

**Minutes of the City Council**  
Sheffield Lake, Ohio  
January 12, 2010

The regular meeting of the City Council was held Tuesday, January 12, 2010. Council President Edward R Podmanik called the meeting to order at 7 PM.

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

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

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

\*Motion by Bring/Second by Smith to approve the minutes of the City Council meeting of December 29, 2009 with any corrections. Yeas All.

**CORRESPONDENCE/COMMUNICATIONS:**

Monthly report of court receipts for the month of December - \$9690.35 – receive and file.

**PRESENTATIONS: None.**

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

**Roads, Drains, Water, Sewer, Refuse:** Chairman Smith reviewed the minutes of the January 4, 2010 meeting. \*Motion by Smith/Second by Huska to approve the sewer credit of \$202.86 for 701 Dunny Avenue. Yeas All. He advised there were 2 other sewer credits; 4332 Brockley Avenue and 542 West Shore and both were returned back to the Utilities Department for further research. \*Motion by Huska/Second by Bring to accept the report. Yeas All./**Stormwater Utility:** Representative Smith reviewed the minutes of the December 10, 2009 meeting. Mr. Smith clarified Roads and Drains is not in charge of anything. We do the legislative part of it. He continued they are working on coloring books and stickers for the PIPE end of it. There was a motion to make a turtle “Snappy” a stormwater mascot created by member Dan Brady./**Safety:** Chairman Bring reviewed the minutes of the January 6, 2010 meeting. \*Motion by Huska/Second by Rosso to accept the report. Yeas All./**Buildings, Lands, Vehicles & Equipment: None./Ordinance: None./Finance & Claims: None./Investment: None./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: None./FINANCE DIRECTOR REPORT:** Finance Director Smith reported on January 31<sup>st</sup> you received a copy of this, the Ohio Department of Taxation neglected to send me a notification that Ohio Edison had applied for a refund of income taxes paid due to an error on their part. We actually had a small refund last year. I didn't get this until January 31<sup>st</sup>, I have it time stamped if anybody can see it. So it was obviously too late in the year to do anything for 2009. So I have those set up under 101 refund and 208 refund respectively, the percentage is out of each fund. That is where I would have credited it originally. Grant expenses is for the computer for the patrol car, the one American Recovery Act. We have to again we have to gross up the entire amount that we get. We pay for it up front within 4 weeks we have the money back. We get like \$20,000 back, the city's costs is \$6893.75 and we receive \$20,681.25 in return once we receive the item and it has been paid for and that includes supplies, equipment, installation and training. So that is what that grant expense line is for. Walker Road on the 2010 budget I had anticipated \$15,000.00 carry-over for that project and it was actually \$15,050.00 so I have to appropriate the \$50.00 for the carry-over to make sure that that line starts out at the right amount for the beginning of the year which is the same for street lighting, Shoreway capital project and Community Policing. That is pretty much all for the appropriation changes. There is a couple of ordinances and since the Law Director is not here I will try to explain them. The first which is the 2010 community housing improvement program, we did not receive a 2009 and we want to get right back into the game and go for the 2010. We need to pass this ordinance because then we can do the public hearing ads and the procurement ads and start that ball rolling but this is our first step to doing that. The other one before you is the ordinance authorizing the Service Director to advertise for bids, that is our yearly thing as we have to advertise for bids for salt and road tar and paving materials and things like that. Again we have to pass that before we can run that ad in the newspaper. The last thing is Affordable Demo when they tore down the shopping center, when we bid it out it actually was supposed to be done at quote/unquote prevailing wage and we did not realize that and Affordable Demo did not realize that but the State of Ohio sure did. That is why we are going back in and correcting the amount of contract but even with this prevailing wage additional amount – it is still well below the second lowest bid. That will be expensed out of the Shoreway Capital projects fund that I appropriated for the carry over amount, so that will be taken right out of there. Councilman Rosso stated when that legislation was presented about the prevailing wage, there was a dollar limit it had to be over before we had to pay prevailing wage and we were told hey, it is just something we will never hit that dollar limit – don't worry about it, it is not going to costs us any money and now it is the first thing we did. –

it goes over the dollar limit and I would like to know how that happens. Finance Director Smith explained the contract never went over the original ordinance, what Council originally approved for that demo – it never went over that amount but due to this now coming back to us from the State of Ohio, the auditors will look for that ordinance and anything that goes along with it to have a total costs for the project. I don't know if Mr. Arendt can explain more as far as? Councilman Rosso stated so you are saying our original costs estimate was \$45,000.00? Service Director Arendt answered our original costs estimate was what their bid was and I believe the bid was \$38,000 some odd dollars. When we put it out for bid, it was under our feeling which Mr. Graves, myself and Mr. Gardner that it did not have to be bid prevailing wage. So when we bid it we did not bid prevailing wage. The State of Ohio came back and said that that job because of the dollar amount and because demolition is classified as the same as. Finance Director Smith clarified it was still classified under reconstruction, we didn't feel it was reconstruction we were just going to tear it down – we didn't have plans on building it back at that point or in the near future. Service Director Arendt continued so the State of Ohio said no you are wrong, it is under reconstruction so the threshold limit fell under prevailing wage. So what they did was tell Affordable Demo that they would have to owe \$15,000 some odd dollars and that was including the fine. Well they paid the \$7500.00 and we were able to get the State of Ohio to wave the fine. As I say the State of Ohio says it is reconstruction and it didn't fall under demolition, so the original bid when the ordinance was passed under the original bid amount which is correct. Now the State of Ohio says that they owe \$7500.00 more, it still comes well below the second lowest bid that we had. Councilman Rosso stated right but did we shoot ourselves in the foot when we passed that legislation that said we were going to do prevailing wage on the shopping center. We didn't pass that until after this job was done, that ordinance that I believe was passed says that we will go to prevailing wage under the thresholds of the prevailing wage laws which they since have changed per the State of Ohio. Finance Director Smith stated Affordable Demo has already paid this amount and it is not their fault and I don't even know if it is our fault. I mean everybody looked at it, it is not like we went into that blindly and did not feel that we needed to do prevailing wage. Councilman Smith asked how does this affect the bidding process? Service Director Arendt explained when we first we were taking out and doing for the bid, we felt at that time that it fell under the demolition which would have been under the threshold. In a 5-minute look and there is no blame on anybody, in a 5-minute look-up that is what we saw. So we felt that we were able to bid it under the non-prevailing wage and that is how it was bid. The State of Ohio came back and said no you are wrong it is reconstruction, not under demolition and we went back and forth with them from the State of Ohio saying that no we don't plan on rebuilding it at this point. They said you will eventually probably rebuild so it fell under their prevailing wage rules. Finance Director Smith advised like Joe said they were

going to penalize us 100%, almost double the \$7500.00 and they have waved the penalty that if we take care of it properly which that is what we are trying to do. Service Director Arendt reiterated we were able to get them to wave that. Councilman Rosso stated which is even more important going forward that we know what we are doing. Service Director Arendt stated well let me give you another example, when we had the gas line redone because we had to bring it from the northern end and cut out the southern end because that is where the gas line came in and that is what we cut out. We doubled checked and they tried to go ahead and fine Lucas Plumbing under the prevailing wage, I was able to prove to them if you remember when it was brought to our attention that Columbia Gas was going to redo gas lines throughout the state at no costs. We were able to have them start here, so I was able to prove to the state that we did not pay anything to Columbia Gas and the threshold for that project was \$25,000 and Lucas Plumbing did it for under \$25,000. They tried to do the same thing there, we were able to prove to them at that point luckily that they were wrong. In this particular case they will not budge under the reconstruction versus demolition, they will not budge. We were able to eliminate the fine involved. Councilman Smith state I don't know if it is our fault because we didn't put it in process but as a contractor that is working for a city wouldn't somebody check with the state to find out. Finance Director Smith stated everybody that bid on it, nobody bid prevailing wage. Councilman Smith asked because we didn't say prevailing wage? Service Director Arendt answered not necessarily, all the people who did bid on it said the same thing it is not a prevailing wage job. They claimed that other cities that they did the same thing in was not prevailing wage. Councilman Smith stated the only problem that I had with this is that all the professionals; you and everybody has looked at it and said it is not prevailing wage but you know what it is prevailing wage and it is costing the tax payers another \$7000.00 because somebody wasn't doing their job. How many times we got to keep paying for stuff that people aren't doing their jobs, that is my only problem with this. It should have been right in the contract but now because it wasn't now we are going to have to come up with an additional \$7500.00 because the guy had to pay for it because somebody screwed up but nobody is going to take the blame for it. Another instance of screwing up and nobody is standing up and saying we screwed up but we end up paying for it. That is my only problem with this whole thing. Service Director Arendt stated if you want somebody to take blame, I don't have a problem taking the blame for it. Finance Director Smith stated I think if David were here he could explain, he knows the in's and out's and the legal. I am trying to give you a reader's digest commencement. President Podmanik asked this has basically been taken care of, correct by the contractor? Finance Director Smith answered yes. President Podmanik stated so actually we don't have to take action on this tonight, we could wait for David's explanation and do it in 2 weeks. We are not under a clock on this are we? Finance Director Smith answered Affordable is still short that money.

What we can do is I can get a phone and we can call David, he did say he was available by phone and that we can call him. Councilman Smith asked is he on vacation? Finance Director Smith answered no he is not on vacation, he just got hung up at another meeting. He said he is available and would be happy to talk to us if we wanted to give him a call. Councilman Smith stated that is just my stand, you guys can do what you want, you can amend or do whatever. Councilman Bring stated I still believe that the Law Director made his recommendation on that, that this wasn't prevailing wage because we had asked him about that and he said that he didn't believe that that was prevailing wage job. Councilman Rosso asked for clarification, he didn't believe it was or he did. Councilman Bring answered no he didn't believe it was. Finance Director Smith stated we all try to do our best, I don't think anybody has done anything with malice here. It is frustrating trust me, very, very frustrating – I totally agree. Councilman Smith stated it is frustrating, stuff like this happens it seems like all the time. It just seems like it comes up after the fact and then we are sitting here doing what. Councilman Rosso concurred it seems like it happens on a fairly regular basis and then it always comes up with it has got to be an emergency, it has to go tonight. It is never hey we made a mistake, do our research and pass it in 2 weeks. I mean quite honestly we can't stiff the guy. Finance Director Smith stated David will be here next week for Worksession, we can bring it up again then. Councilman Rosso answered yes but unfortunately we couldn't pass it until next Council meeting which would be 2 weeks. President Podmanik stated that is why I brought that up on when it has to go through. If you are not sure about it, that would be your only other option unless you want to talk to David. Councilman Smith answered to be totally honest with you and I might be dead wrong but whenever you work with municipalities and you work with city/state, 95% of the time it is prevailing wage and I would think somebody would have at least double checked. I know if I was the contractor I am not going to take your word for it, I am going to call knowing that I could be – I am going to call and I am going to find out but that is just me. That is my problem with it. Finance Director Smith answered Alan keep in mind too that the shopping center is a private entity, so we are dealing with a little different animal here then something that we do as far as like the Walker Road project. Councilman Smith stated but if I was going to do a job for somebody and knew there might be a question, I am going to double check. Now I can't go charge somebody X amount of dollars and then turn around and say oh by the way somebody screwed up so now you owe me an additional \$1000.00. Councilman Rosso asked private entity, why does the state get involved with prevailing wage at all? Councilman Smith answered because the city owns it, you can call it private all you want the city still owns it. Technically it is and it is still not. I know a lot of contractors and almost everyone of them complain because they got to do prevailing wage. Mrs. Belaska stated the one thing is if you don't want to hire union, you are at least going to pay that wage and that has been happening for at least 3 years. \*Motion by Huska/Second by Bring to

accept the report. Yeas All./**TREASURER REPORT: None./SAFETY/SERVICE DIRECTOR:** Safety/Service Director Arendt reported I received notice that the salt trucks have been out quite a bit lately. The roads have been very good, have had a couple of complaints on the side roads and that was before we had the smaller truck in service. Those are being taken care of. We have adequate salt at this time. The other thing that I would like to report on as Mr. Bring brought up, we did discuss at his session about an additional couple of digital cameras in the police cruisers. I think it is an excellent idea, the Chief put a little packet together that I gave to Mr. Bring so we could go over together at a committee meeting or whatever. My feeling is when the budget gets a little bit better that we do put in for a voucher, I don't necessarily agree with the Chief that we have to spend \$350.00 on a camera. I think a small \$100.00 digital camera will suit the purpose of what we talked about at the committee. It is more for if a power line was down or a police cruiser noticed a manhole cover off or something like this then we could take immediate pictures and could be downloaded before it got fixed, if somebody did get hurt then we would have a record of it and we would have a record of it when it was completed. The police cameras I will be submitting a voucher to our Finance Director and we have the funds we will those 2 police cameras/video cameras that are available – 1 needs to be fixed and 1 just needs to be installed. Hopefully we will be able to get those and then we will have 5 police cruisers with cameras. Finance Director Smith stated I just have a comment, if we are going to do digital cameras for Police/Fire/Service or something like that then we might want to look into state purchasing to see if we can buy 5 that are all the same instead of getting that one department gets one kind because if they are all the same then we have interchangeable parts and cords and sd cards and everybody can download them the same and don't buy the one that we have because it goes through batteries. Service/Safety Director Arendt advised the purpose is basically as we stated it is basically a simple camera and as you say get the same kind, a simple camera that if a police cruiser notices something out there then we take a picture of it and right now the only person that has a camera is the OIC for that particular day. So if an incident happens and they have to go out then it may be a few minutes late before he gets the actual photo of what is needed. It is something that hopefully we will be able to get, maybe not. Councilman Rosso asked Joe who is responsible for making the base water rate change, for making sure that it gets done? Service Director Arendt answered that is Lisa who falls under my department. Councilman Rosso stated make sure that it gets changed for January. Service Director Arendt answered I believe it already has been, we were discussing it the other day. You mean reducing it back to the \$3.00? Councilman Rosso stated I would assume it would have been on the February bill. Service Director Arendt answered I believe it is already done for next month but I will make sure tomorrow. \*Motion by Huska/Second by Bring to accept the report. Yeas

**All./LAW DIRECTORS REPORT: None./Civil Service – None./Demolition Board –None./Records Commission –None./Legislation – None.**

**CITIZENS COMMENTARY:**

**Bob Ebenschweller, 362 Cove Beach** advised a while back I brought up about the snow plowers and maybe the need to regulate them a little bit. Tammy gave me a copy of the ordinance, the ordinance that we had passed back in 1978 – it lasted 6 years but then 2 parts of it were repealed. The 1 about the permit and the 1 for having lights on the vehicles. I was just curious and wondering why they had repealed that. I have the same problem now on my street as we have had, the contractor had come in and plowed driveway and piled the snow up in a huge bank blocking the sidewalk and the kids have to walk down the street and have to go out in the street to get around to go to the school bus. I went in and talked to the owner of the Beauty Parlor and he gave me the name of the guy, he is the one that made the contract – not the owner of the building. I looked him up and he said it was local, well you can call him local – it is from the Village and I tried to call the place twice today and I was pretty unhappy about the whole thing. I have got pictures I took or Dennis has them. It seems to me that Council had indicated that they weren't going to do anything about changing it, I could be wrong. I was looking at the various minutes of the past Ordinance meetings and I couldn't find anything on there where it had been discussed and I thought it had been referred to the Ordinance Committee. I seem to remember that somebody said that we are not going to do anything about it but I really think that it has to be taken care of. I gave the information that I had found out about it to Joe and he has pledged that he is going to take care of the situation and I trust that he will. But I think maybe we ought to look hard back on this ordinance and really have them display tickets in the window or names on the sides so we know who they are and who they are working for and also I understand that a lot of guys at first snowflake they slap a plow on their truck and start plowing driveways to make a little extra money. By law the city should know who they are because I think the city would collect some tax money from that and to try to think of the reasons why they wouldn't do it and that is probably 1 reason. Another my wife said well sure they don't want their insurance company to find out that they are using their trucks as commercial because they would have to pay a higher insurance rate. So there are reasons why these guys don't want to do it but I think for the health and safety and welfare especially kids in my case we ought to look hard at that hard and go back to the way it was before and register these guys. Councilman Smith stated I might be wrong but my understanding is that commercial snow-plowers are considered seasonal, they have to be registered with the city and I think it is \$50.00 because they would be considered a seasonal contractor because they are doing it for a commercial purpose. Not necessarily the residential if you are doing it for somebody and I could be wrong but I thought they have got to register as seasonal if they are going to be doing commercial work and the only reason that I think that

is on there is because I do it myself and I don't charge in the City of Sheffield Lake because I don't register for \$50.00. It is going to cost me more than the 2 driveways that I do for my family and I don't charge my family so I am exempt from that because that was a question that I had. You might want to check into that because I am pretty sure that it is considered seasonal. I had a couple of accounts that I had given up because the amount of money was less than what the \$50.00 fee was for the contractor so I didn't do it. Councilman Bring advised I know we brought that up at Ordinance and we looked at that like the tree trimmers and all those other guys in the landscape arena but I don't if David had a question on that on whether that could be applied for that or not. Councilman Smith stated see I thought that is what it was because when we had the discussion it was snow plowers that did it for money. Councilman Bring stated we did discuss that but we kind of left in limbo with David. Councilman Smith stated if you are going to go do your neighbors or something you are going to charge then it is no big deal but if you are doing it for a commercial purpose then they have to come in and register/pay their \$50.00 and show proof of insurance and at that point, you can tell them they can't block sidewalks. Mr. Ebenschweller asked does that go to the Building Department or Safety Department. That will up to Joe, I thought it was included with the seasonal work. Service Director Arendt stated I will have an answer for you tomorrow.

**Debbie Belaska, 4014 East Lake Road** stated that is where I came in and we wanted to charge \$5.00. I didn't even know I am just hearing this for the first time from Alan Smith but I will tell you what we are in crunch for finances, we are going to have to start looking a little harder and things like this with the tree services, the landscapers, the snow-plowers – they are making money and they are not reporting and they are keeping their money. This city needs the money, we need the revenue. I am not saying go out and ticket everybody but we are going to have to look a little harder to get more revenue because it is coming out of the tax payers dollars and these people are going to have to pay their fair share. Somehow, some where's along the line – someone is going to have to come up with more money and it can't be the same people paying and paying and paying. We have got to get some of these companies coming into this city or they are doing jobs in the city, we need to find another way to make some more revenue. If it is \$5.00 X 20 then that is \$5.00 X 20 – we have to do whatever we can, we have to start asking more people to pay their fair share. Councilman Rosso asked how is it different when a landscape company comes in and mows my grass then the sales guy that goes into Rite Aid and wants to sell them something to put on there, we don't charge that guy. I don't think it is possible to enforce it. If a salesman comes in and goes to a store and sells something, goes into Apples/the guy that delivers the beer to Apples – we don't get money back from that beverage distributor. Finance Director Smith answered oh absolutely. Councilman Rosso rebutted oh we do not, we don't get a sales tax, we don't get income tax off of that salesman. Finance

Director Smith stated the companies that deliver they pay a small amount to all the cities that they deliver in, there is an income tax that gets charged. Councilman Rosso stated let me word that differently then because it is not the actual person doing the delivery but those sales guys that come in. People do business all the time, salesmen traveling all over the place and we don't charge them, they don't pay an income tax – it is no different. Councilman Smith stated but see you are talking about, a landscaper is not going to be seasonal because they work year round; they do the snowplow, they do the landscaping – they are just talking about the guy that picks up a truck. Councilman Rosso stated but a landscaper comes in, they pay income tax in the city that they are incorporated in. Councilman Smith added but they also have to register with the city. Councilman Rosso stated right but you can't charge them X amount of dollars to come in and do X amount of houses, you can charge them to be licensed in the city. Councilman Smith stated that is what I am talking about. Councilman Rosso stated but you can't charge them per house. Councilman Bring stated that is actually what Bob wanted so that they have an identification, so that if something like this happens you can go back to them and say hey look you need to move the snow and stuff. That is what he is getting at. Councilman Smith stated it goes underneath like the tree trimmers; contracts and licensing – that is all. Mrs. Belaska stated that is what I was getting at people that are doing this all year around, they are not just doing one business – once they park that car then they are using that truck to put the snowplow on. They are making money all year round. I work for a union, I go to work down at the steel mill and I have to pay the City of Cleveland and I come back and I have to pay the City of Sheffield Lake and some people are living in the city giving out a different address and they are doing work out of this city. Councilman Rosso advised you pay the City of Sheffield Lake because you live in Sheffield Lake so that is because you are a resident.

**Mark J Erdei, 4015 Tennyson** asked at the boat ramp, it didn't look like it was plowed when I went by tonight or nothing. Does the city actually plow that because a lot of people like pulling in there and viewing the lake or eating their lunch or whatever, look at the lake and then take off? Service Director Arendt answered we do plow it, we plow the entrance and the exit – we don't do the center. Mr. Erdei stated on that \$7500.00, you never if you guys were going to move it to Council in the next 2 weeks for discussion in the public with Mr. Graves here. What is going to happen on that? President Podmanik advised it will probably be coming up under new business, we will have to amend the agenda to include those and it will be Council's decision what to do with those. We have a few options.

**UNFINISHED BUSINESS: None./NEW BUSINESS:** \*Motion by Huska/Second by Bring to amend the agenda to include Council#002, #003 and #004. ROLL CALL TO AMEND THE AGENDA: Yeas All – Huska, Smith, Bring, Rosso, Kovach. \*Motion by Smith/Second by Kovach to amend the agenda to include

Council#001. ROLL CALL TO AMEND THE AGENDA: Yeas – Smith, Kovach, Bring, Rosso/Nays - Huska. Councilman Bring advised I got one thing here, this doesn't have to be acted on. Patrolman Corr gave me this, he is doing some work for the schools and they want to start a photo ID card system. They are looking to get some donations to be able to acquire the cards and software and all the stuff – it comes to \$7400.00 almost \$7500.00. Patrolman Corr wants to do this but when he goes to do this and it comes before Council, I guess it would go through the general fund but he wants it to go for this purpose only and not just go into the general fund. I just wanted to bring this forward to you guys and give him a general okay or we are not going to accept it or what? Finance Director Smith advised when you accept a donation you need to do an ordinance for that, you can say it is specifically to be used for that purpose and we can't use it for anything else. It is just going to get filtered through the general fund anyway because that is where the state auditors want us to do it and that is how we are going to do it.

***ORDINANCES AND RESOLUTIONS:***

Council#001 – FIRST READING – an ordinance authorizing an additional payment to Affordable Demolition and Hauling for the demolition of a portion of the Shoreway Shopping Center, and the declaring of an emergency.

\*Motion by Smith/Second by Kovach for SUSPENSION OF RULES:

ROLL CALL FOR SUSPENSION OF RULES: Yeas – Smith, Bring, Rosso, Kovach/Nays – Huska. (failed suspension of rules)

Council#002 – FIRST READING – a resolution for the purpose of authorizing the Mayor to file a FY 2010 Community Housing Improvement Program Grant (CHIP) application with the Ohio Department of Development, and the declaring of an emergency.

\*Motion by Bring/Second by Smith for SUSPENSION OF RULES:

ROLL CALL FOR SUSPENSION OF RULES: Yeas – Bring, Kovach, Rosso, Smith/Abstain: Huska. (failed suspension of rules)

Council#003 – EMERGENCY – an ordinance authorizing the Service Director to advertise for bids for and to enter into a contract with the lowest and best bidder for the purchase of ice control salt, premium no-lead gasoline; regular no-lead gasoline; premium lo-sulphur diesel for use in city owned and operated vehicles, stone; various types and grades, bituminous cold patch material, liquid asphalt products, crack filler materials, crack seal, asphalt placement, gilsonite per square yard, concrete delivery per cubic yard, miscellaneous construction equipment rental, and polypropylene pipe, and the declaring of an emergency.

\*Motion by Huska/Second by Bring for SUSPENSION OF RULES:

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

\*Motion by Huska/Second by Bring for ADOPTION:

ROLL CALL FOR ADOPTION: Yeas All – Bring, Kovach, Rosso, Huska, Smith.

**Ordinance Passes#1-10**

Council#004 – EMERGENCY – an ordinance providing for the establishment and increase and decrease of certain funds within the annual appropriations ordinance of the City of Sheffield Lake, Ohio and the declaring of an emergency.

\*Motion by Huska/Second by Bring for SUSPENSION OF RULES:

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

\*Motion by Huska/Second by Bring for ADOPTION:

ROLL CALL FOR ADOPTION: Yeas All – Smith, Rosso, Bring, Huska, Kovach.

**Ordinance Passes#2-10**

**COUNCIL PRESIDENT: None.**

**MEETING ADJOURNED:** With no further business before this council, Motion by Kovach/Second by Bring to adjourn at 8:05 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 January 12, 2010.

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COUNCIL PRO TEM

*Richard Rosso*

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MAYOR

*John J Piskura*