

**Minutes of the City Council**  
Sheffield Lake, Ohio  
May 12, 2009

The regular meeting of the City Council was held Tuesday, May 12, 2009. Council Pro Tem Richard Rosso called the meeting to order at 7:02 PM.

**THE INVOCATION WAS GIVEN BY: Council Chaplin, Kay Fantauzzi**, who, then led in the Pledge of Allegiance.

\*\*\*\*\***ROLL CALL OF MEMBERS**\*\*\*\*\*

- Present: Rosso, Bring, Huska, Smith, Kovach, Elliott, Diebold, Mayor Piskura, Treasurer E Hoenig, Law Director Graves, Safety/Service Director Arendt
- Absent: Podmanik, Finance Director Smith (excused)
- Attending: Concerned Citizens, Zoning; Ebenschweller, Planning; Belaska Members of the Media; Avon Lake Press

\*Motion by Bring to approve the minutes of the City Council of April 28, 2009 with any corrections. Yeas All.

**CORRESPONDENCE/COMMUNICATIONS:**

A.) Monthly report of court receipts for month of April - \$8968.00

**PRESENTATIONS: None.**

\*\*\*\*\***CITY COUNCIL REPORTS**\*\*\*\*\*

**Roads, Drains, Water, Sewer, Refuse:** Chairman Smith reviewed the minutes of the May 4, 2009 meeting. \*Motion by Smith to approve the credit of \$70.56 for 4458 Edgewater Drive. Yeas All. \*Motion by Huska to accept the report. Yeas All.**/Stormwater Utility: None./Safety:** Chairman Bring advised to change the June meeting to Tuesday, June 2, 2009 at 7 pm. All members of the committee were in agreement for change. Chairman Bring asked Safety Director Arendt did we get the ambulance repaired? Safety Director Arendt answered we currently have a loaner from the company and the ambulance is being repaired at this time. Our maximum costs will be \$1000.00 and the rest will be covered by a warranty.**/Buildings, Lands, Vehicles & Equipment:** Chairman Kovach advised our Pride Day is Saturday and I am sure Joe will be giving a full report later under his report.**/Ordinance: None./Finance & Claims: None./Investment:** attached.**/Council Representative to the Community Center: None./Council Representative to the Zoning Board of Appeals: None./Council Representative to the Planning Commission: None./Council Representative to the Park Board: None.**

\*\*\*\*\***ADMINISTRATIVE REPORTS**\*\*\*\*\*

**MAYORS REPORT:** Mayor Piskura advised I don't have much to report on the projects, obviously we have a lot going on - nothing that you are unaware of. We do have a pretty good audience tonight and as I am sure that you are aware, I invited as many people as possible to come and voice their opinion on the Lounge up at Shoreway and just to give a brief history to people that may or may not have gotten my email or have called and talked to me. How we got to where we are was that we received a letter from the insurance company, from their risk assessment board saying that there were several issues with this particular establishment. We were lead to believe that it would costs an additional premium to keep this bar, so without doing too much further investigation – we looked at the lease and determined that it was expired and it was expired for a number of years. I am not sure of exactly how many but that the bar was on a month-to-month lease. We sent notice to terminate the lease, I believe we gave them almost 60 days. There was a lot of public comment both for and against the termination of the lease which caused us to look into the insurance a little bit more closely. When I called our rep's, I asked them that they give to me a clearly defined quote on exactly how much it would costs if we elected to keep this establishment and what they came back to me with is that after talking to the underwriter's they said well your insurance is based off of the property value and the property value isn't going to change. However it is a risk and there are some issues that need to be corrected or attended to. That is when I gave everybody an email that said basically because this is such a controversial issue, I would like everybody to come to Council to let Council know what their opinion is on whether or not this lease should be terminated or the business should continue where it is at. My intention based off of the comments I received and some of the recent people I have talked to is to continue down the path that we have started with the caveat that Council – I have never fought with Council, we work very well together and the collective opinion that we make together is always relatively good and certainly when we work together and make a decision together it is better then us butting heads. So what I have committed to is that if Council should see fit to allowing the establishment to stay that I will absolutely abide by whatever their wishes are. So I think that with that said, I expect some spirited comments later but that that concludes by my report. Council Pro Tem Rosso advised we will have a time for citizens commentary and that is when the audience can ask questions or make their comments. So this is just for Council right now, does anyone have any questions for the Mayor regarding his report? No voices were heard. \*Motion by Huska to accept the report. Yeas All./**FINANCE DIRECTOR REPORT:** **None.**/**TREASURER REPORT:** Treasurer E Hoenig advised you have attached the Treasurer's report for April and I will be out of the country with my brothers to Hungary. I was born there in 1939 and we escaped the communists 5 years later and this is the first time we will be going back. So I will missing for about 8 days. Council advised to have a good time./**SAFETY/SERVICE DIRECTOR:**

Safety/Service Director Arendt reported Pride Day is Saturday and we are ready. We will have 6 large dumpsters available for all the trash that people can bring and if you notice the Service area, part of the one building has been demolished and we are currently making part of that into a parking lot. I encourage everyone to come from Council to check out the new Service building, our new area for parking our equipment and check out the yard on how it is progressing and bringing everything into a nice, new clean manner. The next thing on my agenda, hopefully in the next few weeks we will bring to Council or Finance will bring to Council some movement in money so we can buy a new one-ton truck – a dump truck. The 2 existing ones that we have also serve as snow-plowing vehicles and within 3 hours of the trucks being out they are back in the shop for repairs. So we are going to hopefully, eliminate the 2 that we have and buy 1 brand new truck and the truck costs with the state pricing will be about \$22,000.00 and we will get \$5000.00 for the trucks bringing that costs down to \$17,000.00. The dump will cost about \$11,000.00 bringing the total costs to about \$28,000.00. The costs of repairing the 2 existing ones that we have to just keep them in service and they are both over 15 years old. The estimated costs on just one of them is \$5000.00 to bring it back to service. So hopefully, Tammy will be able to move some money around and we will be able to bring something new to our fleet of vehicles which I am happy to say that other than the street sweeper which is being repaired by the end of this week or early next week. We will have every piece of equipment owned by the city in operating condition. Very happy about that. The next on the agenda, Allied Waste and myself and Bill Gardner and hopefully Dave Graves will be getting together a Thursday or Friday to go over the compromise of streets that we want to start the pilot program on. Once that is done, I will present that to Council and we will have another public hearing. Hopefully all the citizens are noticing that Shoreway is almost complete in the demolition. They should be done by Friday or Monday and I just spoke with Bill Gardner, hopefully we can coordinate that with Ferndale to bring the dirt over so they can level that off to make that into a grassy area. The park path has been started, we should finish up to Ferndale hopefully in the next couple of weeks and then start on the north end to take it to the bridge with the amount of workers that we have – it is an on and off project that if we can get to it, it will probably take another 5 to 6 weeks to complete that. Patching has been going very well, we have been putting 4 people on the truck 2 days a week and we accomplished a lot last Thursday and Friday and we hope to accomplish a lot this Thursday and Friday. Grass cutting is a little bit behind because of some of the wet conditions where our large mowers tend to sink. We have brought in 2 additional mowers that we did inherit from Shoreway that we repaired, so we will be able to start using those. We are waiting for 2 more quotes on chip and sealing, at least 5 to 6 roads in the city this year chip and sealing it with some Gilsonite on it. Preliminary, the total costs of all the streets that we want to do is about \$191,000.00 and we will see how much money we have to do that. Guenther Park

had an issue because we rent that to the soccer leagues and the parking on the streets is where it is no parking and we have had problems with that. Thursday we will go out to Guenther Park and create another 20 parking spaces that we will go to the south of the current parking that we have now. That should be completed hopefully just in 2 days, Thursday and Friday we should be able to get that done. Councilman Elliott asked as far as the project that we have discussed in the past, as far as the ditch and the bridges across Holl, Belle, Knickerbocker – do you have any further information on that? Service Director Arendt answered we do have some information on it, when the state representatives came out they kind of didn't believe our survey and our reports about the state completely owning all that. They did their own due diligence and unfortunately they do own it and they can't find any other records where they ever which they should have turned it over to the city. That is the good news, the bad news is they wrote the Mayor, myself and the Law Director a letter stating even though that they do own and admit they own it, they don't feel like they are going to do any maintenance on it because it doesn't adjoin a major highway. They have made some suggestions for us to go to different areas and voice our complaints which the Mayor with the Law Director and myself, we are pursuing that avenue. It just doesn't look like we are going to be able to get anything done this year on it. Even though they say in the letter they fully admit, all those properties belong to them. So I hate to bring good news and bad news but we are pursuing that. Councilman Elliott stated well keep it up, I have got more answers this year then I think I have gotten in the last 4 years that I have been here. So keep it up. I also have an additional question, the street sweepers – when they are fixed, do we have any plans as far as actually starting to sweep streets? Service Director Arendt answered well the street sweepers are no longer plural, we have one street sweeper. As soon as it is fixed, we will the streets immediately, the next day going. We will one man who has done it previously going for, as long as the weather holds up to get as many streets as he can done. The Mayor has been able to help with this and the reason we are going to get a lot of work done is the Mayor was able to coordinate with the county and we are able to get some prisoners to use for work on Thursdays and Fridays. These are more the I guess honor prisoners and we had 6 of them out last Thursday and Friday and you can tell they appreciate being out because they really worked. So it is going to be good for us. Mayor Piskura stated just to add to that, the prisoners – they are CBCF prisoners which is the Community Based Correctional Facility right next to the county's facility on Murray Ridge. These are all people that represent no danger to society and they are actually being rehabbed and want to go out and work. A lot of them are in school and college, we do have other people coming in. We made arrangements with the county sheriff to have everybody sentenced to community service in the county to come to Sheffield Lake and pick up trash in the various vacant lots and what not. Those people will be supervised by the Sheriff, so there is 2 different sets of people coming in. Service Director Arendt stated

these prisoners that we do have, they are supervised – the ones on Thursday and Friday. They are supervised by us and as the Mayor said and I should have stated, they present no danger – they are not in for any major offenses. \*Motion by Huska to accept the report. Yeas All./**LAW DIRECTOR REPORT: Demolition Board** – Law Director Graves advised the city continues to take an aggressive stance on nuisance properties throughout the city and a tough stand on code violations. The Board will be meeting on June 24 to consider some additional properties that we have taken a look at and also to consider the appeal of one property that has been given a notice to demolish./**Civil Service** – Law Director Graves advised Civil Service Commission did meet. They have determined that their priority should be to conduct a promotion examination for the position of Fire Chief. They have selected a testing company, it will be the same company that ran the last tests. They also are putting together the notices to the 3 Lieutenants who would be eligible to compete for that position. Those notices should be going out within the next couple of days asking them to declare their intent whether or not they want to compete for the position. If we don't have at least 2 Lieutenants willing to compete for the rank of Fire Chief, the position will be opened up to the Fire Fighters. /**Records Commission** – **None.**/**Legislation** – Law Director Graves advised we have got Council#028 that was mentioned by Councilman Elliott. I am sorry, this is a different one. Council#028 is something that I put together, as Council is familiar the gas line servicing the Shoreway Shopping Center had to be relocated. They were at no costs to the city and as a result of that, they are requiring a utility easement to maintain and service those lines. This will be granting authorizing the Mayor to sign an easement for Columbia Gas to maintain and service those gas lines for the Shoreway Shopping Center. Council#029 is the one mentioned by Councilman Elliott and this is something that Council discussed in some length a while ago regarding golf carts throughout the city. Chapter 375 of the codified ordinances of Sheffield Lake talks about off highway vehicles, all terrain vehicles, snow mobiles and so forth – a very logical place to put a prohibition on golf carts as well. So what we have done is put together legislation which amends 375 to include golf carts. It defines them and ultimately prohibits golf carts on any city street or right-of-way throughout Sheffield Lake. So residents would still be able to utilize a golf cart on their private property but not any of the city streets or right-of-ways and this is what the Ordinance Committee determined that they wanted me to put together. We are continuing to work on a number of different projects all of which Council is familiar with. \*Motion by Huska to accept the report. Yeas All.

**CITIZENS COMMENTARY:**

**Ralph Huffman, 735 Roberts Street** stated my comment is about the Shoreway Shopping Center and the longest preserved business that we have there so far. The Lounge that has been there for a lot of years, it has been a family business and that is something that desires to stay there. They keep serving people in a good way and I have never heard anything that is substantial or reason for having that omitted. I

don't think that is something that can be done in just a one little meeting without some firm negotiations on what is going on with it. Also understanding why we would take an avenue of wanting to dispose of that business, being that that is a sole proprietor business/such a small business – it is not a big large chain. I would hate to see us put that message out to people that want to open a business in our community that if you don't have a lot of money we don't want you. That would be a very bad insult to everybody.

**Dorothy Wisnieski, 543 Lakeview Avenue** stated I think Sheffield Lake needs all the businesses it can handle and they should not put out negative vibes by picking on a poor family owned business and saying we don't want you, even though you have paid your way all this time. I think it gives a message that we are not very open to new business or very friendly to anybody that wants to invest in Sheffield Lake.

**Laura Gallagher, 617 Lafayette or 728 Hollywood** stated I have been a patron of Shoreway Lounge for many years. It has always been a quiet establishment, family oriented. I have a letter here on the 21<sup>st</sup> of 2009 from the City of Sheffield Lake when you had a committee meeting. After short discussions and sad conditions of our current economy, why would we want to shut an established business that given no problem what so ever in the community? We need revenue, she pays her taxes. Also 2 Council members were not aware of any of this information of Shoreway Lounge being given a 30-day notice to evict. You can ask your council members of which who they were and it was a 30-day notice to evict a tenant. It would take longer to dismantle an establishment then 30 days.

**Josette Spishak, 809 Community Road** stated I work for Shoreway Beverage and I have also worked for Ruthie in the past. I have lived out here for 16 years, I believe that we need all the businesses we can get. If you guys do close her down, I would like to know what is going to go there and where is the money coming from. She is paying her rent and we need to keep her in there.

**Debbie Belaska, 4014 East Lake Road** stated I am in support of this too. We can't turn our backs on any businesses at this point. She has been in business for a long time, people have a place to go to who want to shoot pool or have a cocktail. That is there right to and hasn't been a big issue. I have never heard of big issues with this establishment and people riding up and down Lake Road. We have a nice pier and that, they might want to go over there and we need to keep all the businesses we can and closing our doors and saying we don't want you while she is paying her rent there. We can use all the money in this city right now with businesses being bad. We don't need to close any more doors, we need to open up doors and we need to welcome all the different types of businesses in this community.

**Mark J Erdei, 4015 Tennyson** stated I don't visit the establishment or nothing but my only concern is now is it going to take a whole/all of you guys to vote on whether this place stays open or are they going to have a chance to sit in on negotiations while this is going on? I don't understand how that decision is going

to come about, is it up to Council itself? Law Director Graves answered it really is an administrative decision but what the Mayor has said is he recognizes that we have had a very good working relationship with City Council and values their opinion and also the opinions of all the community and based on the input that we received and the Mayor receives tonight then the Mayor is going to take that into consideration in future actions. But ultimately I think it is an Administrative decision. Mr. Erdei stated I mean if that is their livelihood, they have been in this business so long you got to take into consideration for that part too. A full time job for them people and plus they employ people. So keep that in the back of your mind. Mayor Piskura stated there haven't been shortage of opinions over the last couple of weeks. But what I fully expect tonight is quite honestly is a vote from Council. I am not above taking direction from Council or reflecting on maybe I acted to aggressively but the people that put in check quite frankly is Council because as many of you that are sitting out there in favor of keeping the bar – you also have to understand that I heard from at least as many people in favor of terminating the lease. So my compass when it comes to very controversial issues are the representatives that you have elected. So this is such a toss-up that I am going to rely on what they vote and whenever they vote is what I will make happen. Mr. Erdei asked did you have the power to over-ride that, do you got veto power? Mayor Piskura answered I do but I won't. Mr. Erdei asked Council will you guys go into executive session and then come back or will this be an open public vote so that everybody sees. Law Director Graves answered I do not anticipate it. Mr. Erdei stated well that way we know who votes against it and we will know not to re-elect again.

***William Brewer, Co-owner of Shoreway Lounge*** stated my reasoning is I can't understand his reasoning if he says there is so many against the place as it is for the place, where are they? Why weren't we approached 30 days in advance before he sent a notice to us saying you have an option of vacating or accepting a lease for a year, two years, five years, ten years – we never got that. I don't understand the reasoning behind this, we have been in business for 41 years – a family business and I would just like to have some reasoning behind it. Mayor Piskura answered as I said earlier, the way that this all came about was our insurance renewal. We get our city insurance renewed every year, when this years renewal came out – in talking with the under-writers and reading the letters that their risk department gave us we were under the impression that it would increase our premiums significantly and when I called because of the controversery to find out exactly what the costs would be; we would have 2 options – the first would be that we would hold firm and say you know what the city is not willing to assume the additional risk that your establishment presents or we would come back to you and say if you were willing to pay the additional costs of the insurance then we would talk about allowing you to stay if you are picking that additional costs and it is not computed off of square footage. Because they came back and said well it is based

off of the valuation of the property is why we are here. What I said is this decision is longer an Administrative dollar and cents decision, this decision is a decision that is going to be what the community wants. Those are the representatives of the community, you are here as members of the community to tell them what you think. So if the community wants to keep it, we will keep it. I mean I don't know how plain to put it. Councilman Bring stated my understanding was is Shoreway Lounge for sale? Mr. Bure answered we tried to sell it yes. Councilman Bring asked is it still for sale? Mr. Bure answered no, my sister and I came to an agreement that this is her livelihood and she would like to keep it. Councilman Bring asked if you were going to sell it, you guys were just going to abolish the business completely or what was the thought process there? Mr. Bure answered no if we sold it, it would be to another party – nobody responded to it so this is up to her, this is her business – she runs it. Councilwoman Huska asked do you ever have any complaints where the police come out? I am just going to ask you about 3 different questions to help me better understand. Do the police come out, have you had any complaints where the police come to the establishment over the past couple of years? Mr. Bure answered I can't answer that, my sister will have to answer that. She is the manager of the place. Owner Ruth Oddo answered we don't usually have the police there because we run a good business and we have good customers, we don't have rowdy people. Once in a great while you may get one. Councilwoman Huska asked why over the past couple of years have you only renewed the lease monthly? Owner Mrs. Oddo answered my dad passed away in 2002, the lease expired in 1990 and nobody ever approached dad and nobody ever approached me. So we were on a month to month basis. Councilwoman Huska asked so you didn't know that you were supposed to sign a yearly lease? Owner Mrs. Oddo answered why didn't somebody come forward to tell us that? It was management companies that had it. Councilwoman Huska asked management companies never told you anything about that? Owner Mrs. Oddo answered no. Councilwoman Huska stated so you have just been going month to month? Owner Mrs. Oddo answered yes and we have been there for 41 years, that is a long time in one business. In the whole Sheffield Lake we are the only ones that have been in business for all those years. Councilwoman Huska stated so you would say you didn't know about the lease; the yearly lease and you run a quiet business. Owner Mrs. Oddo answered yes we do and these are most of my customers here, you can ask anyone – all of these people here are my customers. Councilwoman Huska stated I just wondered why you would let – if you were in business that long that a lease not be signed yearly. Owner Mrs. Oddo answered if somebody would have approached us, we would have signed a lease but nobody ever approached us, so it was a month to month thing. Councilwoman Huska asked you are going to be staying here, you are not going to be selling your business? Owner Mrs. Oddo answered no. Councilman Bring advised I did call the Chief of Police today and I asked him questions about whether the Police had been involved or any incidents



there at all there lately and to his recollection there was really nobody there and they haven't had in trouble there in a long time. Councilman Elliott advised I also talked to the Chief and in his words he pretty much said that is not a law enforcement issue – there is no issues as far as this establishment is concerned.

***Dan Vorhees, 4043 Tennyson Avenue*** stated thank you Ruth, you always serve a cold Miller Lite and I am not going to deny going in there once or twice. You mentioned this is a controversial issue, I personally think this is a controversial issue because of the way it was handled. I think anytime you act upon a situation such as this magnitude, trying to serve out an eviction notice without doing a proper investigation does not speak very highly of how we should be handling our business. Sheffield Lake is really a small community family kind of town, it is one of the reasons I stayed here to be quite honest with you and I think with that, there comes a certain kind of leadership you expect. Certainly not handing out a 30-day or 60-day eviction notice, I don't know I haven't seen the notice without talking to the owner of a business who has been business for 41 years of a property that you recently acquired only through the community support – is not a very good example of leadership in my opinion, I could be wrong. You know when we had a problem with Levin and Forest City and the owners of that property, it was the leaders that said hey, come help us out, do what you can, we got to get rid of this problem. Ruth, she opened her doors up and hey come on in and I will help you out in any way we can. I know when some of us were out there getting petitions signed, Ruth would let us go in and have them sign a petition and I thank her for that and you should thank her for that too Mayor and everybody else because I am glad we got rid of Levin and whoever else had any controlling interest in that. But I very disappointed in how this thing has been handled. Again I am just going to point out some things here in this email that I got a question on, I will try not to tie up too much time here. You spoke of, in this email goals of the redevelopment. I would personally like to know what the goals of the redevelopment are, who set those goals and since there is goals being set – there has to be a committee in place, I would hope and who are the committee members, who appointed the committee members. That would be some information that I wouldn't mind having. I don't think anybody else would mind that either. And you spoke of what the community wants, again I think all ask for is good leadership and not acting out on a phone call without proper investigation after that phone call. Again I just got a problem with the authoritativeness type attitude that that represents when we don't go to the owner and say we got a problem, we got to work this out. We want you stay in business, thank you for not being a nuisance to the community – I think that is all anybody would ask for as a business owner and I am going to tell you if you are going to continue to treat businesses like that, then we are going to continue to fail as a community. We are not going to have businesses here in Sheffield Lake, I surely wouldn't open up one if that is the way we are going to be about it. We just

acquired this property, I would like to see a little bit more care and patience. It is just personal conscience involved when we are making these decisions.

**Susan Ralph, 37420 Freedom Avenue** stated this is my Mom's business, first it was my Grandfather's but she has worked there for 25 or 30 years. He did pass away and good or bad, he left to her and she runs it very, very well. It was a great surprise to just come home and get your mail and say hey your out of here in 6 weeks. I mean that was a letter in the mail, so I don't think that is so great. As you can see there is a lot of support and it is not a fly-by-night business, it is not a rowdy business and she might be little but she is pretty might – she will kick you out and she knows how to handle it. Even if we can come to a compromise with this lease, again the same thing, why would you go knocking on someone's door saying hey I would like to get a lease and then they could double your rent. She was just letting things go as they were since 1990, that is why she didn't go looking to sign one but we can have a compromise whenever you figure out whatever else is going to go in there, you know to give her some more time. She can't exactly go get another job, probably can't get a loan at her age in this economy to even open up another business or even fix places that are dumps around here down the street. So I hope you consider that.

**Josette Spishak, 809 Community** stated I have a question for the Mayor on his email, you said that it wasn't about the insurance – it is the condition of the building. Mayor Piskura stated the condition of the building is what the insurance pointed out as the risk and after investigating with the insurance because of the things that need to be corrected, I think can be. Ms. Spishak asked have you talked to Ruthie about correcting those things? Mayor Piskura answered actually I did have a meeting with the owner where we told her that we would bend over backwards to help her and that if there was any opportunity for her that we would allow her to stay as long as she needed to in order to transfer the license elsewhere but that she didn't want to make any upgrades or put any money into the store or into the facility. Owner Mrs. Oddo asked what kind of upgrades would you like to see put in there. Mayor Piskura answered that is something that you would probably have to talk with David about because he has been the point man in talking with the insurance company risk assessment center. Law Director Graves answered I did have a meeting prior to our insurance renewal coming up with the underwriter and I did receive a letter from him which I responded to and in the letter in addition to some other issues with the shopping center that he identified as risks. He specifically identified the Shoreway Lounge as a risk, among other things he noted fire code violations, he noted that the patrons were being allowed to smoke in there based on his walkthrough – not mine, I haven't been in there. He also questioned in his letter whether the Shoreway Lounge was consistent with the city's objectives in redeveloping it as a family oriented town center. That was the underwriter's letter. So that was what was identified to the city, in reviewing the lease it was determined that they had been on a month to month since 1990, never

having any rent increase as a hold of a tenant they were potentially subject to double rent – that was never done. Those are the issues that were identified.

**Mark J Erdei, 4015 Tennyson** stated now did you look into the lease because this is a commercial complex, the owner of the complex should be liable for the fire code, any kind of updates on the building – that building is how old. I mean for sprinkler systems and everything. I mean it really isn't up to the owner to invest in all that when it should have been the owner of the complex, am I right?

Councilwoman Huska answered no, Mr. Erdei stated usually a commercial property, I mean little smoke alarms – I can see that but it is any kind of sprinkler system. Law Director Graves answered the city does have some responsibility in making sure that the facility is up to par and we only recently became owners of the property so we are still looking at that. We have made a number of improvements to other units; condensers and things that have gone bad. Mr. Erdei stated so that would carry right over to help her out too, no? Law Director Graves answered perhaps. Mr. Erdei stated I don't see why, you got Rite Aid and everybody else. I mean that place was a dive too but as far as main sprinkler systems and that. I can see the odd and end stuff, fire alarms or smoke alarms and all that but as for the actual sprinkler system. Law Director Graves stated it depends on exactly what is going on in there too. I don't know if it is main wiring, I don't know if it is something that is hooked up. Mr. Erdei stated that is the safety part, no? Mayor Piskura stated the majority of the leases basically state that we are responsible for the structure and the tenant is responsible for everything inside. The structure is sound, I believe what the insurance company is talking about is everything inside. Mr. Erdei stated question for Joe, I wasn't going to let you slack off. I didn't really get a good look at that south end of the plaza and that, is that able to stay like it is or are you going to power wash it or do you guys got any game plan on that? Safety/Service Director Arendt advised we are going to make the south end where it is currently block now is what you are talking about, we are going to make that equal to what is existing in front now. We are currently discussing a new paint scheme, new color scheme on there. What we have done to all the empty property as you could notice that we put T111 and we painted them all green which is one of the things in the insurance risk management – we covered those up to eliminate damage, kids or anything like that. We made it a better look to it, like I said once they are done we will coordinate with the people and discuss a different color scheme.

**Owner Ruth Oddo, 2722 East Erie, Lorain** advised the Fire Department came in and inspected our place and we had to replace our exit lights and we did that. That was all that we had in violation of the code. Plus the Health Department, we don't have any problems with them. Other then they want me to put in a hand sink but I am not going to do anything until I know if I am staying there or if I am going.

**William Brewer, Co-owner of Shoreway Lounge** stated my understanding is that when the Barber Shop moved from the south end of Shoreway up by where

Shoreway is that they assisted in some renovation in the building to compensate what they needed. How come my sister and I were never notified that she wanted to stay we could have upgrades to help us or what it would cost us or anything? I have never received any letters like that? Law Director Graves stated I think the Mayor said that in discussions with your sister that the city would bend over backwards and allow her to stay as long as it takes and also assist her in finding that new location. I think there was even a couple of suggested venues. Mayor Piskura stated the other thing was that the Barber Shop was displaced by the demolition, they weren't identified by the insurance company as a risk. Again I hope everybody understands why we are here. The reason that we are here is because the insurance company had identified it as a risk and because there is no additional premium, just some things that have to be cleaned up – pleading your case to City Council and based on their vote you will stay or we will continue the termination of the lease. So it is an entirely different set of circumstances with the Barber Shop. Co-owner Mr. Bure asked also how far is the license permitted to go if we get evicted. Owner Mrs. Oddo answered not even to Grantwood. Mayor Piskura stated yes that is the one thing we were unsure about. Owner Mrs. Oddo continued also we had called Gus, my daughter had called and Gus called and he doesn't return phone calls and that place would take thousands of dollars to get established. Mayor Piskura stated well if the license doesn't go that far it is irrelevant anyway.

**Kerry McCullough, 685 Roberts Street** stated you said \$11,000.00 for a dump body and we are getting rid of 2 dump trucks, are one of those dump bodies not going to be able to retrofit or is it no good? Service Director Arendt answered they are all rusted out. Mr. McCullough stated the ditches in that ward (ward 3), those eventually flow across Rt. 6 and Rt. 6 is a US Highway, is there any federal money that will fix the drainage/to make the drainage proper because every year we got high water signs crossing a federal highway. Councilman Elliott advised it is not so much a drainage issue that is an erosion issue. Mr. McCullough stated I am aware of that, that is eroding towards a federal highway – I mean I am looking for a loophole for you Eric. Mayor Piskura stated this was spear-headed by Councilman Elliott, it is in his ward and it is a problem. If you go down there and you look at it there is an erosion problem of all kinds of trees, the ditch needs to be cleaned out and hasn't been cleaned out ever or maintained. Joe started looking into it, we had a survey done – it is state property. We go to the state ODOT and say gee this is your ditch, that is why it has never been maintained – you need to come and clean it out. They said well it is not along side or connected to a state route therefore our budget doesn't permit us to spend money on it. However, there are other state agencies potentially that could spend money on it and that is where we are at right now. The number one candidate is reclamation money from the ODNR, so that is where we are at. Mr. McCullough stated I am just saying I know eventually it flows across a federal highway and maybe that could be it. Mr. McCullough

continued I am to understand it all started from the insurance, I want to point that out right away that you thought the insurance rates were going to go up and make it very costs prohibitive to keep the lounge. I have been in your lounge years ago. The question I would have for you guys and Council as well, the light has not been fixed in years. We laugh, we call the IOU – I mean put in a couple of bulbs and let people know it is a lounge. I know the place to be clean, that time I was in there it was clean and I talked to somebody who goes in there - it was clean. I think you guys have asked great questions, I would worry about fire codes and police calls – you answered that very well. Doesn't get any more police calls then the other businesses. My concern is that if we target this Lounge because it doesn't fit really what we are going after and it appears that way – I am not saying that is what it is and I take John for his word when he said hey this all started over insurance and we thought our insurance was going to go through the roof and make it costs prohibitive. If we target a lounge in that way, are we going to start targeting other businesses that don't fit the profile of maybe what we are looking for in a redevelopment - that would be concerning. That would be the big problem I would have, I think that you guys need a lease and I also would like to see if it was my business – I would want to know a plan of what you are going to do to; a 5 or 10 year plan of how it is going to fit in there when everything gets redone and how it is going to work. That is what I would be looking for, I think making a decision tonight; you guys may be a little bit ahead of yourselves but you may have to make that decision tonight. I want to say one more thing for the record and I need to get this on record, everybody keeps mentioning the name Levin. I don't think one time have you wrote a check to Levin, you have wrote it to a management company. The Levin family who owned that place had never seen it. Owner Oddo stated he only lives right down the road. Mr. McCullough explained no, no, no – the Levin family that owns that place had never seen that structure. They don't know what it is, they are in Florida, they are grandchildren, they are collecting money. What do they care about Shoreway Shopping Center, they don't know the condition that it was in. So when you say Levin, it really isn't Levin – it is the management company who sends them their money. So I just want to go on record as saying that so you know. No, Arnie Levin is really not the owner but whether you guys vote for it or not – support you whatever you do. But I want everybody to understand that I understand it started over insurance and that is why it is to this point.

**Laura Gallagher, 617 Lafayette** stated when you relocated the Barber Shop, I know the city assisted very well. Mayor Piskura answered yes. Ms. Gallagher stated I would only respect that to be also done for Ruth or for Shoreway Lounge if it is passed to help her get up to grade/code what is needed to make it fit your-what you want in our new center. What I am taking from you John, you are very good at what you do. I don't expect you to stay here as a Mayor, I am looking for you to be a Congressman some where – another seat, you are making a nice show of the

community. Don't use us to get that next seat. Mayor Piskura stated I appreciate that but let me respond, the reason that we spent money for the Barber Shop was because we forced the relocation. It was because of the demo that they were relocated. Now I did offer those same resources to Ruth to help her relocate to a new facility and even suggested a few. I would really have to talk to Council and the Law Director on whether or not absent any kind of displacement we can use city resources just to go in and revamp somebody's business that can't afford to do it themselves. I doubt that is going to be a possibility. Ms. Gallagher stated I see a big cut back on money at your last meeting, where they cut out liability insurance – there is money there that we have saved? Mayor Piskura answered it is not a question of do we have the ability to spend it, it is more a question of would we be permitted to spend it. Ms. Gallagher asked who would make that decision? Mayor Piskura answered ultimately Council can appropriate money to spend on just about anything that they want but for the time being they haven't done so. Ms. Gallagher stated as I stated before, I know 2 Councilmen that weren't aware that this was happening. Mayor Piskura answered I understand that but I am not responsible for making all of Council attend the meetings. This issue was discussed at Council more then 2 months ago and the Councilmen that were not present, I don't have any control over them and their absence or attendance at meetings. I apologize but I try to keep everybody as up to date as I possibly can but for the people that were out of town or working or elsewhere, I simply can't be held accountable for their attendance. Ms. Gallagher stated well maybe you should be sending out an update if their not to be here and they are excused, send them an email or mail them this is what happened in our meeting. Mayor Piskura answered there is a President of Council that can do that. Ms. Gallagher stated on asbestos removal, is the community aware that all this asbestos – even though I know you have a legitimate company, that asbestos is still filtering through that air over there. It has not been noted, I know they covered it up in plastic. I work with asbestos, many, many thousands of claims and the people won. Nobody was notified in the city that asbestos was being removed. Mayor Piskura advised it was publicly bid in the newspaper, it was written about in the newspaper and it was discussed at length at City Council. There has got to be a point at which there needs to be some personal responsibility on behalf of Council and on behalf of everybody else to pay attention to what is going on. I am sorry if you didn't know and I am sorry if there are a few things that some Council people don't know but I simply can't be held responsible to spoon feed everything to everybody. It was in the paper, it has been written about several different times and in more then one paper it was talked about and on the city website in all the minutes – Buildings and Lands and Worksessions. It is not a new issue, I can sympathize with the fact that. Ms. Gallagher stated 99% of the people don't know that there is asbestos in the air right now. Mayor Piskura stated if you have a better suggestion on how I get to those people? Ms. Gallagher stated well there should have been a newsletter when you

send out the newsletter for recycling from the Water Department. There could have been a spot in there, community pride day. Mayor Piskura stated I will agree with you that we probably could make more of an effort, there were probably some things that we could do that we didn't but I think that we made at least a decent effort.

**Josette Spishak, 809 Community** stated I am in phase II of construction, thank god all I am hearing in my head is beep, beep, beep, beep – I am right there by the corner. I have a question, I am getting half of a ditch built in my yard and the other half is not getting built? You know how you do the sidewalks and the curbs, in front of my house I have a ditch – I live at 809 Community Drive. In front of my house I have a ditch, 2 pine trees – 1 pine tree is being knocked down and I am getting a sidewalk and then the other part is going to be a ditch and other driveway. Mayor Piskura asked are you talking about with the Ferndale reconstruction. Law Director Graves clarified with the right of way reconstruction. Ms. Spishak stated so I am going to be cleaning out one ditch and having a sidewalk on the other side. Mayor Piskura answered I understand, that is something we can talk about. There was a brief discussion on location.

**Bonnie Olage, 4410 Tranquility Lane, Lorain** stated I go up to Shoreway Lounge and I travel a little ways to do it but I like it because when you had asked about the police coming and everything up there – the reason why I like going up there is because I see families up there that are together and enjoying their time together and doing it in a safe manner. Somebody saying hey I will drive or I will give you a ride home. That is what I like about that place. I am a single woman, so it is nice to know that you can have a place to go to socialize and enjoy yourself and not have to worry about if a fight is going out because there is not very many places like that to go to and I don't even drink. I mean everybody that has seen me up there knows, I drink pepsi when I go up there but it is a nice place to go and a nice atmosphere – it is like home. I just wanted to say that and support her because it is her livelihood.

**Mark J Erdei, 4015 Tennyson** stated just a comment, no questions – we should see more of you people in this building a lot more and you would realize what is going on in this town. Not just because we are fighting for somebody to save their business, we should have a lot more community output in this building, period. A lot more people would know what is going on.

**Barbara Long, 985 Lakewood Beach** stated I have recently come to the bar, it is new to me and I have met a very nice lady and she runs a very clean business. I go there for karaoke and I am also a pepsi drinker and I am also a designated driver most of the time. I just wanted you to know I really enjoy myself, it is a nice place to go when I get bored and I know I can go there and be safe.

**Susan Ralph, 37420 Freedom** stated I just have one final question, if none of this ended up being insurance – why are we here or why do we have to have a vote on this? Maybe ask to get a lease signed? Now we are here with all this mess and it

has nothing to do. Mayor Piskura stated I understand that there is a personal stake in it for you and for the business owners and I can respect that but from my perspective I don't really consider this a mess. I consider this a critical part of democracy, this is exactly what I wanted was for the representatives to hear from the people on whether or not they want and whether or not the community wants to keep this establishment and again, from the conversations that I have had with people that oppose your view point. I believe that of the people that I have talked to, I have talked to through email/personal conversations and phone calls – I have probably talked to maybe, I want to say about 25 people. In the 25 people that I have talked to – you are not in the majority, you are in the minority. So when I am looking at an issue and I am getting my own feedback; like I said via email and phone calls and everything else – I am trying to gage what the community wants. The reason that we are here is because the read that I got is that the community would be more supportive of terminating the lease. Now if I am wrong and the representatives disagree then there shouldn't be no problem. Do you follow? Ms. Ralph answered I do but I didn't see any real opposing comments. Maybe they were on the internet, maybe they were given to you personally – we don't know that and why aren't they here?

**Ralph Huffman, 735 Huffman** stated the fact is that when we had the Giant Eagle, we jumped in there and wanted to help our city leaders to see what they could do to help Giant Eagle. With the problems, we wanted to help them and get it worked out. I think as citizens, we want to get behind you and try to help this little business that is in Shoreway Plaza to stay there and see what we can do to help them get through it rather than expel them. The comments about why they shouldn't be here and why others oppose it are comments that we haven't really heard but there are factors out there in life and there are rounds and some of it religious based and that that they don't like any drinking at all. Some people just don't want this here stuff but I know as a community they have to get the license for a liquor license to have in this community and then for different hours some of it goes to votes for different wards and it is the people in them wards that vote on whether they could be 1 pm license or 2 pm license and the people did speak because she does have her license and she does have it. So the people did express their interest and the fact that they did want this establishment there. So now our main thing is how do we keep it there until we see a group getting up saying we want to repeal liquor license then we as a community – I feel we have the duty to go ahead and back this business the same way we backed Giant Eagle or Apples or any other business we have in this community.

**Bob Ebenschweller, 362 Cove Beach** stated this is like day-ja-vue all over again because a couple of years back I sat alone in a chair trying to face down a couple of groups that I was taking a moral position and they were taking another position. These good people did not try to in the words of one of the members of the Board blackmail but coerce was the words I used and it winded up to be plain out bribery



in order to get their case across. What I wanted to talk about was the recent signing of the development company, it seemed that it came on the heels of Mr. Levin speaking here. I am not sure that it had anything to do with it or whether that led to that but I never really heard of those people before. I don't know if it was discussed, a presentation was never made before Council from the individual, from the company or was this done in an Administrative way to bring this to Council floor in the form of an ordinance that was passed under an emergency. It is a relatively new company – 1996 and it only has 4 employees and they are going to do all this stuff for us. In looking at it further I see that they just might be more like a contractor and they sub-contract out. They were subcontracted with K&S Associates, the one on 58 over here and K&S Engineering did all the site planning and all the pretty much developing. I guess my question is this, is this company a subsidiary to K&S. I know we have always dealt with K&S up front, just a city with K&S. I guess, why do we need somebody else to go between us and K&S if it is about site planning. Council Pro Tem Rosso advised Bob, if I could stop you for a minute. I am lost, I am not quite sure what you are asking. Are you talking about, I'm sorry go ahead and explain. Mr. Ebenschweller answered I am talking about Liberty Development, the one you passed the ordinance. Council Pro Tem Rosso asked for the consulting services for the shopping center. Mr. Ebenschweller stated if you recall, it was probably well over 6 years ago at Forestlawn School we had a turn-out, a great turn-out of people that had ideas and nothing ever came of that and here just a few months ago they had a public hearing – I was only here and there was only 2 other people; Mr. Gardner and another representative from the windmill company showing an entire new plan. That they had planned on building something across the front of the shopping center; 3 levels and if citizens are going to be asked their input – when is that going to happen. I just wondered about the connection between this company and K&S and why do we have another level. Mayor Piskura stated good observation but when we started down this road we had talked to several developers. There was one developer that was interested in making an investment. We started to do a little bit of work with that firm, that is the guy that was partners with Michael Levin and the Council meeting that you were at I was not and that is when Michael came and voiced his disgust with the city. What had happened was that in the very last meeting that we had with that developer the relationship had changed dramatically in that for his own reasons, basically because he doesn't have the money to invest – he brought to us an agreement that had him working as the owners representative, basically as our employee to develop the property. Now we had already talked to several of the developers so what we are getting universally from everybody is that the market is so tight, money is so tight that basically it is difficult for a developer to get any money to do anything. We couldn't get anybody to come and make an investment from their company or from their personal development company. So that led us to the discussion which we did have a counsel, if we are not talking to a developer that is

going to spend money at the center and invest in the center – put their own money upfront, build a building, get the lease, get a long term lease, get the tenants; do everything, do the build out and all of that. Basically that we were going to redevelop the center as a city, we had come to conclusion that we were all turning into developers and that if that was the case – is this particular company and I am not going to name the company but is this particular company or individual we want working for us, helping us develop it, recognizing the fact that none of us are developers and we are going to need help. We came to the conclusion that no, this person, after our due diligence, this company is not the company that we want. We talked to a lot of other people and we vetted them and we came up with the redevelopment – he did lighthouse village in Lorain which you said; no connection to K&S. There are 2 principal people in the company; Tom Forest and Ty Stewart and we begged them to help us because they don't do consulting – they do developing and quite frankly they came out and looked and said we have absolutely no interest because we are not going to make an investment. So that was discussed, no relationship with K&S. Now on your other point, four years ago we did do a community consensus meeting and that was as a result of Joe Shaffren and Parin Management proposal and/or willingness to redevelop the center and get the ownership on board with a redevelopment. As it worked out they never followed through but we got a lot of good input. Now where we have gone in this second round with us being the developers, meaning us as a city being developers is that we had to contract with an architect and a planning company to do the site layout and do the square footage requirements and do all that kind of stuff. That is 90% done. We also had to have a developer who is Tom Forest of Liberty Development help us with the development aspect itself and the building and the costs analysis. Now we are coming down home stretch with having a plan, a physical plan that we can show you. We were stalled because of that new relationship of the first developer, we were stalled for about a month and a half. But in probably about a month, give or take, what the intent is – what we are going to do is we are going to come to City Council of course open to the public and Planning Commission and everybody else and we are going to start a completely new round of public consensus. We are going to show you the plan, show you the numbers and show you performas and the costs and the public will have the opportunity and this kind of goes to what Mr. Vorhees was alluding to as well is that the community will decide what they want and how it will be. The site plan, what they like and what they don't like – very much in the same fashion as we did the last one. It is taking just a little bit longer then I thought it would to begin with, so I would expect that within a month. I hope that addresses all your questions. Mr. Ebenschweller stated I was just concerned, if you want to call it bureaucracy whether we couldn't deal with the site planners. Mayor Piskura answered I could try real hard but I am not a developer and if you let me do it all by myself I am sure that I am going to make many mistakes that aren't worth the savings.

**Dan Vorhees, 4043 Tennyson** asked what is the costs on this project, on the demolition? Mayor Piskura answered \$38,000.00. Mr. Vorhees asked how much of our city workers are we using to do that? Safety/Service Director Arendt answered none. Mr. Vorhees asked who is doing the demolition; non-union, right? Safety/Service Director Arendt answered Affordable Demolition. Mr. Vorhees stated okay, \$38,000 right? Safety/Service Director Arendt answered right. Council Pro Tem advised I am going to give one last chance for anybody who hasn't had a chance to make their comments or concerns. Mayor Piskura stated hold on, I need to respond to Mr. Vorhees. I know the reason you are asking that question, it is a prevailing wage question. I understand that this a labor town and I am a labor person and I have made a commitment to be a labor person. As a matter of fact, in a union myself and so are members of Council. This project down there is not a tax-exempt project that we are required to do prevailing wage and when the Law Director tells us that it is not a prevailing wage project and we go out to bid, we are required to go with the lowest and best bid. Now if all things being equal, I would prefer a union shop get the job but we can't legally award a bid for a significant amount of money based on whether or not it is union or not. Mr. Vorhees advise ORC4115 is what I am relying on. I will go back and check it out but anything over \$27,000.00 that is a city owned building, you are looking at prevailing wage issue I believe and again going back to this union town/this labor town/this family community – that was the first part of why I was up here the first time and again I don't think we would even be having this conversation if all that said above by you is true. So that is where I am at with that and I don't want to sit here and debate it, I am going to check it on my end and we will go from there. You are saying you are right. Mayor Piskura answered I am not saying I am right, I am saying that I have acted on what our Attorney has told us. Mr. Vorhees stated and your Attorney being Mr. Graves yes? Mayor Piskura answered yes, so you have to understand that I am not going to spend \$50,000.00 extra to go with the union shop if I am required to go with the lowest and best bid. Mr. Vorhees stated I will check the legalities on line. Safety/Service Director Arendt stated I just wanted to mention on some of the quotes that I had to do some of the work at the shop, especially on a plumbing, heating and air conditioning stuff – I got several quotes from different companies and Lucas Plumbing was the lowest and best and they are a union shop and we use them. So there is no discrimination between union and non-union. Mr. Vorhees stated I am not saying there is. I am relying on ORC4115, I got to go back and obviously do some more reading to make sure.

**Diane Green, 4651 Lake Road** stated I got to tell you that I am only here out of love because I love her and I loved her Father, I was born and raised here and I have lived here all of my life and I got to tell you it used to be the greatest town. It was great growing up here as a kid, Shoreway Shopping Center was the ultimate. We had Woolworth's, we had the Meat Market, we had a shoe store, we had everything that you could possibly want plus it was the safest town that you could

grow up in. My point being is that we lost pretty much everything and they (Shoreway Lounge) stuck it out and she seen us grow up, she has seen our children grow up, she has seen some of their children grow up. It truly is a family place, we are not a punch palace – we love them to death and we will do anything we can to help this lady to stay open. It is a good place and if everybody else went away and she stayed there to bring money in then why make her go away? She is the only one that stayed when everything else was gone and it is empty, she stayed there and she is bringing money in. ***UNFINISHED BUSINESS: None./NEW BUSINESS:*** \*Motion by Huska to amend the agenda to include Council#028 and Council#029 to tonight's agenda. ROLL CALL TO AMEND: Yeas All – Bring, Kovach, Smith, Rosso, Huska, Elliott, Diebold. Council Pro Tem Rosso stated I think what the question in front of us is whether or not the Shoreway Lounge should remain in business/remain open. Does that sum it up and then an affirmative vote would be yes or a negative vote would be no to have the Mayor continue on terminating the lease? Law Director Graves stated I would phrase it as whether this lease should continue to proceed with the termination of the month to month lease. Council Pro Tem Rosso advised we will take a poll and the question is going to be should the city continue with the termination of the lease for Shoreway Lounge, so a no vote would be to keep the establishment open and still under a month to month lease and a yes vote would be to tell the Mayor to continue on. After a brief discussion, Law Director Graves advised yes should the month to month lease for the Shoreway Lounge be terminated? Council Pro Tem Rosso clarified so a yes will close it and a no will keep it open and you must vote yes or no. Nays – Councilman Rosso advised yesterday I took the opportunity to go down to the Lounge and stop in for a little bit just to see it as I had not been in there in more years then I will admit to. But as I had told the lady that I had spoke with – the owner, I had been on vacation, I had been out of town for a couple of weeks and when I came back from vacation these were the only messages on my answering machine were about the Lounge. I have talked to about 12 people and every single one of them was supportive of it. I went up there and I didn't see anything wrong with the place, it appeared clean to me. I stopped up here last Friday to talk to the Law Director and I talked to the Service Director just to get some information. So that all being said, I do not believe the lease should be terminated. So mine will be a no vote. Councilman Diebold stated I have a problem with the lease management company in not renewing it over 20 years since 1990. That would be my first concern is getting that lease updated, 20 years at the same price that needs to be adjusted but I have a no answer. Councilman Smith advised I also stopped in there yesterday and I haven't been in there in a long time. But as far as the Mayor making the decision, the Mayor did what he supposed to do and that was when it comes to the insurance, he has to look at what is in the best interest in the city. I mean I do agree with him on that aspect but being that we are here he is looking for the input of the residents and we are the

representatives so he is not saying no. But keeping in with the spirit of redevelopment, we still have to have our public consensus meetings. So we want to do what the residents want but until we can decide that, I see no reason for her not to continue on with the month to month. So I would say no. Councilman Elliott advised I basically concur with Councilman Smith. I was also in there and I talked to a couple of you. However I would like to address something, the question of city leadership was brought up. I would like to remind all of you the reason that we are here discussing this right now is because of your city leadership. Not so much here but the Mayor. I mean Apples, the fact that the city now has control over the shopping center is incredible. I think one year from now we may be in a completely different situation but yet one year ago we would never have dreamed that we would be in the position we are now. That being said, we are just in the infancy of even discussing what is going to go up there and what is going to stay and what isn't going to stay. We don't have a business model yet, we haven't had discussions with the public and what they want to see up there. So if you are looking for me to give you a completely reprieve to leave the business up there permanently, I am going to say you are not going to get that from me tonight. Not until we get a consensus of what the public wants but for now my vote is no. Councilman Bring advised to be honest with you, I was 100% in favor of non-renewing the lease. We actually gave I think John some direction to go ahead and do that because of the violations and the insurance. Sitting here today I was pretty impressed with the way you people handled yourselves. There was no yelling, screaming – usually when something like this happens people get out of hand and you obviously didn't do that. I am kind of disappointed that nobody showed up in opposition of this the other way. I have to agree with Mr. Elliott that this issue may come up again because the center is going to move forward and we may not allow this and I am not saying we want to take a business away but we may go into a different direction. You know you may want a restaurant/bar, I don't know if we would just want a bar in that particular unit over there. But I also have to agree with all you guys that put forth saving Giant Eagle, that we did put a big effort into that and that was a big business – this is also a business. I think now that the insurance company has corrected that, I may have changed my mind – not entirely but I have. But in no circumstance do you want to blame the Mayor – this is not his fault. He had asked our direction, we had given him direction to do something. This is not in any way means his fault, he is a very good leader. But as of tonight, I will also say no but I will also say that in time this direction may change. That is just my thoughts. Councilwoman Huska advised I am also going to say no but we need to think about this later on and we need to support our Mayor. The reason the city looks like it does and it is on an upbeat track is because of our Mayor and City Council but he works non-stop for the residents of this city and I would also recommend that you look into getting a real lease instead of month to month. Councilman Kovach advised this evening I will vote no on this issue but I do feel

that that month to month lease has to be and will be in time either turned into a full-time lease at the appropriate time or it will end at that. Tonight you get my support on the bar staying open. I don't have a problem with the bar, I think it is a very nice operation. I will say this in regards to what the one statement that Mr. Erdei made in regards to the sprinkler system, yes the landlord would be responsible for putting that in but if you think for one minute that the landlord who has rehabbed the property and I am meaning the person that has done that over the past 20 years wouldn't pass that costs on over 19 years you would be sadly mistaken. On the other hand I would have never let that lease go for 19 years, we would have had some kind of communication in the interim and your rent would have gone up over the 19 years guaranteed. Somebody has to pay for that sprinkler system. That being said for this evening, I will vote no.

**ORDINANCES AND RESOLUTIONS:**

Council#028 – EMERGENCY – an ordinance authorizing the Mayor to grant a utility easement to Columbia Gas of Ohio, and the declaring of an emergency.

\*Motion by Huska for SUSPENSION OF RULES:

ROLL CALL FOR SUSPENSION OF RULES: Yeas All – Bring, Kovach, Smith, Rosso, Huska, Elliott, Diebold.

\*Motion by Huska for ADOPTION:

ROLL CALL FOR ADOPTION: Rosso, Smith, Diebold, Bring, Huska, Elliott, Kovach.

**Ordinance Passes#29-09**

Council#029 – FIRST READING – an ordinance amending Chapter 375 of the codified ordinance of the City of Sheffield Lake regarding snowmobiles, off-highway motorcycles, all purpose vehicles and golf carts.

**COUNCIL PRO TEM:** Council Pro Tem Rosso advised I want to agree with what the other Council members have said earlier and I should have said in mine is the one thing I will hear complaints about and you will read on the internet that this Council is nothing but a bunch of bobble heads and does what ever the Mayor wants. So I hope tonight that people will realize that that is not the case. I will say this to and I mentioned this when we spoke yesterday, this Mayor will sit down and talk with us and take opinion and direction and this is not the first time that he has come in on one side of a discussion and we have been on the other side and he has listened. I want to clear up the fact that he is not just running rough shot over the entire city and everyone is just backing behind. So as Dennis, Alan and Eric and every one else mentioned - I should have mentioned that myself. Councilman Smith stated he is just doing his job. Council Pro Tem Rosso concurred yes he is doing his job and doing it quite well. For a part-time guy making \$6000.00 you are getting a hell of a deal. Mayor Piskura stated I appreciate all the kind words of support and thank you to everybody that came out to voice opinion and just to be clear I will let you know how I intend to proceed. We will just keep going on a

month to month basis, we will wait for the plan from the architect to come out and be made public and we will wait until after the public consensus meetings. What I can envision is once the public consensus meetings are done, we should have a fairly clear direction on where the shopping center is going to go and after we have that clear direction we will then move on to the pre-leasing or leasing phase with the developers and based on what they tell us, that is when I can envision us maybe coming back to Council for either further direction on my part or whether or not to put you into a long term lease or to actually consider terminating you at that time. But what I guess I can say with a measure of confidence is that I don't anticipate that happening probably until at least August. So the soonest that we may reconsider this or I might ask Council to reconsider this would probably be towards the end of the summer. But for now I will ask that you talk with the Law Director and the Service Director about whatever it is the insurance company needs corrected because that will have to be corrected and you can continue on and again thank you to everybody that showed up. My one last comment is I would have to echo what Mr. Erdei said which is that it is absolutely a pleasure to have a full audience and what Mr. Bring said about everybody being professional, I really appreciate it. Thank you for coming and we will more on.

**MEETING ADJOURNED:** With no further business before this council, Motion by Kovach to adjourn at 8:50 PM. Yeas All.

**CLERK OF COUNCIL AFFIRMATION:** This Meeting Of The City Council Of The City Of Sheffield Lake, Ohio Was Held And Conducted Under All Rules And Regulations Governing The Sunshine Laws Of The State Of Ohio As They May Apply. All meetings are recorded and available in council offices.

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CLERK OF COUNCIL

*Kay Fantauzzi*

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PRESIDENT OF COUNCIL

*Edward R Podmanik*

*and/or*

I, Kay Fantauzzi, duly appointed Clerk of Council of Sheffield Lake DO HEREBY CERTIFY that this is a true and exact copy of the Minutes of Council of May 12, 2009.

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COUNCIL PRO TEM

*Richard Rosso*

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MAYOR

*John J Piskura*