows:

"A Resolution authorizing the Mayor to enter into a contract with Karvo Paving Company in the amount of \$956,674 (base bid of \$884,609 with Alternate "A" bid of \$72,065 ) for implementation of the 2007 Pavement Repair Program" and Section 1 to read "That the Mayor is hereby authorized to enter into a contract with Karvo Paving Company, 3432 State Road, Suite A, P.O. Box 3198, Cuyahoga Falls, Oh 44223 in the amount of \$956,674 (base bid of \$884,609 with alternate "A" bid of \$72,065 for implementation of the 2007 Pavement Repair Program.

Roll Call: 5 yes  
0 no

Motion carried 5 to 0

Motion made and seconded to adopt Resolution No. 2007-60 as amended.

Roll Call: 5 yes  
0 no

Motion carried 5 to 0

**MAYOR'S REPORT** - Ms. Lipscomb reminded Council of the joint work session with Planning Commission on June 7<sup>th</sup> at 6:00 p.m. to discuss the Master Plan. Heritage Ohio is having their annual meeting this Thursday in Cincinnati. The bed and breakfast Homestead House is receiving an award for the best residential rehabilitation in the state.

Councilwoman Manning asked when Ballantine Restaurant, the spice shop and the bike shop were going to open. Ms. Lipscomb said the spice shop will be having their informal opening on Monday. The bike shop is almost ready. Ballantine's will open in another month.

Councilman Woodin asked the status of the Osborne property on the corner of Lakeshore Blvd. and Lost Nation Rd. (former Sohio Station). Ms. Lipscomb said there is nothing new regarding the property. Mr. Woodin asked if the city is looking into a zoning for the Lost Nation and Lakeshore corridor exclusive to itself. Ms. Lipscomb said she wasn't sure if it was part of the discussion in the master plan. After some discussion, Council President Cox suggested that Mr. Woodin make sure that he tells Mr. Hartt what he would like discussed in the master plan. Councilman Woodin asked what the procedure was if he had an idea about something he would like to propose to Planning Commission and needed drawings, etc. Mr. Cox suggested that Mr. Woodin talk to Mr. Sayles.

## **OTHER REPORTS**

**Law Director Wiles** – No report.

**Service Director Tomaselli** – No report. Councilman Ranally asked about the downtown project. Mr. Tomaselli said it was finished. His department will be cleaning downtown on Friday. Mr. Tomaselli will send out a letter to the business owners informing them that it is their responsibility to tie into the storm sewer in 30 days.

Councilman Woodin asked the status of the resident's sewer line that was damaged when Orwell was putting in the gas lines. Mr. Tomaselli said he has called but has not had a return call. He suggested that Mr. Woodin get the bills from the resident and he will send them to Orwell.

**City Engineer Sayles** – Lakeshore Blvd. Force Main Project in Eastlake is almost complete.

Councilman Harrold asked Mr. Sayles to explain the article he received regarding Septic Rules. Mr. Sayles said he had not seen the article, but explained that the State Health Department, in an effort to clean up failing septic systems, has mandated testing. Lake County does not follow these rules.

Mr. Katz commented that he is the city's representative on the Lake County Board of Health. He said that there is an extreme difference of opinion between Senator Grendell and the Board of Health.

Councilman Woodin asked the status of the Two Town Creek Study. Mr. Sayles will have the study by the end of the month.

Councilman Ranally asked the status of the Mentor Avenue Project. Mr. Sayles said that it was expected to be done by the end of June. Their official completion date is July 31<sup>st</sup>.

**Fire Chief Zwegat** – Thanked Council for passage of legislation to purchase the Sutphen engines. The Fire Department will receive a \$40,000 grant from the Bureau of Worker’s Compensation to buy equipment that will hopefully save back injuries.

**Assistant Police Chief Cooper-** Thanked Council for the legislation.

Councilman Harrold thanked Chief Cooper for the speed meter on Robinhood.

**Chief Building and Zoning Inspector Smith**– Absent.

**Parks & Recreation Director Katz** – Baseball and Softball season started this past Saturday.

Councilman Ranally asked the status of the Gilson Park project. Mr. Katz said it was finished. When money becomes available, the next step will be the restrooms, concessions and the playground.

**Finance Director Rogowski**– No report.

**COUNCILMEN**

**Mr. Woodin** – No report.

**Mr. Fiala** – No report.

**Mr. Ranally** – No report.

**Mrs. Manning** – No report.

**Mr. Harrold** – No report.

**Mr. Black** – No report.

**Mr. Cox** – No report.

**Regular Council Meeting adjourned at 8:30 p.m.**

Date approved\_\_\_\_\_

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Clerk of Council

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Charles W. Cox, President

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David E. Anderson, Mayor