

**EASTLAKE CITY COUNCIL  
REGULAR COUNCIL MEETING MINUTES  
FEBRUARY 28, 2012**

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. Morley at approximately 7:02 p.m.

The Pledge of Allegiance was led by Mr. D’Ambrosio.

ATTENDEES

Members of Council in attendance were Mr. D’Ambrosio, Mr. Matheke, Mrs. Quinn-Hopkins, Ms. Vaughn, Ms. DePledge, Mr. Hoefle and Council President Mr. Morley. Also attending was Council Clerk Mrs. Cendroski.

Those attending from the Administration were Mayor Andrzejewski, Law Director Klammer, Finance Director Slocum and City Engineer Gwydir.

MOMENT OF SILENCE

Mr. Morley asked for a moment of silence for the victims and citizens of Chardon, Ohio.

APPROVAL OF MINUTES

REGULAR COUNCIL MEETING – FEBRUARY 14, 2012

MOTION: Ms. Vaughn moved to approve the minutes of the Regular Council Meeting of February 14, 2012. Mr. D’Ambrosio seconded.

ROLL CALL: Yeas unanimous.

Motion carried. The minutes were approved.

COUNCIL PRESIDENT’S REPORT – Mr. Morley

Meetings Scheduled

Mr. Morley: The next Council-as-a-Whole Committee Meeting is scheduled for Tuesday, March 13, 2012 at 7:00 p.m. The Regular Council meeting will be convened immediately following the adjournment of the Council-as-a-Whole Committee meeting.

The WPCC meeting is scheduled for Wednesday, March 7, 2012 at 6:00 p.m. here at City Hall. For those of you who are not familiar with the Committee we have a joint venture with the City of Willoughby with the waste water treatment plant and we have a yearly meeting to go over the finances and any upgrades or items that have to be done at the plant. This is also open to the public.

Next Tuesday, March 6<sup>th</sup>, there are levies for both the schools and the City. They are both vital to our community – the Willoughby-Eastlake Schools’ levy and ours. I would hope you look into your finances. I know in this economy it is a tough thing and it seems like the only time the government can come to the people is in these levies to try to help us at this point in time. I think the City has done its job – we made \$2 million worth of cuts from last year and we don’t know yet what the First Energy closing in September will do. We may have to

make some more adjustments. These levies are both very important. Also, there are candidates on the ballot. I am not going to make this political but get out and vote – it is your right – vote for the person you believe is in your best interest. I would say to look into all the candidates and issues and make an informed vote.

COMMUNICATIONS & PETITIONS

A communication was received from the Administration regarding the purchase of three police vehicles. Mr. Morley explained that this was discussed in Finance Committee and is on the evening’s agenda as Legislation No. 02-28-(01).

A communication was received from the Administration regarding an amendment to City Ordinance Section 951.03 “Compliance Documents” subsection (c). This was referred to Ordinance Committee.

Conditional Use Permit amendment and renewal recommendations were received from the Administration for JP Morgan Chase Bank N.A., 35400 Vine Street, Eastlake; American Croatian Lodge, Inc., 34900 Lakeshore Blvd., Eastlake; Thomas & Susan Lanese, Inc. dba Miss Kimberly’s, 34799 Curtis Blvd., Eastlake; Child Care on the Vine, LLC, 33212 Vine Street, Eastlake; Patrician Party Center, Inc., 35150 Lakeland Blvd., Eastlake; B & R Vine, Inc. dba Manny’s Place, 33647 Vine Street, Eastlake; Rolling the Dice, LLC dba Circle Lounge, 34598 Lakeshore Blvd., Eastlake; Sonia & Brothers, Inc. dba Radisson Hotel & Suites, 35000 Curtis Blvd., Eastlake; One Wellness, LLC, 34650 Melinz Parkway, Eastlake. These were referred to Planning Committee.

COMMITTEE REPORTS:

- Finance Committee – Ms. Vaughn, Chair  
Mr. D’Ambrosio  
Ms. DePledge
  
- Ordinance Committee – Mr. D’Ambrosio, Co-Chair
- Planning Committee Mr. Hoefle, Co-Chair
- Recreation Committee Mr. Matheke
- Safety Committee
  
- Service/Utilities Committee – Mr. Matheke, Chair  
Mr. Hoefle  
Mrs. Quinn-Hopkins

Mr. Morley: The only Committees that met have been the Finance Committee and Planning Committee.

FINANCE COMMITTEE – Ms. Vaughn

Ms. Vaughn: We did our final review of the 2012 budget last night and had previously reviewed the General Fund. Last night we reviewed all the separate funds – both revenue and expenses. Minimal changes were suggested and Mr. Slocum is busy preparing the final document which we plan to discuss and act on hopefully on March 13<sup>th</sup>. We decided early in the year that we would be meeting monthly in the Finance Committee to review budgets and finance statements so our next meeting will be Tuesday, Mach 20<sup>th</sup>. At that time we will be

reviewing both January's and February's financial statements. I have nothing additional to report and am open for questions.

Mr. Morley: I have received a few calls over the last few weeks from residents who think our meetings are not open to the public. All our meetings are open, public meetings. They are in the newspaper and on the website. For those who are new to the audience the meetings we have tonight are to go over the legislation. We have our working Committee meetings usually the opposite week of the Council meeting. We have had extra Finance Committee meetings this year to get our budget done by mid-March. All meetings are open to the public and I encourage as I do in every one of my Gazette articles that you come to our committee meetings where we do most of the work and a lot of the questions are asked.

There were no questions of Ms. Vaughn.

#### PLANNING COMMITTEE - Mr. D'Ambrosio, Mr. Hoefle

Mr. D'Ambrosio: The Planning Committee had a meeting last night at 6:00 p.m. None of the items appear on this evening's agenda – no one came in to sign their Conditional Use Permit. We had this meeting but knew we would not have everything ready by tonight. I will make a more formal report at the next Council meeting – there were four conditional use permit amendments and renewals on the agenda. Thank you.

There were no questions of Mr. D'Ambrosio.

Mr. Morley: Is there anyone else on Council who has anything to report?

Mrs. Quinn-Hopkins: Tomorrow night we scheduled our first Economic & Community Development Council meeting at 6:00 p.m. here at City Hall and you are welcome to join us.

#### RECOGNITION OF THE PUBLIC

Mr. Morley 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.

#### Robert Eville, Willoughby, OH

Mr. Eville: I am a 38 year resident of Willoughby and an 11 year property owner in the City of Eastlake. I am concerned. We have poor economic times. I am in the light industrial area along Lakeland Blvd. and there are hundreds and thousands of square feet of empty space. A lot has been there since the day I moved in 11 years ago. I came down since I have some available space to discuss a tenant. When I came down I talked to one of the people at the Building Department and he said that looks like it will work and we found a guideline item. When I sent the person in to get an occupancy permit Mr. Stigalt who was in charge said - no way. I came back up and said this other person had said he thought it would work and Mr. Stigalt said I am his boss and what I say goes. That ended it. He said I could go through Building and Zoning and get a conditional use permit. I walked away from there and I have had other heated discussions with Mr. Stigalt. I was so frustrated and the frustration – I just had to give it up. Then after I looked at all this what I found out is you have a 60 year old zoning guide. It has ice stations, dry cleaners – things that do not even exist anymore – they are like colloquialisms. There was no one in community development and I wanted to talk to

them to see what they would do. There was no one. Now I know there is going to be one and the first meeting is tomorrow. I think they really need to address that area and what really prompted me was that yesterday in the paper I read over in Willoughby a guy that has a machine shop in an industrial zoned area and he took the space next to his and he is growing yellow perch. He has 30,000 ready to harvest for lent. That was allowed in theirs. I could not bring in an on-line auction company that was going to photograph, put it on line and sell the product over the internet and distribute it from there. It even says in here – wholesale trade establishments, warehouses incidental to their main use. It says that in here but I was not allowed to do that. Now I have to go through the next step and the next step and the next step to satisfy someone. I think this thing needs to be brought into the 20<sup>th</sup> century and it has to be clarified to get rid of some of these – ice houses and things that don't even exist anymore. Clean this up. You have your corridor into the City of Eastlake on the freeway – it is all signs advertising empty space. Well that is not enticing to see empty space, empty space, empty space. It will end up being all auto body repair in there because that is the main one that everyone can fit into without a big hassle to do it. I was told you could not sell in there and there is adult mart, someone selling filtered water, snow plows, paint, storage units. I am wondering why I was not allowed to do my endeavor when all these things exist and I can't see them in here. So, since everyone here are the eyes, ears and mouths of the resident tax payers of this City I wanted to express my frustration to all of these people rather than just go back and argue with Mr. Stigalt over this because I have to go to the next step now and I am going to have to do that. I need to stand up for my rights with this and I think there is a missed opportunity here for that. Just like the stadium over there – that is a missed opportunity. I go in the City of Willoughby to an art fest, car cruise, a concert in the park. You have a beautiful stadium here and none of that ever exists there. Borrow from your neighbor. People come here on Friday and Saturday night and their destination is Willoughby and not Eastlake. It could very well be Eastlake if you would do a few of these little things to draw them in here a little at a time. They will come here. They go to Willoughby and Willoughby had nothing 10 years ago and now it has it. It all stems from people wanting to adhere to 60 year old things and not wanting to touch something because Mr. DiLiberto did not do it the way they wanted to. I think they need to come into help the whole community. That is the crux of it and I am sorry if I let off steam in front of everyone.

Mr. Morley: I am glad you brought it to our attention. We will get with the Law Director and try to find out from Mr. Stigalt what his issues are. We just actually had this discussion last night. I agree with you and we have been saying that this City does need to get more friendliness from our Building Department. We discussed it last night and we have another example of it and we need to look into it.

Mr. Eville: It is stressful. Everyone I sent down there – all the contractors who were involved – it was a stressful situation - period.

Mr. Morley: We understand and we are working on it to get it better.

Mayor Andrzejewski: As you know there are always two sides to every story.

Mr. Morley: And you always pick the other one. All our contractors – all the people that come here – we always have issues with.

Mayor Andrzejewski: Mr. President, I have the floor. What I was going to say is there are always two sides to the story. You have told me that many times. I want the opportunity to look into this matter and see what was going on. As we discussed last night with the pool situation if the ordinance says you cannot do it we are all sworn to uphold the ordinances of the City of Eastlake. This gentleman's point is well taken and I think we should look at some of the ordinances that are obsolete but if the ordinance says no used car sales in that area - how can you expect us to allow used car sales?

Mr. Morley: I understand that part and that is stretching it but usually...

Mayor Andrzejewski: What I am asking is to take a look at the situation and see both sides of it.

Mr. Morley: And that is why I have said we would ask the Law Director and Mr. Stigalt what the issue is. This is the same thing we keep hearing. The gentleman said whoever was out there with him from the Building Department... and, if Mr. Stigalt did say he was his boss and that is what goes. It is frustrating for us and you know it is everyone of us who believe it. We need to become friendly to our businesses and I know...

Mayor Andrzejewski: I agree with that. What he just said with the auto repair and auto body shops – we bent over backwards for those businesses to allow them in there.

Mr. Morley: I understand that.

Mayor Andrzejewski: We have literally bent over backwards to find a way to put them in there. You may not like these businesses but that is the other side of the coin. We have bent over backwards to find a way to get businesses in the commercial/industrial district. All I am asking is I want to take a look at your situation and discuss it with the Building Department so I can get both sides. Sometimes we only hear one side.

Mr. Eville: I left three messages at your office. I came to the Mayor's office three times and went to his secretary and left a message for him to return my phone call and he did not because I could have discussed this with him. I had all these other ideas too that I wanted to discuss with him. I did not get a response.

Mayor Andrzejewski: I am going to look at it. I cannot even remember your name.

Mr. D'Ambrosio: Mr. Eville, you emailed me on this didn't you?

Mr. Eville: Yes.

Mr. D'Ambrosio: I believe I actually sent it to Mr. Klammer and you said you could not open the attachment and I believe I emailed you back and said that Mr. Klammer could not open the attachment.

Mr. Klammer: The email said it was a proposed business and I could not begin to address it because whatever was in the email you forwarded to him did not have access. This is the first I am hearing it was an auction or a used car auction of any sort.

Mr. Eville: Similar to what ... in the City of Willoughby.

Mr. Klammer: The only thing I can tell you is Mr. Stigalt is very conservative because he came into the City two CBO's later and is trying to unring a lot of bells where businesses went in with not enough parking and all kinds of things that happened that were a little more liberal. He looks at these things very carefully. But, the ordinances do allow him some flexibility where things are similar to other things that may exist which are why we have some of the auto repair. And sometimes going to the Planning Commission is the best way for him to protect the City because he said it is not expressly listed but if we go to the Planning Commission they can look at this and say we will allow it but only under these conditions which gives the City a way of controlling if we are going to expand it slowly. The Planning Commission can look at these things individually and put whatever conditions they want on to make sure it does not get completely out of hand with what we are preserving that property for. There is probably a solution to the problem it will just take a little while.

Mr. Eville: I did not get even minimal discussion. I just got a – no. And there were arguments with him at the counter in front of all those women in there. He got argumentative about it. After five or six times and after I had him for inspections we have become civil – we talk to each other and understand each other and he understands what I want to do. Then he told me to come to Council – he is telling me that he is not getting backup because there are things he has wanted to do but he has not been able to get backup.

Mr. Klammer: I will look at whatever you gave to Mr. D'Ambrosio and me and talk to Mr. Stigalt.

Mr. Eville: Just go to online auction...

Mayor Andrzejewski: I think what we are saying is we need to look at some of the ordinances.

Mr. Klammer: The only thing I would say is understand if we are changing any of those things it has to go to a vote of the people. It is a massive, massive undertaking – massive.

Mr. Eville: But it has to start.

Mr. Klammer: I understand.

Mr. Eville: You can't leave something in place for 60 years and expect to keep up with Willoughby. Willoughby updates theirs all the time – they have all kinds of amendments to theirs.

Mr. Klammer: Eastlake is different in one regard. It requires a vote of the people for those changes. So, it is a complicated undertaking. I am not saying you are wrong. It just has to be comprehensive because if you go to the vote of the people and spend the money you want to make sure you have everything in place. I will try to solve your problem as soon as I can.

Mr. Eville: If I don't come down here and get pissy – sorry for the language – nothing is going to get done. I was raising h--- and all that and people are going to remember that.

Mr. Klammer: Trust me, you are pleasant.

Mr. Eville: ... when I could drive two miles over the 91 and Vine for entertainment and I don't see why not...

Mayor Andrzejewski: When we refer to the stadium the majority of the events at the stadium have to be done by the Captains. The City cannot spend public money to take a chance on sponsoring an event that loses money. I get the comments all the time that we need to do more concerts there. I wish we could. The City cannot sponsor a concert because we cannot put public money out there in the hopes of making money. So, we work with the Captains and try to make it attractive for them to do other events at the stadium. We tried and tried and will continue to try – things like festivals and events at the stadium. It does not make a great deal of money. We had an Oktoberfest there, a motorcycle festival there – it does not make money to help pay for things. Every person who comes with an idea about a festival we listen to them.

Mr. Morley: Mayor, we are going to move on.

There was no one else who wished to speak.

LEGISLATION PROPOSED - First number will be 2012-014

Requested by: Administration  
Sponsored by: Ms. Vaughn

RESOLUTION NO.: 02-28-(01)

A Resolution authorizing and directing the Mayor and Director of Finance to purchase through the State of Ohio Purchasing Program, Three (3) 2012 Dodge Charger Vehicles from Greve Chrysler, Jeep, Dodge, Inc. for the City of Eastlake Police Department for an individual amount not to exceed Twenty-One Thousand Six Hundred Seventy-Four Dollars (\$21,674.00) for a total amount of Sixty-Five Thousand Twenty-Two Dollars (\$65,022.00), and declaring an emergency.

MOTION: Ms. Vaughn moved to suspend the rules requiring separate readings and reading in full. Mr. D'Ambrosio seconded.

ROLL CALL: Yeas unanimous.

MOTION: Ms. Vaughn moved to adopt. Mr. D'Ambrosio seconded.

ROLL CALL: Yeas unanimous.

Motion carried. Legislation is adopted as Ordinance No. 2012-014.

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LEGISLATION PENDING

There was no Legislation Pending.

## UNFINISHED BUSINESS

There was no Unfinished Business.

## NEW BUSINESS

There was no New Business.

## ADMINISTRATIVE REPORTS:

### MAYOR/SAFETY DIRECTOR – Ted Andrzejewski

Mayor Andrzejewski: I am going to bring up one more example – when we also look into bringing businesses into occupied buildings that are vacant you also have to look at are they bringing jobs and income to the City of Eastlake. The way we get our income is the 2% employee income tax and the 2% net profit tax. We had an example a couple of months ago where we turned down the business because it was a business that brought no jobs to the City and was all volunteer and would take up a great deal of commercial space and was a non-profit organization and had not paid their rent to the past two landlords and was in Court for the lack of rent. The other thing you look at when you look at businesses coming in is how many employees are they going to bring – how much income potential is there. Even one employee we will take – two employees. But, there are a lot of times people want to fill up buildings just to fill up buildings to get the rent and it does not do any good to the City if we allow businesses in there that are not supposed to be there but the landlords want to rent it to anyone. Believe me I have heard stories from all kinds of landlords – the want to put this or that in there – there is no way it will fit into the area but they want to fill up their buildings to get the rent. So, when you look at situations you have to look at it from all sides. Sometimes you only hear one side of the story. The festival committee has met a few times and is progressing. We got a lot of good volunteers and are glad to see that. For those of you who don't know the City is going to do its own festival this year and hopefully if we do make some money we will have it for recreational purposes or for the fireworks fund. We have had a lot of good response from residents helping with entertainment and everything that has to be done for a festival. This concludes my report.

Mr. Morley: Over the last couple of weeks I sent a memo and email about the JFK property – are we doing anything with that?

Mayor Andrzejewski: I responded to that. I talked to several different developers. What I am doing is putting out the word that is available and asking different types of companies like engineering companies, development companies – I just spoke to a gentleman the other day who is in development – emphasizing a couple of things to them – we are not going to sell the property just to sell it and put the money into the General Fund to pay bills. We want a developer who will come in there and put in the type of use that will create some income for the City – whether it is an office building or light industrial or a combination of an office building and residential homes. The feelers are out there. It is the best way to do it right now. I think I answered that memo. I hand wrote on it.

Mr. Morley: I do not remember getting it back.

Mrs. Cendroski: We did not get that memo.

There were no further questions of Mayor Andrzejewski.



LAW DIRECTOR – Randy Klammer

Mr. Klammer: You have the revised agreement with the festival ride company. I believe the Mayor's secretary is going to take that to the next level. I did update the litigation with the Doyle case and Manner Park and want to make sure this was distributed around. The Mayor had me discuss with my colleague – the Law Director for the City of Mentor – a bit of a strategy and some thoughts on the local government fund alternative formula. I am not sure there is anything there but we did have a discussion. Other than that my job one is dealing with this gentleman's problem with Mr. Stigalt.

Mr. Morley: I appreciate that.

Mr. Klammer: I am open for questions.

There were no questions of Mr. Klammer.

FINANCE DIRECTOR – Mike Slocum

Mr. Slocum: I do not have a report tonight and am open for questions.

There were no questions of Mr. Slocum.

SERVICE DIRECTOR – Mike Semik

Mr. Semik was absent and excused.

CITY ENGINEER – Tom Gwydir

Mr. Gwydir: I have nothing to report and am open for questions.

Mayor Andrzejewski: I left a message earlier – are we proceeding with the three pump stations?

Mr. Gwydir: Galalina? Yes, Sir.

There were no questions of Mr. Gwydir.

CHIEF BUILDING OFFICIAL – John Stigalt

Mr. Stigalt was absent and excused.

POLICE CHIEF – Larry Reik

Chief Reik was absent and excused.

FIRE CHIEF – Ted Whittington

Fire Chief Whittington was absent and excused.

ADDITIONAL COMMENTS

Mr. Klammer: I wanted to thank the Mayor, Council Clerk and you and members of Council for doing the proclamation for a very good friend of Ms. DePledge and I – Barry Feathers who retired from Lake County. I appreciate it and wanted to thank you for that.

ADJOURNMENT

The meeting was adjourned at approximately 7:30 p.m.

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DENNIS MORLEY, COUNCIL PRESIDENT

APPROVED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
DEBORAH A. CENDROSKI, CMC  
CLERK OF COUNCIL