

**Eastlake City Council
Ordinance Committee Meeting
April 22, 2025
6:00 p.m.**

MEETING CALLED TO ORDER

ROLL CALL

The meeting was called to order by Councilwoman Kostelnik at approximately 6:00 p.m. Attending from Council were Kostelnik, Schmidt, Kasunick, Gulley, Krajnyak, Meyers. Attending from the Administration were CBO Dave Menn, Mayor Overstreet, and Law Director Klammer. Councilman Semick arrived later.

Dave Menn says Building would like his items to move forward.

Councilwoman Kostelnik says she feels they ran out of time at the last meeting. Tonight will go until 6:45 p.m.

Councilman Gulley says he has no issues moving them forward. Councilwoman Schmidt agrees.

They move the discussion on to Vape Shops.

Councilwoman Krajnyak says that the moratorium on Vapes has lapsed since February. Since then, Convenient has started selling Delta 8 and other items. She doesn't feel there will be a resolution tonight, but something should happen soon. She mentions Strongsville and Richmond Heights have a rule for 500 ft. from playgrounds as well as limiting the amount in a certain radius. This comes down to zoning. Some decided on doing CUPs like Strongsville that include hours as well. There is a sign ordinance for not having more than 50% of the windows covered. Some have said no more than 20% of the windows covered to advertise items. She feels the vape shops do not adhere to this. She credits late Mayor Morley for his work in getting one of the businesses to listen to this, especially near the Miracle League.

Dave Menn asks what we would do with businesses already selling stuff?

Krajnyak says it depends. Do you grandfather them in? She personally doesn't agree with that. She thinks there are 5 vape shops from Waverly down.

Menn says it seems to him that the Convenient stores have been approved for the drive thru now we are maybe going after him because he is selling something?

Krajnyak says that is his perception.

Menn says he feels it is true. He wants to be heard.

Krajnyak says she wrote the moratorium on the vape shops and got it into place. She is not on the Ordinance Committee so she doesn't know why it was not followed up on. She sent an email a year ago requesting what moratoriums are coming up and never got a response.

Menn says you are the legislative person... you should know what you are voting on.

Krajnyak says that no one was aware this was coming up in February. She feels businesses that are up now that have signage that is too much can be looked at. We don't want Vine to look like Neon City here. We wrote an Ordinance with mindful consideration. Or you grandfather it in. She is just sponsoring what she feels is a good piece of legislation.

Menn says he agrees there are too many vape stores on Vine. How do you stop them? I guess up to Randy's suggestion at this point.

Kostelnik says you cannot tell a Convenient store what they are selling. That's like telling a gas station you can't sell gas.

Klammer says that if you consider it a health issue you can do some things. There is flexibility. You don't want to upset landlords either.

Krajnyak says that we could pass this through Ordinance tonight. They reference the regulations on used car lots that were passed in the past.

Menn says he would like to not see the Moratoriums because they are too hard to remember.

Meyers says there are 3 on Vine that are stand alone vape shops. Maybe no more than 5 in the City?

Krajnyak says that's a good point but she cautions on the fact that most will be on Vine. Instead of stacking the entire business district with all 5, there could be a limit on miles.

Meyers says that those would be grandfathered in then, we aren't going to make them close.

Krajnyak says then they will still be focused on all Vine Street.

Gulley asks if there are any CUPs that cover vapes?

Menn says no.

Klammer looks to see what the closest option would be. We didn't have vape stores when people wrote the Ordinance.

Menn says you can say no more than 5.

Gulley says if we did a CUP for the one on the corner, we could handle the signage since they are near the Miracle League.

Meyers says that when Dennis spoke with them, they were very compliant.

Krajnyak says since he passed now they are on.

Klammer says it is interesting there is a CUP for alcohol but nothing for cigarettes.

Krajnyak says that there are state regulations on that.

Menn says so if another one comes in 30 days? We would say they need to get a CUP?

Klammer says we would have to pass.

Krajnyak says she is more in favor of an Ordinance.

There is discussion on how many are on Vine already.

Gulley likes the CUP also.

Klammer says the biggest problem with vape stores is that they are gaudy. No one is having this issue with marijuana stores.

Krajnyak says when we talked before, a lot of the cities were putting the signage in for the vape shops in their CUPs regulating signage.

Schmidt asks about selling underage? Who is that reported to and what is the punishment.

Menn and Klammer says police but they aren't sure of the repercussions.

Schmidt says she was just at a meeting and they had students go in and buy cigarettes and there was a large number selling to under age kids. She could ask that group if they would consider coming to Eastlake even.

Krajnyak is still in favor for the businesses already there, the signage could be looked at. It looks bad. Everyone knows where the vape stores are. If you're an adult and want to purchase from there, have at it. Cities are catching onto that. They think it's a negative impact.

Gulley asks what do we need to do tonight in regards to this issue?

Klammer says if you want to make it a CUP, we vote on it to add it as a CUP. If you want to extend the moratorium in the meantime, you can. We would have to get legislation together to reflect that.

Krajnyak asks about the signage?

They say currently it's 50%. They just put all the signs inside so it is not attached to the window.

Krajnyak says 50% of the window is there so it doesn't look messy. It's there for a safety reason as well.

Gulley asks about window tinting then? Like the internet cafes.

Krajnyak says she agrees with him on that.

Schmidt says at her work, they had to tint their windows because it was getting too hot inside.

Klammer says we don't have an Ordinance requiring windows.

Krajnyak says yeah but where you work you don't sell alcohol, tobacco, and have a thing filled with cash.

Klammer says we can change the Ordinance in general to 25% for everyone. Enforcement is always the issue.

Meyers says is that attached to the window or signage in the stores?

Klammer says it also says within 18".

Meyers says they can still display it then in a way.

Menn says how would we calculate the 25%?

Krajnyak says for her the neon is her signage issue.

Menn says those are probably a problem. He jokes that he is usually in bed by 8 p.m. so he doesn't see them.

Meyers says can we require they be shut off after a certain time?

Krajnyak says yeah but they're on all day though.

Gulley says yeah that's their electric bill.

Meyers says that at least at night if you are driving down Vine you wouldn't see them,

Menn says he has gone through other cities and they have the same issues. He is open to suggestions how they want to handle it. It's up to Council.

Schmidt says doesn't drug mart have their windows covered? Then you have to go to them and say they have to remove those.

Krajnyak says when she went there 12 years ago, she explained to the Manager on why it wasn't smart to have those signs blocking the windows and he removed them all. When you explain it to people, they're usually pretty compliant.

Gulley says the only windows that would apply would be for the ones by the front door. He says this feels like a secondary issue for what we are going after.

Menn says we should focus on the moratoriums for the vape shops at the moment.

Gulley says which would have more teeth?

Krajnyak says we could do a moratorium right now to extend?

Meyers says maybe we extend it 60-90 days.

Krajnyak says we should not jump into it and writing an Ordinance that isn't exactly what we want. She wants us to hash it out and think about it. Maybe a moratorium right away and then we play with other Ordinances.

Klammer says Moran will get legislation together to extend the moratorium for now.

Klammer thinks a CUP solves the problem. It won't be near schools and park on Vine. That's what CUPs are for. You trust Planning Commission to make those decisions.

Gulley says they can put the conditions on lighting and signage.

Menn says the one that went by Miracle League was because we didn't have anything to stop it.

Gulley says he is good with a one year moratorium. Just the vape shops right now?

Meyers says they need to be separate.

Krajnyak says if there are current stores on Vine selling tobacco, they can continue selling Delta, Kratom, etc.?

Meyers says are they already selling them now?

Krajnyak says no. Not all of them. If there is a corner store and they decide to start selling is this covered?

Klammer says it's whatever we put in the moratorium.

Meyers says does that apply to those currently selling them?

Gulley/Meyers discuss how it is not regulated.

Gulley says it feels we are legislating morality. We can enforce only so much, people will circle around it. He doesn't know how far we need to go to tell people this is bad for you.

Kranjyak says she feels the big difference is at the end of Waverly kids are being exposed.

Gulley says the more taboo we make things, the more desirable they become. How hard do we want to push this? What are we expecting from Building and Police on enforcing this?

Klammer says a CUP would allow Council to vote based on their own personal feelings about the piece of legislation and it gives Planning some authority also.

Menn says he agrees with Gulley about how far do we go? If you have a CUP on it...

Krajnyak says the moratorium would be for standalone vapes and existing shops that start selling or?

Kostelnik says just standalone vape shops.

Schmidt says she is for standalone, but not comfortable going into existing businesses that are honoring the rules.

Klammer says because the danger of the vape or the signs?

Schmidt says more the danger of it. She doesn't particularly notice the signs. Her thing is the accessibility to the kids. They will still go into gas stations...

Klammer says presumably some of them sell to kids, he doesn't know if its more convenient stores or standalones.

They discuss that the age is 21.

Klammer says that we can just do what we did last time.

Krajnyak says she is more the obnoxious signage aspect. The signs are lit constantly.

Gulley proposes we move forward with the previous moratorium to continue for a year and in the meantime we will get a CUP process in place.

Klammer says he will figure it out.

Menn says there is a moratorium on internet cafes too. Right now there are 5 and we are not allowing more. There is some interest in them still. What about this one? Another moratorium back in place?

Menn says he thinks we have 2 on Vine and 2 on Lakeshore.

Klammer says we have never had a problem on this.

They wish to extend the moratorium for another year on those too.

The conversation moves to short term rentals such as Airbnbs.

They discuss an issue with a specific house that is currently being rented on short term basis.

Klammer says our only enforcement is a civil lawsuit.

Menn says part of the problem was that we went off the Lake County Auditor's site for where the owner lives. Building was getting no response. They found out the owner actually lives somewhere else with their parents at another house in Eastlake. They are pursuing that route now. He did speak by phone with the owner. The owner said he is not doing a short term rental of that house.

The residents in attendance who live by this house say that is not true. They do not feel the owner was honest with Mr. Menn.

Klammer asks how often are they changing people? There could be a loophole where the owner rents it for 31 days but only charges for a week or whatever. Is it once a month?

The residents say no it is constantly changing.

Menn says if he calls the owner tomorrow, he will say he's being harassed by the neighbors and he does it for 30 days.

The residents say they have license plates from all these cars.

Klammer says the only thing they can do is file an injunction.

Krajnyak says this is why she wants a criminal aspect to it instead of just civil.

Meyers says you can usually check availability on these homes online.

The residents say that this particular property does not show those. There are 25 labels for short term rental though.

Meyers says that people typically try to get good reviews for the property.

The resident says that she believes on Airbnb you have to actually stay there to leave a review.

There is discussion that they could file a police report.

The resident asks what the next step is.

Klammer says wait until the Ordinance is passed at this point. Someone should file a police report also. Then it is in Police's hands.

Menn says he looked at Mentor's Ordinance and didn't think it was that great. Mentor also has 10-15 airbnbs listed on there so they have the same problem. The ones we usually find are by a neighbor.

Mr. Gulley proposes we move forward with the Ordinance.

Schmidt asks once it goes through, will people be notified?

Klammer says yes we can. Menn agrees.

They discuss it appears there are only 2 listed in Eastlake on Airbnb.

Ms. Krajnyak says Ordinance Committee has to take a formal vote.

Ms. Kostelnik makes a motion to move the items forward. Mr. Gulley second. Ms. Schmidt yes.

Gulley says he thinks we should move forward with proposed permit fees also.

ADJOURNMENT

This meeting was adjourned at 6:55 p.m.



JOHN MEYERS, COUNCIL PRESIDENT

APPROVED: 5/13/25

ATTEST: 

ALYSSA MORAN, CLERK OF COUNCIL