

CLERK GREER announced the public hearing was scheduled to discuss an application to rezone property located on Arizona Avenue from an R-PUD to an I-1 Light Industrial, Special Land Use, to allow for a storage facility, Ron Cocco is the applicant.

The Lorain City Planning Commission met on September 5, 2018, and recommended approval of this application to Lorain City Council with conditions.

Notice of the hearing was published in a local newspaper and the abutting property owners were notified of the hearing by mail, all in accordance with state statutes.

PRESIDENT ARREDONDO: We will start the evening with the developer and after that I will open it up to Council and also this is a public hearing so the public is invited to come up to mic and you will have three to five minutes to speak.

REMARKS: ANTHONY GIARDINI, 209 W. Marina Parkway, Lorain, Ohio: I am here on behalf of the developer; the property owner currently is Spitzer Great Lakes. For those of you who may not be familiar with history of Harbor Walk, it is a development that was started about twenty years ago. I spearheaded that project on behalf of Spitzer Great Lakes. At that time, there was only a marina down there and a lot of industrial buildings that used to be used for ship building. After the casino issue failed back then, Mr. Spitzer asked that I spearhead the project to try to redevelop the property from really a Brownfield into a housing development. That whole development, because it was already industrial property, where ships were built since 1898, still had characteristics that were going to remain such as the old buildings, boat storage; full service marina is still on the property. It was believed at that time that the best zoning we could have would be PUD – Planned Unit Development, which is what was done at that time. Spitzer owned about 54 acres down there at that time; there was property up on Erie Avenue, that was privately owned. Most of it was old homes in various states of disrepair and a few businesses that were in various states of disrepair. At that time, there was a lot activity about it and many people were actually opposed to the project – believe it or not. At that time, the city decided to go forward with it and the city bought up all the properties on Erie Avenue and sold them to Spitzer at 125% of what they paid for it. The plan at that time was that the properties up near Erie Avenue would be mixed use, commercial and residential. As you came down the hill, it would be residential. Of course, the residential part was built and the full service marina stayed as part of that whole project a rack storage building was built at the far south end of the property. A one hundred year old building where the Westlake Yacht Club was housed continued to stay there and their showers and still does for the marina. Nothing ever happened with the property up on Erie Avenue. The plan was originally to try to acquire the marina that sits there on Erie Avenue just as you come over the bridge. The owner of the marina decided that he did not want to sell; the price he wanted was way too high. So, that ended the development, which would be from Colorado Avenue all the way down to the bridge along East Erie Avenue, could not be completed and particularly that corner where the gas station is and where the marina is and there was another house/building on the other side of it going toward the bridge. All of that was supposed to have been a restaurant, or like a fishing village was the plan. When the marina could not be acquired, that plan for a fishing village with restaurant/bar, etc., had to be abandoned. Since then, the properties that were purchased there, including the properties that we are here talking about tonight, have remained vacant. We are going on close to fifteen or sixteen years now that the entire lot, which is a little less than one acre, has been vacant. But, the original plan eighteen years ago was that the north end of that property would be a mixed-use development – commercial and residential. As you went further south, you would be residential. One of the other things that is a factor in this whole thing is that the city issued the bonds for all the public improvements that are down there. So, California Avenue, Arizona Avenue, and all

the side streets down there were built with bonds issued by the City of Lorain. Those bonds are paid for though a TIF, Tax Incremental Financing; much like you did over there at the hotel. But the city's full faith and credit is on those bonds. The taxes that are being generated from the development are what real estate taxes go toward paying those bonds. However, not enough development had been done down there to completely pay the interest that is due on those bonds. So, every year, as part of the deal that was made with the City and Lorain and Spitzer, was that Mr. Spitzer personally guarantees the payment of that interest. So every year when there is a shortfall and the shortfalls have been between \$250,000 and \$300,000 a year, he has made to make up that shortfall. Needless to say, he is anxious to see the rest of this property developed. Unfortunately, the recession hit in 2000 and started in about 2006/2007, really put a halt to all the development. The last new home that was built in Harborwalk was built thirteen years ago. It was the home on Arizona. As you got away from the river and further toward Erie Avenue, the properties got tougher and tougher to sell and develop. The developer, Zaremba, he just stopped building houses. We have talked literally to dozens of builders to try to get them interested in building down there with no success. As a consequence, I put together a group of people to start buying some of the property down there. One of the buildings we bought is the building where the Westlake Yacht Club is. This was a PUD, a project that was supposed to be done ten years ago and it is not. One of the reasons we bought that building was to convert it. My partners and I have already bought the building and put a new metal roof on it and before we are done, we will have about \$2.5M invested in that building. I tell you that because some of the folks I spoke to about the storage units and I have met with a lot of the homeowners at the site, they are my neighbors and I live down there and have for eight years. They have said they didn't mind storage units; we just don't want them there up on Arizona Avenue near Erie and wanted to know if we could put them behind the red brick building where there is admittedly a big open lot, and there is. The problem with that plan and we looked at it is that by taking that parking lot behind the red brick building that I now own with my partners, we will be taking away the parking that we need for the events center that we are going to have there. We are putting in a micro brewery, a craft cocktail bar, a full service restaurant year-round and some commercial space and an event center up on the second floor that will be able to handle about 500-600 people. We will need parking because we cannot expect people to park on the streets; that is where people live and that would be very disruptive to my neighborhood. We have to keep the parking behind the building. The competition for parking with cars for the event center and boats that are stored there by the marina in the wintertime, we will use up every single square foot of parking and we will have to add probably another 20,000 square feet of pavement to just handle the boats and cars that will be there once this project is completed. That project, by the way, will probably employ full time twenty or twenty-five people when it is all done. It will be an absolute destination for people coming into the city for big events; it has a commanding view of the river, the bascule bridge and of the lake. It is just a fantastic 100 year old building. We are not asking for any abatements, loans or any other things from the government, no historical tax credits – nothing, we are doing this all with our own money. We are doing that and Mr. Spitzer wants that and he sold that building because that will generate more real estate tax revenue. It has already been increased in value by \$500,000, the real estate tax value on that and when we are done will be \$2.5M and those real estate taxes are going to go towards those bonds the city has issued and that Mr. Spitzer is personally guaranteeing. That is an important thing and that is why we can't use up that back property to put storage units in there. Going back up to Arizona Avenue, a different group of partners that I put together have bought that property that has sat vacant for eighteen years. It is just a rough lot and that lot on the north end is surrounded and we have pictures of the rack storage building that Jean's Marine owns and it sits right on the westerly property line and goes the entire depth or length of that property to the west. If you can picture it, the property has a twenty-five foot high white metal building that sits right on the property line. That covers the entire back end of the property. Then on the north of the property that we are talking about is the back end of a gas station. It has been

there ever since I can remember, 30+ years. It is a gas station and it is not the prettiest gas station in the world and it is what it is. It is a very busy gas station but that is on the north end of the property. On the east end across the street from Arizona, there is a house and it was one of the last houses actually built in Harborwalk thirteen years ago. It is a lovely house and the drive through beverage store. Twenty years ago, the drive thru beverage store looked pretty good, they had fixed it all up and it was really nice. It is now twenty years older and it does not look as good as it used to. There are weeds and tall grass behind it, there is usually a dump truck that is parked behind the drive thru beverage. The back end of that building, what I just described to you, is twenty feet away from the driveway of that home on Arizona that sits on the corner there. Folks walk out of their garage literally from here to the glass; they see weeds, a dump truck and the back end of a drive thru beverage store that is very, very busy. Those are the three things that surround this property. To the south of the property, it is empty right now. We are proposing to build four (4) 3300 square foot town homes there. Keep in mind that no new home has been built on the east side of Lorain or Harborwalk in thirteen years. So these four townhouses will be the first homes built in thirteen years. They are 3300 sq. feet and are three stories all together in one building just like the rest of Harborwalk and it will represent an investment of about \$1.3M just on the residential side. Then the storage units that we are proposing to go in that spot in between there will be another \$400,000+. When people ask why we are doing this, there are two reasons. The first is that together, it is close to \$2M in new investment and in addition to the \$2.5M that we are putting into the red brick building. That will generate a fair amount of real estate taxes which will help to pay those bonds that this city issued eighteen years ago. Secondly, I own the very first unit that was built down there and I had to put my money where my mouth was and I personally lived there for the last eight years. I know what we need; I have a single car garage and I own three cars and a motorcycle, paddle board and three pedal bikes. I literally borrow peoples' garages to park this stuff in. Having storage handy is important to me personally. But, when I talked to my neighbors and we sent out a survey and about 36 homeowners sent the surveys back and about 60 dockers sent them back. Exactly 30 percent listed storage units on the property in their top five amenities that they wanted. The first was a full service bar and restaurant. But one was also storage units on the property. They did not say where they wanted them and in the survey we didn't say here is where they could or could not go. We simply asked if this was an amenity that you would want. We are talking about 37 storage units here. The Design Review Board for the City has already reviewed it and we have created this storage in such a way that the sides of them, they will be perpendicular to the street – 3 buildings. The ends of them will look like homes as opposed to a normal storage unit. We are doing that out of sensitivity to the fact that we know we are in a mixed use area and there is a home across the street and also a drive thru beverage store and gas station and marina across the street. But, on that side we are going to do that. In addition to that, we will landscape it so it will look like the ends of homes. Instead of chain link fence, we are talking about putting up one of those decorative iron fences, including the gate. It will literally become a non-descript development and no one will know it is there. I have talked to the owner of Stanley Storage Units on Colorado Avenue; they have 262 units there and average 6 to 8 people a day coming in and out. We are talking about 37 units – 15 percent of what Stanley has. So, 15 percent of 6- 8 people a day is like one person or two people a day, literally that is how little traffic it will get. The drive thru gets that much in one hour, probably five times that much in an hours. So, we will not be adding any traffic with this development and you will not know it is there. Currently, you are looking at the side of a white metal building, 25 feet high; it is a storage facility to store boats; that is the difference. We are getting development out of it and this is a package deal. To make this deal work, we need to develop the whole .75 acre and this is the best thing we can do. I will add one other thing, the way it is currently zoned on the PUD, that end of the property it can be used for commercial purposes. A convenient store can go there, a Dunkin Donuts, etc. can go there which would generate significantly more traffic than a storage unit facility that will look nice and will generate one or two cars a day. Finally, one of those four townhouses is a

townhouse that I will live in and will be my personal residence. The other three are sold; two of the other units were sold to Lorainites who are going to move there. We would not invest the kind of money that we are going to invest in these townhouses if we thought for one second that the storage units would devalue our property. We are talking about building brand new. We don't have to build there or buy those units but we want to and are choosing to because we know how those storage units are going to be managed and we promised the Planning Commission, that is the Special Use part of this that we will limit the hours of operation and will not have lights coming off of the property and will not put up signage, etc. We will only give the storage units only to the folks who need them and that is my neighbors like me who have single car garages and extra toys, etc. that we need to get stored some place neatly away and close by. That commitment has been made and not just verbally, it is in writing under the Special Use Agreement that the Law Department prepared and that we have approved. We have done everything that we can think of to make it worthwhile. It sat or we keep an empty lot for another eighteen years and we eliminate a couple millions worth of development. I am happy to answer any questions after the residents speak. Thank you for giving me the opportunity.

COUNCILMEMBER SPRINGOWSKI: You stated you would have decorative fencing and the lighting would be discrete. How?

ANTHONY GIARDINI: The white metal building behind us sits right on the property line. That will be the western boundary for the development. You literally cannot get through the building; there is not even a door on that side of the building. To our north, there is the gas station but the wrought iron fence will run along that entire north boundary, along the entire front of the development with a locked gate that will be accessed only by a key code for those who have use of the storage facility. The south end will also have a fence, the three sides that are not on the marina side will all have landscaping in addition to the fence. There will also be video security cameras there and there will be a light on the property but it will just shine down on the site itself and not out to the street.

COUNCILMEMBER ARROYO: How many vacant properties are on the development?

ANTHONY GIARDINI: I can give you a rough idea because the lots are zero lot line lots; a building might have ten units in it. The development was designed for about 360 units and we are somewhere around 180.

COUNCILMEMBER ARROYO: Is there a timeline for your brewery, etc.?

ANTHONY GIARDINI: We have already started. We put a new metal roof on the building a few weeks ago and that was a couple hundred thousand bucks. That building is not cheap to fix up. Lakeland Glass will be installing all new glass in the building in about a month. We hope to be open by July of next year.

COUNCILMAN ARROYO: I appreciate the development and I did speak with some of the residents down there. I can agree with some of their concerns. They agreed to live in a development and I can understand their concern with having a storage unit where it is at. They are not against it. They agreed to a housing development and not storage units. Basically, for no development happening in eighteen years, that we start to open the door for this because developers are losing money, if we start it right here, then we will start to change the whole concept. If we open that door right now for the future we will continue to open that door to make some money. That is a concern that I have and I am not saying that I am against it. Looking at the map of the whole facility, I know the city has a part right off the river that is wetland. Is that something that the city or you are looking to develop and put more breweries, etc? Are there no other areas in this development that we can put this where it is not right there in front of these people 24/7, where people can come and crime might arise a little more, etc.

ANTHONY GIARDINI: Let's start with crime might arise; I met with about 16 of the residents who live right up there on Arizona Avenue. Keep in mind, 95 percent of the residents live down below where we are talking about and 90 percent of the residents could not see those storage units if they took out a telescope and stood on their deck. About 10 percent of the residents would be able to see some part of it and really only three residents would actually see what we are talking about. Those same three residents currently are

looking at a vacant lot that sometimes when it grows up in the summertime; it looks a little bit weedy. But, what they are also looking at 24/7 is the side of a 25 ft. high white metal building. They are looking at the back end of a gas station and one of the residents is looking at the back end of a drive thru beverage that has weeds growing up behind it and a dump truck usually parked right behind it – 20 feet away. We are talking about out of 180 resident homes, maybe three or four of them that will be able to see it and three or four of them would see it on a 24/7 – but what they are looking at right now is an empty field, some trees, a white metal building, a gas station and a drive thru. The question isn't whether or not we can put it someplace else; the question is "what do we put there?" Would you build a \$300,000 house on that lot? I wouldn't.

COUNCILMAN ARROYO: Why wouldn't you?

ANTHONY GIARDINI: Because there is a white metal building behind me, a gas station next to me and drive thru beverage store across the street.

COUNCILMAN ARROYO: So the gentleman that lives right across the street built a \$100,000+ home and they live across the street. Or, he bought it and he agreed to live there and to see that view and also see the river.

ANTHONY GIARDINI: You cannot....

COUNCILMAN ARROYO: You can see the river from his porch. I sat on his porch and I saw it.

ANTHONY GIARDINI: What you are saying is that if we put houses there, you will still be able to see the river from the porch?

COUNCILMAN ARROYO: But he agreed for houses to go there; not a commercial storage unit.

ANTHONY GIARDINI: So what is the difference if you cannot see the river then you can't see the river.

COUNCILMAN ARROYO: The difference is they decided to move to this property to live with people by the river and not live next to storage units. They knew when they moved there that those other facilities that have been there longer than 20 years; they knew what was there. Again, my concern is that if we open the door for this that as the properties continue not to sell that other commercial properties or businesses will try to develop into that area where these people agreed to live in a development of other houses by the river. That is my concern.

ANTHONY GIARDINI: The only thing I can say is Mr. Spitzer, Spitzer Great Lakes owns all the rest of that property, couldn't do what you just described without coming back to the city council and asking for approval to approve a change in the PUD. You wouldn't have to worry about other people coming down here; I would be coming down here.

COUNCILMAN ARROYO: That is what we are doing now though, you are going through the process.

ANTHONY GIARDINI: That is exactly right but we are talking about a property that is on the farthest northwest end of the development. We are not talking about in the middle of the development. You cannot get any further away from everyone than where we are right now.

COUNCILMAN ARROYO: I appreciate it, thank you.

PRESIDENT ARREDONDO: At this point in time, I will have to suspend this public hearing. The State of Ohio mandates that we start our council meetings at 6 p. m. We will continue the hearing right after the meeting.

REGULAR MEETING President Arredondo called the regular meeting to order at 6:01 p.m. Chaplain Angel Arroyo led Council in prayer and Pledge of Allegiance.

ROLL CALL:

PRESENT - 9 Messrs. Fallis, Springowski, Henley, Flores, Carter, Argenti, Moon, Arroyo, Thornsberry.
ABSENT - 2 Messrs. Koziura and Faga.

Moved by Mr. Thornsberry, supported by Mrs. Springowski, to excuse the absent members. The motion carried unanimously.

Moved by Mrs. Springowski, supported by Mr. Fallis, to recess into a Committee-of-the-Whole to continue comments from the previous public hearing.

AYES - 9

NAYS - 0

Messrs. Fallis, Springowski, Henley, Flores, Carter, Argenti, Moon, Arroyo, Thornsberry. None. The body recessed into a Committee-of-the-Whole at 6:03 p.m.

COMMITTEE-OF-THE-WHOLE

REMARKS: COUNCILMAN ARGENTI: This may well be a good project. However, with all due respect, the principals have had years to formulate this plan. I believe the residents involved deserve a couple weeks or months to process this and Council as well. I know that I am not intimately familiar with the areas they are talking about as I am of areas in my own ward. I would like a little time to process all this. I think it would be more appropriate to send this to the appropriate committee when this comes up on our agenda tonight rather than pushing it to a vote tonight. I think that is just out of respect for the citizens and residents concerned.

COUNCILMAN FLORES: I just want to comment on the gas station and Gene's Marine and drive thru establishments. Those are all in that area and you will obstruct the only view that the residents across the street have. Please keep that in mind. Sure they have to look at the back of a gas station, etc. but the only view that they have of the river - you will take away the only view they have. That is the point I wanted to make.

COUNCILMEMBER SPRINGOWSKI: How long has this been zoned as an R-PUD? Can someone explain what an R-PUD means?

ANTHONY GIARDINI: It has been zoned RPUD for at least eighteen years. That parcel we are talking about has always been under the original plan was supposed to be commercial. So, residents that expected to see residential across the street from them; that is not exactly correct. I don't know what the builder told them but the city's plans or the original plan eighteen years ago was that was going to be commercial behind the gas station. All along East Erie Avenue from Arizona down to Colorado was supposed to be commercial. Those lots are also empty; no builder has agreed to buy them yet. With respect to the view, Mr. Flores, you mentioned that. Even the residents agreed that they were told residences would be there across the street. If you put townhomes there like the other 150 units down there, they will not have a view of the river. That can happen now, if City Council does not do anything right now today, houses can be built on that property. A commercial development could go on the lot behind the gas station today. If City Council does not do a thing, there could be a convenient store across from the drive thru behind the gas station and next to Gene's Marine. There could be up to four townhouses on the rest of the property. If you reject what the planning commission has already approved, those two homes would have no direct view of the river. By the way, they really don't have a great view now because there are trees, etc. that obstruct it. With that said, the only people who will continue to have a view of the river are the people who live down further on Arizona in the three-story townhomes. They have views of the river and those views are not going to be obstructed.

COUNCILMEMBER CARTER: Mr. Giardini, have the residents been privy to the design of the storage units and the condo's?

ANTHONY GIARDINI: Yes, about a month ago, the President of the Homeowners Association called me, Mr. Hartman. He arranged to have about 12 to 14 residents, most of who just live right up there off of Arizona, meet with me on the site. We spent about an hour looking at site lines and during that time I showed them renderings of the townhomes and the design for the storage units. I will say this, at the conclusion of that meeting, two people - who live right directly across street were still opposed but two other people who where there asked me if they could rent storage units once they were built.

PRESIDENT ARREDONDO: Anyone from the public that would like to speak, please come up to the mic and you have three minutes to speak. Please state your name and address for the record.

VICKY HAWKE, 377 Driftwood: I am not sure where to start. I wanted to thank Mr. Giardini for spearheading the development that brought my husband and I from Cuyahoga County to Lorain County. I never thought that was going to happen because of this village, this marine village, this Nantucket-like setting that was near the water. Who knew about Lorain? I had people asking me why you would do that. It was because that development was so attractive to us. We were told a lot of things and a lot of them didn't happen as we just heard. We were always sure it was going to be a housing development. We live right on Driftwood Drive. There are only sixteen individual houses. Unfortunately, we were not one of the ones contacted to see these plans. I would have loved to have done that. I am just fortunate that we received a notice from one of the other residents telling us about this happening and I was shocked. Right in our neighborhood, which is not a problem and it is not about our neighborhood because I don't want it to ever be about that, we came there with the idea that we were moving into a diverse marine village. There were bridges, boats, storage racks and a wharf – we loved it and loved the whole idea. We had a friend from the Ozarks who came to visit us one time and told us we were very lucky. We were attracted to that. To hear about storage units – I don't care how pretty they will be. I applaud the fact that the developers want to do this and utilize that land. I don't know if that is the best use of that land. I remember when we were told that there would be a restaurant there and lots of things and then the economy tanked and we all know things changed. Does this open the door to other things? We paid a lot of money for the house but again, it is not about us, it is about what is good for Lorain. I really think that is the front door to Lorain, by the way, I did send everyone an email and called you also. Excuse me for being nervous, I have not talked to City Council in a long time. We were really looking for you to think about what is best for the city. When that development was made, and thank you Mr. Giardini for spearheading it again, because it was really a great asset to Lorain. I don't want that to change. I want to see more, I want to see us market it and with all the happenings in Lorain right now and all the new breweries and restaurant, etc., festivals, which we love to hear right across the river. It is wonderful. Lorain is on the cusp of doing something great. I appreciate the fact that people need storage units. I understand there are other storage units that are viable down the street around the corner and they should be built somewhere where they are less obtrusive and not disturb the front door of our city. Now that we are citizens of Lorain, we want the best for Lorain and we don't think the storage units, as pretty as they are going to be, is going to be that. I hope I covered it all and I didn't know there was going to be a 500 capacity event center at the bottom of our street in Harborwalk. That will also be interesting. There still seems to be plenty of land along the docks. I think we just need to do a study of that land to see where we can put those storage units because I don't think at the front door right on Main Street is the best place for them.

PRESIDENT ARREDONDO: You have one minute.

VICKY HAWKE: I will let other people talk and I do have to leave for another commitment. Again, I would be happy to talk to anyone or meet with anyone. I thank Mrs. Henley for meeting with us the other day and for some of the council members that have called me back. I appreciate what you said. We knew the view was not going to be there. When we built our house, we knew we only had a little bit of the river. The idea that we would ever see storage units was never part of the deal. I just want you to reconsider that and we didn't know about this and these things happening and I appreciate Mr. Argenti saying that because we would have liked to have had more time. Every time I talk with another neighbor, they said what is going on? They didn't know about it. Even though we got a letter from the Zoning, not really a letter but a notice that listed the different parcels in the rezoning; it really didn't explain what was going on. Thank you.

PRESIDENT ARREDONDO: Thank you for your comments.

JERRY DONOVAN, Oakhill Blvd.: I am speaking not in support of this project or against it. I am speaking of my concern for the City of Lorain. I have attended many Council

meetings while members have struggled with what is in the best interest of the City of Lorain. In order that we may attract other people to come and live in Lorain, like the prior speaker, are we going to attract other developers into Lorain? Mr. Giardini, who I consider a friend, does not enter into it when he says that this has been a vacant lot for eighteen years. Take a ride around Lorain and see all of the other vacant lots that have been there for many, many years. That is what we are going to try and get rid of. When you are making this decision, I would make it not in the best interest of Mr. Giardini or his investors, but in the best interest and if that coincides with the best interest of the City of Lorain, more power to it. But I think we have to consider everything and not just the residents of Harborwalk but of all of Lorain because all of us have a stake in this, all of us have a stake in the decisions that you, as a Council, make. So, you just cannot localize your decision on what is best for the people down there, you have to make based on what is best for the City of Lorain. I have a lot of confidence that whatever decision you arrive at will be in the best interest of the citizens of Lorain.

LESLIE RICHARDSON, 309 Bascule Drive, Lorain: I live in the house that Mr. Giardini says doesn't have a view anywhere from any side. I think I know best what the view is like from that house; I have been there for thirteen years now. What we see is that we do have a beautiful view of the river contrary to what has been said. That view comes off of our front porch and off of our side porch currently. Our porch wraps around the house. Yes, there is a white storage building in the distance close to the bridge but I have never really noticed it because we have a beautiful view from the rest of the house. There is a drive thru behind our house. If you are familiar with the way our house was designed, there are cluster homes down there on Harborwalk. They have a garage in the back and all of the living takes place up front. So, we don't really see the beverage store all that much except when we are sitting on our side porch. Also, there is a vacant lot between the beverage store and my garage. That vacant lot is currently owned by Spitzer. The lot that Mr. Giardini is saying has weeds growing up and trash on it. We sometimes have difficulty getting that lot mowed. I have a petition that I wish to enter into the record for the council to view. I have copies for all if you can distribute them. I traveled around our development and spoke with as many people as I possibly could over this past week. I have to tell you, I probably spoke with at least 50 people. I only had one person tell me that they really had not made up their mind about it. Everyone was against and signed the petition; they were against having that storage facility sprout up in our community amongst all the residences. Everybody expects that property to be homes, we expected it to be a home and that is what we were told when we built there thirteen years ago. I have one person tell me that they had not made up their mind. I did hear many comments from residents about, "do they have to build it up there? Isn't there someplace else near the boat docks? I was asked that question many times. I went to the auditor's office to see a exact depiction of what Harborwalk looked like and who owned what property. There is a lot of property down there that is owned by Spitzer. A lot of it would be more suitable for that storage facility. Mr. Giardini asked, "Would you buy a house there on that property where he wants to build the storage facility currently?" I say there would be a lot of people that would want to build a house there because it is a wonderful community. It all depends on what you build there; if you build it, they will come. I can tell you the weekends, particularly in the summertime, that we have people driving through our development. You can tell they are all looking at it like they wished they lived here. There is not a single sign in our development and hasn't been for years, telling people who to contact to buy a home. The signs that are there have been weathered and not even visible; there is not even a phone number. I don't really know that I necessarily believe there has been much of an attempt to sell the real estate that is down there in our development. Mr. Giardini also cited that the Stanley Units down the street gets six to seven visits per day at that storage facility that is what they average. They are not designated to be a boat supply storage place. In the summertime, I guarantee you; we will have more than six or seven people driving in there. Are they going to be coming down Arizona pulling boats and trailers and large vehicles and being a nuisance generally, I don't know, we don't have a storage facility there right now to measure. All I can say is that

thirteen years ago when my husband and I came to Lorain, we came from the far eastside, Concord, Ohio. We raised our family there but we were looking for waterfront property to retire on. When I turned down Arizona to come into the development, I thought I was in San Diego, it is a beautiful development and a beautiful community and it's got beautiful neighbors too. I know because I worked in California for four or five years before I retired. We want it to stay that way and I appreciate your time, especially those people that came out to meet with us this past week and those I have spoken with on the phone.

BILL RICHARDSON, 309 Bascule Drive: I am Leslie's husband. I hear a lot of comments, primarily some of the issues that we are dealing with is that despite, and I am sure Mr. Giardini said in good faith that the land there was never intended to be used for residential housing. Unfortunately, when we purchased our home site to Black River development they had a beautiful layout of what was going to be where, what the housing was going to look like and where they were going to be placed. I think if you look back, you will see that was represented as residential housing that would be across the street from us. We checked the zoning of R-PUD before we bought our place. We have been there thirteen years and have enjoyed it. A lot of representation has been made about the gas station, drive thru and Gene's Marine. All of those face onto Erie Avenue, none of those face onto Arizona Avenue. Arizona Avenue, that land is currently zoned as R-PUD 1 and yes it can have a commercial development component in there but I can't see someone taking approximately 30,000 square feet that you are asking for a zoning change and putting a McDonalds or some other commercial thing, there would not be room for building and parking there so I don't think that is really an issue. There are other areas in Harborwalk that could be utilized to put in a storage unit facility and we have the site map and would be glad to share it with anyone who is interested in looking at it. There is a tremendous amount of undeveloped land out there. Much of it is filled up with things like boat racks, etc. and weeds, talking about weeds; they are all over the place down there. I don't know that there has been as study done about whether the proposed zoning is for the highest and best use of that land there from a tax standpoint. Everyone jumps through and we are going to do this and it will generate that much tax, but is that the appropriate best use and we are going to further develop Lorain's tax base, which we all know is a constant fight. I also believe that there will be an erosion of property values, especially on the upper end of the development if Council allows this to go through and changes the zoning for these storage units to be built up there. Interestingly enough, we did go around and provide petitions for people to sign. We got 49 signatures, there were many people down on the lower end that didn't answer their doors or were not home. We did leave information and did have to call back and drive back down to get more signatures. As my wife stated, there was one person who had not made up their mind out of all the people we spoke with. That was pretty enlightening. There has been some discussion about changing the zoning to light industrial and there has also been some discussion from what Mr. Giardini told us that the owner of the gas station wants to buy ten to twenty feet of the land directly south of his current facility. He has a little building on the side he sells drinks and what not out of and he wants to tear that down and put up a convenient store in there. That will once again start the conversion and allow more commercial development to start at that end of our development. When people drive in, that is the first thing they will see. Thank you.

PRESIDENT ARREDONDO: According to this petition, there are 52 signatures.

DENVER CASTO, 3516 Jaeger Road; The only question I have is that we were here a few weeks ago and we had the gentleman with the new Lorain. He showed on the east side and what they were going to do with the long docks. Now, you want to put storage in there. How will that affect that plan? If we are going to beautify Lorain and we want people to come into Lorain and doing all these studies to upgrade the city. Why weren't these storage sheds included in that study? I have been here for 50 years, we suffered but we are on our way back. There are some good plans out there, let's not jeopardize or get ahead of what we are doing on the five year plan that was given to this council and the administration.

ANTHONY GIARDINI: I know the view Mrs. Richardson is talking about to the river from her porch. Our proposed development will not impact that view. She is talking about

the view south to the river. It is a beautiful view and we talked about that when I met with the Richardsons' and the other fourteen residents; that view will not be obstructed. First of all, it has nothing to do with the storage units because they are at the far north end of the property. Her view is the south from her front porch and that view won't be obstructed, not even by the townhouses. In fact, her view to the south will actually be improved because we have permission from Spitzer, when we build them, to take out all those shrubs, etc., that are about four or five feet high, down and plant it in grass so that she and her neighbor across the street and all the folks who live down Arizona Ave. will have a better view looking southwest once we are done with the entire project. With respect to her comment about the weeds that I mentioned behind her house by her garage, these pictures were taken just a few days ago. I will pass them around. The first one was taken standing right in her driveway looking at the back of the drive thru beverage, you can see that the high green stuff is actually on the drive thru's property and not on Spitzer property. The next picture is what they see from their side porch looking toward the west. For those who live next door to them, what they see from their back yard going further east on the east side of the drive thru. Here is a picture of the drive thru with a dump truck behind it. That is not on Spitzer property but on the drive thru property. I don't think she intended to misrepresent you but the view she says she has, she will continue to have and it will even be better than before because we plan to take down the rest of that foliage that would be her southwest view and the townhouses will not go far enough down to obstruct it.

COUNCILMAN FALLIS: I have an observation. I like the design of the project and the storage units. However, visually I do not know of any key housing project that had storage units as part of their entrance way. I hear the concerns of the residents relative to this being an obtrusive function on that property relative to storage units and people coming in and out. I have heartburn changing zoning when people make a significant investment in an area where they are expecting residential property. I know there are other things that can go in there and I just learned that tonight. I don't know if the highest and best uses of that property; I am not an expert and we do not have that information. I just have some serious reservations about it being obtrusive to fifty plus who signed the petition. I know there is a lot of property over there and I think we should explore other areas for storage units. I take a look at the number and there are 39 units and 170 folks that live in Harborwalk. I could see the number of storage units that could be sold would be more than 39. I am thinking there is probably a little larger parcel of property that might solve a market need over there besides the one we are looking at tonight. Those are my thoughts and observations. Thank you.

COUNCILMEMBER HENLEY: I would like to clarify with Mr. Giardini that the investment made into these storage units is tied hand and hand with the four condos going down the street. Now you are talking an investment totally of \$2M?

TONIA DERAMO, 303 Arizona Ave.; I would like to thank everyone and I wish to comment to the councilman that more information was needed. Yes, there was a survey completed but I live at 303 Arizona and was never given a survey. I question how the survey was given to the residents or the boaters. With Mr. Giardini being a homeowner at Harborwalk, I would assume that all residents of Harborwalk would have received the survey. When it says 30%, which is 30% of whom? My second comment is that we are talking about four residences and a storage unit. I moved out of state to come here and I love this development. Those residences will not be part of the Harborwalk development. (Responses not audible)

TONIA DERAMO: They are not part of the association, nor will they look like any of the houses in our association is that correct? That is a concern to me. We are talking about people coming down to a development where there are a lot of wonderful events; I have seen all the festivals and concerts down there. These will not be part of our association nor will they look like part of our association and that is just on the townhouses.

PRESIDENT ARREDONDO: What is the population of Harborwalk?

ANTHONY GIARDINI: People-wise I am not sure but unit-wise it is about 180.

PRESIDENT ARREDONDO: Mr. Fallis made a statement that it was 170.

ANTHONY GIARDINI: There are probably two to three people per unit so maybe 300 people.

PRESIDENT ARREDONDO: So these petitions that were signed were like two people in the unit so maybe two or three people signed it?

ANTHONY GIARDINI: I do not know; it could be.

PRESIDENT ARREDONDO: If we are talking numbers and talking 170 people, I see 52 people not in favor of it. I know we are supposed to be a democracy where the majority rules. I was just asking with the percentages, etc. Other comments were made from people saying they were not informed, etc. Those are things that it is up to council to decide what they would like to do.

ANTHONY GIARDINI: We hired someone to deliver them; we didn't use the post office. If some people didn't get them, then they didn't get them and we accept that. We did mail them out to the dockers because some of the dockers do not live in Harborwalk to see what they wanted. It is exactly 30 percent rated storage units on the property as one of the top five amenities.

PRESIDENT ARREDONDO: With no further comments, at this point in time I will adjourn the Committee-of-the-Whole to return to the regular meeting. I wish to thank all the people who came out today to voice their opinions; you are welcome to stay for the meeting.

PRESIDENT ARREDONDO reconvened the regular meeting at 6:40 p.m. All nine members were present.

DISPOSITION OF MINUTES:

Moved by Mr. Fallis, supported by Mr. Thornsberry, to dispense with the reading of the minutes and accept them as written. The motion carried unanimously.

CORRESPONDENCE AND/OR COMMUNICATIONS FROM THE MAYOR: (none)

CLERK GREER announced a request from Councilman Arroyo to suspend the regular order of business and to allow for consideration of item 9-a (a resolution commending Trent Jackson). Moved by Mrs. Springowski, supported by Mr. Arroyo, to waive the rules and allow for consideration of item 9-a. The motion carried unanimously.

LEGISLATION – FIRST READING:

Resolution No. 35-18 a.) Introduced by Mr. Arroyo, a resolution recognizing and commending Lorain High Junior, Trent Jackson, on achieving a perfect score of 36 on his ACT test.

Moved by Mr. Arroyo, supported by Mrs. Springowski, to suspend the statutory three reading rule.

AYES – 9 Messrs. Fallis, Springowski, Henley, Flores, Carter, Argenti, Moon, Arroyo, Thornsberry.
NAYS - 0 None. The rule was suspended.

REMARKS: COUNCILMEMBER HENLEY: I would like to commend this young man on an outstanding job.

Moved by Mr. Arroyo, supported by Mrs. Springowski, to pass the resolution.

AYES – 9 Messrs. Fallis, Springowski, Henley, Flores, Carter, Argenti, Moon, Arroyo, Thornsberry.
NAYS - 0 None. The resolution passed.

**At this point, Councilmember Arroyo read and then presented the official commendation to Lorain High Junior, Trent Jackson, and noted his achievements and future plans. Trent's family and friends, teachers and school administrators present were also acknowledged and commended.*

CORRESPONDENCE FROM DIRECTORS, BOARDS AND COMMISSIONS, ETC.:

a.) Correspondence from Human Resource Director Lisa Zamiska requesting that council schedule a committee meeting for Monday, Oct. 22nd to discuss and review the BHP

salaries and reorganization. Without objection, President Arredondo order to receive and file the correspondence. The motion carried.

- b & c.) Lorain City Planning Commission's letters dated October 3, 2018, recommending denial of two applications to rezone 3618 Elyria Avenue from B-1 to I-2 Heavy Industrial and six vacant parcels of land located directly across the street from 35618 Elyria Ave. from R-3 to I-2 Heavy Industrial for a salvage yard. Clerk Greer noted a Public Hearing has been scheduled for both items on November 19, 2018 @ 5:30 p.m. in the Council Chamber.

Moved by Mrs. Springowski, supported by Mr. Fallis, to concur with the committee's recommendation. The motion carried with Mr. Flores voting "no."

- d.) Treasurer Soto's submission of the third quarter income tax receipts report and it includes both the Police & Road Repair Levy allocations. Without objection, President Arredondo ordered to receive and file the correspondence. The motion carried.

REMARKS: **PRESIDENT ARREDONDO:** Welcome Mayor. We passed you up because we were waiting for you and I will revert back to communications from the Mayor.

MAYOR RITENAUER: Just a few items. To you, congratulations on Mexican Mutual's event celebrating 90 years this weekend; I saw many of you there. I thought it was a fabulous event and 270 strong! My congratulations to the committee, I thought it was a very well done event and wish I could have stayed longer.

The Historical Society also had a very well done event as well. There were a lot of positive things happening in the community this weekend. Certainly these will continue into the future. A housekeeping item, it is campaign sign season. This our friendly warning, a notification – do not put your signs on city property or in the city right of ways. We will be removing them if we see them. I have seen a few already out there. If you see them, find a way to let them know. If we see those pop up in right of ways, we will be removing them and taking them to the street department.

CORRESPONDENCE FROM OTHER

GOVERNMENTAL AGENCIES:

- a.) OH Department of Liquor Control's notification of a new C2 permit application for Dolgen Midwest LLC, d/b/a Dollar General @ 1673 E. 28th Street. Moved by Ms. Moon, supported by Mrs. Springowski, to authorize the Clerk to notify the board that no objections have been received. The motion carried.

CORRESPONDENCE FROM THE GENERAL PUBLIC: (none)

COMMITTEE REPORTS: The Finance/Claims & All Council Committee met on Monday, Oct. 8, 2018, to discuss correspondence from Law Director Riley addressing the proposal to expand the Housing Court Docket along with the related costs associated with the expansion, the committee recommends to receive and approve the Law Director's report and continue discussion pertaining to the funding during the upcoming budget hearings.

Moved by Mr. Fallis, supported by Mrs. Springowski, to concur with the committee recommendation. The motion carried.

LEGISLATION – FIRST READING:

Resolution No. 36-18

b.) Introduced by Mrs. Springowski, a resolution supporting the United Steelworkers Local 979 during their current contract negotiations with Arcelormittal Cleveland.

Moved by Mrs. Springowski, supported by Mr. Fallis, to suspend the statutory three reading rule.

AYES - 9 Messrs. Fallis, Springowski, Henley, Flores, Carter, Argenti, Moon, Arroyo, Thornsberry.

NAYS - 0 None. The rule was suspended.

REMARKS: **COUNCILMEMBER SPRINGOWSKI:** I received this request at the steelworkers hall in Lorain. They are still waiting on trying to get a fair contract and they keep bringing back

absolutely ridiculous demands. This would go far below a fair days work for a fair days pay. What is happening is union busting at its finest. We need to support these people. The steelworkers in Lorain have been the backbone of our community. This is in support of all the steelworkers across the nation that are struggling to come back after they were decimated with the foreign dumping here. I ask that we all pass this and stand in support with our brothers and sisters.

Moved by Mrs. Springowski, supported by Mr. Fallis, to pass the resolution.

AYES – 8 Messrs. Fallis, Springowski, Henley, Flores, Carter, Argenti, Moon, Thornsberry. (Mr. Arroyo left his seat momentarily.)

NAYS - 0 None. The resolution passed.

Proposed Resolution c.) Introduced by Mrs. Springowski, a resolution opposing the adoption of of State Issue 1, entitled “Issue 1 – to reduce penalties for crimes of obtaining, possessing and using illegal drugs.”

Moved by Mrs. Springowski, supported by Mr. Fallis, to suspend the statutory three reading rule.

AYES – 8 Messrs. Fallis, Springowski, Henley, Flores, Carter, Argenti, Moon, Arroyo.

NAYS - 1 Mr. Thornsberry. The rule was not suspended and the resolution moved to a Second Reading.

Resolution No. 37-18 d.) Introduced by Mr. Fallis, a resolution accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the Lorain County Auditor.

Moved by Mr. Fallis, supported by Mrs. Springowski, to suspend the statutory three reading rule.

AYES – 9 Messrs. Fallis, Springowski, Henley, Flores, Carter, Argenti, Moon, Arroyo, Thornsberry.

NAYS - 0 None. The rule was suspended.

Moved by Mr. Fallis, supported by Mrs. Springowski, to pass the resolution.

AYES – 9 Messrs. Fallis, Springowski, Henley, Flores, Carter, Argenti, Moon, Arroyo, Thornsberry.

NAYS - 0 None. The resolution passed.

Proposed Ordinance e.) Introduced by Mrs. Springowski, an ordinance adopting the recommendation of the City of Lorain Planning Commission to approve the request for the reclassification of property located on the west side of Arizona Avenue, Lorain, Ohio, from R-PUD to I-1 Light Industrial, contingent upon a Special Land Use agreement limiting the permitted use under the I-1 Light Industrial District, Lorain Codified Ordinance Section 1171.02, to the use permitted under subsection 10-d, Warehousing and Storage Services.

Moved by Mrs. Springowski, supported by Mr. Arroyo, to suspend the statutory three reading rule.

AYES – 7 Messrs. Henley, Flores, Carter, Argenti, Moon, Arroyo, Thornsberry.

NAYS - 2 Messrs. Fallis, Springowski. The rule was not suspended and the ordinance moved to a Second Reading.

Ordinance No. 133-18 f.) Introduced by Mrs. Springowski, an ordinance authorizing the Safety/Service Director to extend the contract with TRC Environmental Corp. for professional services related to the environmental consulting of the Stoveworks site.

Moved by Mrs. Springowski, supported by Mr. Thornsberry, to suspend the statutory three reading rule.

AYES – 9 Messrs. Fallis, Springowski, Henley, Flores, Carter, Argenti, Moon, Arroyo, Thornsberry.

NAYS – 0 None. The rule was suspended.

REMARKS: COUNCILMAN FLORES: I am looking at the appropriating funds later on in the agenda. Was there an increase in the improvements for that property?

MAYOR: Ms. Glenn and the vendor are here to talk about it further. But basically, when explained to council the amount you appropriated initially was for demolition and cleanup of the site. This begins the environmental cleanup. There are five stages to it and this

would only fund the first three. This is beyond what we have already paid for. This is trying to get the site ready for some type of use, whereas the first appropriation was only for the demo and clearing of the property. I am sure Ms. Glenn can fill you in a little more.
COUNCILMAN FLORES: Can you give us a total before and then now. We will be appropriating more to cover the cost?

KELLIE GLENN, BHP DIRECTOR: If you remember back in February, we had appropriated money to start the environmental cleanup portion. We also stated at that time that we would not be able to determine the entire environmental cleanup cost because there were so many piles of debris on the site. In September, we began the demolition portion and we were able to remove the piles of debris and continue the environmental testing. This is why we need this additional \$176,000, to complete the environmental plan. It is only for stages 1 - 3.

COUNCILMAN FLORES: What was the original cost?

KELLIE GLENN: It was \$93,000 and it included a contingency that we had. We still have a contingency left over of almost \$9,000. In addition to that, the demo portion will be completed by Friday or Saturday of this week, so we also have an additional \$56,000 left in the contingency for that. The money is from a combination of years. Also understand that in fiscal year 18, we put aside almost \$350,000 for the Stoveworks. So, we are well under budget. The only thing we will not be doing is the VAP process. If we find someone to build on that site, as long as they don't have a basement, then they do not have to do the VAP process.

COUNCILMAN FALLIS: You said "VAP" process? I didn't catch that.

KELLIE GLENN: That is the volunteer action plan. You clean up to a certain point but must divulge to whomever the buyer is what was remaining. You will never be able to clean the site 100%.

Moved by Mrs. Springowski, supported by Mr. Thornsberry, to pass the ordinance.

AYES – 9 Messrs. Fallis, Springowski, Henley, Flores, Carter, Argenti, Moon, Arroyo, Thornsberry.
NAYS - 0 None. The ordinance passed.

Ordinance No. 134-18 g.) Introduced by Mr. Thornsberry, an ordinance authorizing the Safety/Service Director to enter into contracts for the purchase of supplies for use by the Lorain Utilities Department Division of the City of Lorain, State of Ohio and declaring an emergency.

REMARKS: COUNCILMEMBER THORNSBERRY: Item 9-g is essentially a replacement for 11-c on the agenda. There are two changes and we could not make those changes because 11-c was at a Third Reading. The two changes are found on the front page, the \$400,000 increased to \$500,000 and the last page items 285 and on the back 286 are the two changes. This is the item that is on at a Third Reading with two changes. We will make a motion to withdraw item 11-c later on.

Moved by Mr. Thornsberry, supported by Mrs. Springowski, to suspend the statutory three reading rule.

AYES – 9 Messrs. Fallis, Springowski, Henley, Flores, Carter, Argenti, Moon, Arroyo, Thornsberry.
NAYS - 0 None. The rule was suspended.

Moved by Mr. Thornsberry, supported by Mrs. Springowski, to pass the ordinance.

AYES – 9 Messrs. Fallis, Springowski, Henley, Flores, Carter, Argenti, Moon, Arroyo, Thornsberry.
NAYS - 0 None. The ordinance passed.

Ordinance No. 135-18 h.) Introduced by Mrs. Springowski, an ordinance adopting the City of Lorain's Comprehensive Land Use Plan.

Moved by Mrs. Springowski, supported by Mr. Thornsberry, to suspend the statutory three reading rule.

AYES – 9 Messrs. Fallis, Springowski, Henley, Flores, Carter, Argenti, Moon, Arroyo, Thornsberry.
NAYS - 0 None. The rule was suspended.

REMARKS: COUNCILMEMBER FALLIS: This document is fairly comprehensive. There are a lot of things I think that this city can do and incorporate to move forward with that. It is so comprehensive that I think we need to take a look at putting some sort of timeline together

as to when we want to start projects and who will be responsible for what, etc. I do not know where we start and how we get this off the ground.

MAYOR: Your point is well taken in terms of just the amount of information in the plan. Although I have seen plans that are far more voluminous; I like the actual makeup and feel of how this plan looks. I think there are a lot of pictures and it has a more modern feel and look. Plans, like a lot of things in life change. You can see what is going on down Broadway right now. A year and a half or two years ago, we probably would not have thought that possible. What I would offer, a lot of what is in that plan we are starting to see put into place. I never intended for it to be a plan where we pass it –great, we have a Comprehensive Plan and can shop that around to developers and that is what it remains. I think it is a plan that needs consistent monitoring and revisions. Perhaps we can look at it on an annual basis or perhaps mid-next year. There are a number of different ways to go about it but it is contingent on the administration as well as council to be monitoring what is it in that plan to make sure we are taking steps in that direction and the things we are doing and legislation we are passing is consistent with that plan and advancing its goals.

COUNCILMEMBER FALLIS: I fear that if we wait six months and nothing is going on.... I see there are about 20 different things we can chose to do. Maybe those should be prioritized into one, two and three instead of waiting and not trying to push the needle on any item at all. I would just like some focus on it.

MAYOR: I would say some components, for example the housing code was brought up just last week. There was a meeting talking about that issue. Downtown was brought up in terms of the uses of property and we are seeing that going on. I also say with the plan, remember there is another component to this and that is the zoning code. That is currently being reviewed to go before the planning commission as well as council. That is a key component. When we did this, it was always for a land use plan and an updated zoning code and that is sort of in tandem with the Comprehensive Plan. I would be happy to revisit this and discuss benchmarks at the end of the year for 2019; I am open to that.

COUNCILMEMBER SPRINGOWSKI: I concur with what the Mayor stated. We have already started some of the stuff that was planned and in some cases we do have to wait on the updates to the zoning code and other things being reviewed right now. It would be foolish to go too far too fast and have to go back and redo things. We are moving forward in a way that could be noted as cautiously optimistic.

LAW DIRECTOR RILEY: I spoke with the Safety/Service Director and the Mayor about how it is that we might take the plan itself and make it enforceable or put into action so to speak. As we discussed the issues and as you will see in Section 2 of this ordinance, you will find the phrase, “as may be practicable” that means that you are charging your executive officers of the City to implement this plan as may be practicable. I think that line is in the observations of Mr. Fallis, Mrs. Springowski and the Mayor. When it comes to us that we can implement the plan, if we are in a position to do so, we are required to do so as the ordinance states.

Moved by Mrs. Springowski, supported by Mr. Thornsberry, to pass the ordinance.

AYES – 9 Messrs. Fallis, Springowski, Henley, Flores, Carter, Argenti, Moon, Arroyo, Thornsberry.
NAYS - 0 None. The ordinance passed.

Ordinance No. 136-18 i.) Introduced by Mr. Thornsberry, an ordinance authorizing and directing the Safety/Service Director to advertise for bids and enter into contracts pursuant to O.R.C. 735.05 for the purchase of materials and supplies for the City of Lorain, Department of Public Property for a period of twelve months and declaring an emergency.

Moved by Mr. Thornsberry, supported by Mr. Fallis, to suspend the statutory three reading rule.

AYES – 9 Messrs. Fallis, Springowski, Henley, Flores, Carter, Argenti, Moon, Arroyo, Thornsberry.
NAYS - 0 None. The rule was suspended.

REMARKS: COUNCILMEMBER CARTER: Can you explain the specs please?
SAFETY/SERVICE DIRECTOR GIVEN: The attachment outlines the different materials that the utility department uses. Those materials, the quantities vary and we have to go out

for bid every year on them to find out the price, etc. We then contract for those items throughout the year at the specified price. The dollar amounts presented are based upon expected overall costs for a given year. We do this every year to make sure employees have all the materials.

COUNCILMEMBER FLORES: This is for the purchase of materials and supplies. If we look at 11-b, can you explain the difference.

CLERK GREER advised this ordinance pertains to the Department of Public Property.

Moved by Mr. Thornsberry, supported by Mr. Fallis, to pass the ordinance.

AYES – 9 Messrs. Fallis, Springowski, Henley, Flores, Carter, Argenti, Moon, Arroyo, Thornsberry.
NAYS - 0 None. The ordinance passed.

Ordinance No. 137-18 j.) Introduced by Mr. Fallis, an ordinance authorizing the Safety/Service Director of the City of Lorain, Ohio to grant an easement to the Lorain County Metro Parks for the Black River Bike Trail Phase 3B project.

Moved by Mr. Fallis, supported by Mrs. Springowski, to suspend the statutory three reading rule.

AYES – 9 Messrs. Fallis, Springowski, Henley, Flores, Carter, Argenti, Moon, Arroyo, Thornsberry.
NAYS - 0 None. The rule was suspended.

Moved by Mr. Fallis, supported by Mrs. Springowski, to pass the ordinance.

AYES – 9 Messrs. Fallis, Springowski, Henley, Flores, Carter, Argenti, Moon, Arroyo, Thornsberry.
NAYS - 0 None. The ordinance passed.

Ordinance No. 138-18 k.) Introduced by Mr. Fallis, an ordinance appropriating funds for current expenses and other expenditures of the City of Lorain, State of Ohio as passed by Ord. 138-17, beginning January 1, 2018, and ending Dec. 31, 2018 and declaring it an emergency.

Moved by Mr. Fallis, supported by Mrs. Springowski, to suspend the statutory three reading rule.

AYES – 9 Messrs. Fallis, Springowski, Henley, Flores, Carter, Argenti, Moon, Arroyo, Thornsberry.
NAYS - 0 None. The rule was suspended.

Moved by Mr. Fallis, supported by Mrs. Springowski, to pass the ordinance.

AYES – 9 Messrs. Fallis, Springowski, Henley, Flores, Carter, Argenti, Moon, Arroyo, Thornsberry.
NAYS - 0 None. The ordinance passed.

Ordinance No. 139-18 l.) Introduced by Mr. Fallis, an ordinance transferring funds for current expenses and other expenditures of the City of Lorain, State of Ohio, as passed by Ord. 138-17, beginning Jan. 1, 2018 and ending Dec. 31, 2018 and declaring an emergency.

Moved by Mr. Fallis, supported by Mrs. Springowski, to suspend the statutory three reading rule.

AYES – 9 Messrs. Fallis, Springowski, Henley, Flores, Carter, Argenti, Moon, Arroyo, Thornsberry.
NAYS - 0 None. The rule was suspended.

Moved by Mr. Fallis, supported by Mrs. Springowski, to pass the ordinance.

AYES – 9 Messrs. Fallis, Springowski, Henley, Flores, Carter, Argenti, Moon, Arroyo, Thornsberry.
NAYS - 0 None. The ordinance passed.

LEGISLATION – SECOND READING:

Proposed Ordinance a.) Introduced by Messrs. Faga and Fallis, an ordinance amending Section 913.305 – Rates for Sewer Rental Outside of the City Limits of the Codified Ordinances of the City of Lorain, Ohio and declaring an emergency.

Moved by Mr. Fallis, supported by Mr. Thornsberry, to refer the matter to a Third Reading.

AYES – 9 Messrs. Fallis, Springowski, Henley, Flores, Carter, Argenti, Moon, Arroyo, Thornsberry.
NAYS - 0 None. The motion carried and the ordinance moved to a Third Reading.

LEGISLATION – THIRD READING:

Ordinance No. 140-18 a.) Introduced by Messrs. Faga and Thornsberry, an ordinance authorizing the Safety/Service Director to enter into a contract with the lowest and best bidder for the

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hauling and disposal of liquid sludge and/or filter cake from two (2) Lorain Water Pollution Control Plants for a two-year period, with two optional one (1) year extensions.

Moved by Mr. Thornsberry, supported by Mrs. Springowski, to pass the ordinance.

AYES – 9 Messrs. Fallis, Springowski, Henley, Flores, Carter, Argenti, Moon, Arroyo, Thornsberry.
NAYS - 0 None. The ordinance passed.

Ordinance No. 141-18 b.) Introduced by Messrs. Faga and Thornsberry, an ordinance authorizing the Safety/Service Director to enter into a contract for the purchase of water meters and meter equipment for use by the Utilities Department for the City of Lorain, State of Ohio for a one-year period with one optional one-year extension and declaring an emergency.

Moved by Mr. Thornsberry, supported by Mr. Fallis, to pass the ordinance.

AYES – 9 Messrs. Fallis, Springowski, Henley, Flores, Carter, Argenti, Moon, Arroyo, Thornsberry.
NAYS - 0 None. The ordinance passed.

Proposed Ordinance c.) Introduced by Mr. Faga and Thornsberry, an ordinance authorizing the Safety/Service Director to enter into contract for purchase of supplies for use by the Lorain Utilities Department Division of the City of Lorain, State of Ohio.

Moved by Mr. Thornsberry, supported by Mr. Fallis, to withdraw this matter from the agenda due to the passage of item 9-g on the agenda. The motion carried unanimously.

COMMITTEE CALLS: CLERK GREER announced the Parks & Recreation & All Council meeting to be held Monday, October 22 @ 6:00 p.m. to discuss potential legislation to ban smoking in public places in Lorain.

CLERK GREER announced the public hearing will be held on Monday, November 19 @ 5:30 p.m. to discuss the applications to rezone 3618 Elyria Avenue from B-1 to I-2 and six parcels on the west side of Elyria Ave. from R-3 to I-2 Heavy Industrial – to allow for a salvage yard.

COUNCILMEMBER SPRINGOWSKI: I would like to call a Finance & Claims Committee to discuss the BHP salary review.

PRESIDENT ARREDONDO: Only the committee chairmen may call the committee meetings at this point.

COUNCILMEMBER SPRINGOWSKI: I will call a Building/Lands & All of Council Committee for next Monday following Parks & Recreation to discuss the BHP salary review.

MISCELLANEOUS CONCERNS FROM COUNCIL:

REMARKS: COUNCILMEMBER MOON: Mr. Given, may I speak with you after the meeting for five minutes? There was an article in the paper about some funds in Vermilion for housing and roofs, etc. Can you explain that to me? It stated Lorain County. It was in the Chronicle today.

MAYOR RITENAUER: I did not see the exact article. I will see if I can find it. I know we have some programs for various needs that Ms. Glenn can probably discuss with you at some point. I don't know if it applies to us.

COUNCILMAN ARROYO: I wish to thank the administration for providing a dumpster at 1847 E.30 St. We had the kids from PACE and LCCA come out Saturday. Over the summer we realize that some of the contractors due their contract were not cutting the backyards of some of these properties. With you providing us with a dumpster, we cleaned out the back yard and filled up a 20 foot dumpster and dump truck full of trash that was left by the previous homeowners. All that is left in the back yard is a stripped SUV and truck cover. They can now come and cut the 6 foot high grass. Please have someone come and pick that dumpster up.

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PRESIDENT ARREDONDO: I wish to thank all the members of Council and Mayor for attending Saturday night at Rosewood – Mexican Mutual’s 90th Anniversary bash. Those that placed ads and were not able to be present, it was a great event. I understand Deluca’s Place in the Park is not open at this point in time. Our next biggest place is Rosewood and I encourage all to support them.

ADJOURNMENT: Moved by Mrs. Springowski, supported by Mr. Thornsberry, to adjourn. The motion carried and the meeting adjourned at 7:30 p.m.



Clerk of Council

President of Council

Approved On: _____