

**COUNCIL AS A WHOLE COMMITTEE MEETING
MINUTES
TUESDAY
MARCH 8, 2011**

Council President Mr. Morley opened the meeting at 7:00 p.m. Members of Council in attendance were Mr. Knuchel, Mr. Lajeunesse, Ms. Vaughn, Ms. DePledge, Mr. Hoefle, Mr. D'Ambrosio and Council President Mr. Morley. Also attending was Council Clerk Mrs. Cendroski.

Attending from the Administration were Law Director Klammer, Finance Director Slocum, and Police Chief Reik. Mayor Andrzejewski was late in arriving. Service Director Semik and City Engineer Gwydir were absent and excused.

Also in attendance were members of the public.

LEGISLATION PROPOSED:

03-08-(01): CONDITIONAL USE PERMIT: FNJ AUTOMOTIVE, LLC, 1630 EAST 361ST STREET, UNIT 1, EASTLAKE

Mr. Morley: Mr. D'Ambrosio?

Mr. D'Ambrosio: This is a new Conditional Use Permit for which we just had a public hearing. The Planning Committee had no objections to this matter moving forward. However, as the applicants have not signed the legislation this matter will be placed on First Reading.

There were no further questions or comments. This matter was placed on First Reading.

03-08-(02): CONDITIONAL USE PERMIT AMENDMENT: BIAGIO'S DONUT SHOP & PIZZERIA, INC., 35523 VINE STREET, EASTLAKE

03-08-(03): CONDITIONAL USE PERMIT AMENDMENT: G.P. ENTERPRISES, INC., 34799 CURTIS BLVD., EASTLAKE

03-08-(04): CONDITIONAL USE PERMIT AMENDMENT: R.D.P. ENTERPRISES, INC., 34799 CURTIS BLVD., EASTLAKE

03-08-(05): CONDITIONAL USE PERMIT AMENDMENT: WILLOUGHBY CAB SERVICE, INC., 34799 CURTIS BLVD., EASTLAKE

03-08-(06): CONDITIONAL USE PERMIT AMENDMENT: PALMER EXPRESS, INC., 34799 CURTIS BLVD., EASTLAKE

03-08-(07): CONDITIONAL USE PERMIT AMENDMENT: HOERNIG HEATING & AIR CONDITIONING, INC., 36950 VALLEY VIEW DRIVE, EASTLAKE

03-08-(08): CONDITIONAL USE PERMIT AMENDMENT: B & B OLD FRONT BAR, INC., DBA BILLY'S OLD FRONT BAR, 36229 LAKESHORE BLVD., EASTLAKE

03-08-(09): CONDITIONAL USE PERMIT AMENDMENT: NEPPECO OF EASTLAKE, INC., DBA MCDONALD'S 36141 LAKESHORE BLVD., EASTLAKE

Mr. D'Ambrosio: These were all amendments to Conditional Use Permits and were approved by the Planning Committee. Legislation No.'s 03-08-(03) through 03-08-(06) will be placed on First Reading as the applicant could not come into Council office to sign the legislation.

There were no further questions or comments. These matters were moved forward.

03-08-(10): CONTRACT: SOUTHEASTERN EQUIPMENT COMPANY, INC: BUCKET FOR 1997 CASE LOADER: \$13,586.60

Mr. Morley: Ms. DePledge?

Ms. DePledge: This was discussed in Service/Utilities Committee. This contract is for a bucket for our 1997 Case loader and is from a sole provider. There was a question on whether there were funds in the budget for this expenditure.

Mr. Slocum: There are funds available.

There were no further questions or comments. This matter was moved.

03-08-(11): QUIT CLAIM DEED: REVISIONARY CLAUSE: .1298 ACRES TO CHAGRIN PARK, LTD

Mr. Morley: Ms. DePledge?

Ms. DePledge: This was also discussed in Service/Utilities Committee and is in regards to a piece of the WPCC property. Willoughby wishes to sell the parcel but in order to do so Eastlake has to release a revisionary clause. The Committee approved this matter to move forward to tonight's meeting. Mr. Klammer, since then there has been an additional idea presented that perhaps maybe we could use this as a little leverage to get the deed signed on the Port Authority. For several years we have been trying to get Willoughby to sign off on a lease agreement for the property located on Erie Road by the waste water plant and the canoe livery by West Island Drive. Could we do some negotiation there?

Mr. Klammer: I guess I would leave it to Council as to how they would want to handle that. My only concern is it seems to be a private party involved in that transaction. But, I will leave it to you to decide what level of fairness they are entitled to in that regard. As I understand it the private property that is there needs that property and Willoughby is willing to sell it to them. The only reason we are involved is because we have the deed restriction on there – which is for our benefit that we are taking off. If you wanted to use it I certainly have no objections to making an effort to try to find a resolution to that with the three-way lease agreement with the Port Authority. It certainly seems an appropriate conversation starter and I would be happy to use it as such.

Ms. DePledge: If we could make it a package deal I think it would be a great idea.

Mr. Klammer: Yes, I have no objections. To you want to put it on First Reading?

Ms. DePledge: Yes, we will put it on First Reading.

Mayor Andrzejewski joined the meeting at this time.

Mr. Morley: We have a meeting on the 21st with the WPCC. I do not know if you are going to have any conversation with the Law Director because one of the things on the agenda is the Lease Agreement. I don't know if you were going to come to the meeting that night?

Mr. Klammer: This is the first I am hearing about it. I don't typically attend it.

Mr. Morley: I know. I am just giving you a heads up that it is one of the things on the agenda for the 21st.

Mr. Klammer: I will reach out to them by then. All we really want to do is for them to provide us a lease agreement that will cover the entire property that we have been using all these years so we can make it available to the residents who have been using it all these years. I can't see why they would disagree but they have their reasons.

Mr. Morley: I agree.

Mr. Knuchel: Mr. President, this item has been on their agenda for the last six years and basically all they do is discuss where we are not at on this issue.

Ms. DePledge: For the record, the purpose of this lease agreement is so we can get grants and do recreational improvements to that area which is what the place is for. It will benefit both cities.

Mr. Klammer: And the Port Authority.

Mr. Morley: The Port Authority, Salmon Club...

Ms. DePledge: \$50,000 to \$100,000 worth of grants to improve that area for both cities and all the residents.

There were no further questions or comments. This matter will be placed on First Reading.

LEGISLATION PENDING:

There was no Legislation Pending.

MISCELLANEOUS:

BID ADVERTISEMENT: CITY PROPERTY: 269 COURTLAND BLVD., EASTLAKE

Mr. Slocum: This is the property we have tried to bid at \$20,000, \$15,000, \$10,000 – we have had some inquiries that people have indicated they may be interested in \$9,000. So, it is just vacant land to us and we would like to see if we can move it at this point.

Mr. Morley: How many days will we post it?

Mr. Slocum: I think we have to do five weeks.

Mr. Klammer: Do you need the \$9,000 reserved as a minimum bid?

Mr. Morley: I asked before about the timeframe and if we were over if we would have to rebid.

Mr. Slocum: This is probably the best time to be doing it – going into the building season. We have lowered it one more time – if I need to come back to get that minimum reduced I would like to reserve that right. But, I don't want to let it go for less than the \$9,000.

There were no further questions or comments. This matter was moved forward.

CONDITIONAL USE PERMIT RENEWALS:

TR & TG ENTERTAINMENT, LLC DBA NORTH COAST CAFÉ, 34516 LAKESHORE BLVD.

MYRON MIECZNIKOWSKI DBA ERIESHORE BEVERAGE, 35608 LAKESHORE BLVD.

BIAGIO'S DONUT SHOP & PIZZERA, INC., 35534 VINE STREET

G.P. ENTERPRISES, INC., 34799 CURTIS BLVD.

R.D.P. ENTERPRISES, INC., 34799 CURTIS BLVD.

WILLOUGHBY CAB SERVICE, INC., 34799 CURTIS BLVD.

PALMER EXPRESS, INC., 34799 CURTIS BLVD.

HOERNIG HEATING & AIR CONDITIONING, INC., 36950 VALLEY VIEW DRIVE

B & B OLD FRONT BAR, INC., DBA BILLY'S OLD FRONT BAR, 36229 LAKESHORE BLVD.

NEPPECO OF EASTLAKE, INC. DBA MCDONALD'S, 36141 LAKESHORE BLVD.

Mr. Morley: Mr. D'Ambrosio? I know all these have not been signed.

Mr. D'Ambrosio: The ones that are not signed are G.P. Enterprises, R.D.P. Enterprises, Willoughby Cab Service and Palmer Express. I recommend these be held as their permits will be on First Reading. I will make a motion for the others during my report.

There were no further questions or comments.

ADJOURNMENT

The meeting adjourned at approximately 7:11 p.m.

dac

APPROVED: _____

DATE: _____