

**Minutes of the City Council**  
Sheffield Lake, Ohio  
June 10, 2008

The regular meeting of the City Council was held Tuesday, June 10, 2008. Council President Edward Podmanik called the meeting to order at 7 PM.

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

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

Present: Podmanik, Bring, Kovach, Elliott, Diebold, Huska, Mayor Piskura,  
Law Director Graves, Service Director Gardner  
Absent: Rosso, Smith, Treasurer E Hoenig, Finance Director Smith (excused)  
Attending: Concerned Citizens, Fire Chief Conrad, Police Chief Shepherd,  
Videographer Nick Podmanik, Members of the Media: Avon Lake  
Press

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\*Motion by Bring to approve the minutes of the City Council meeting of May 27, 2008 with any corrections. Yeas All.

**CORRESPONDENCE/COMMUNICATIONS:**

Monthly report of court receipts for month of May - \$5154.80 – receive and file.

**PRESENTATIONS:**

Mayor Piskura submitted the appointment of Paul Svoboda to the Stormwater Utilities Board and introduced to Council. \*Motion by Kovach to approve the Mayors appointment. ROLL CALL FOR APPROVAL: Yeas All – Kovach, Elliott, Bring, Diebold, Huska.

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

**Roads, Drains, Water, Sewer, Refuse:** **None.**/**Safety:** Chairman Bring reviewed the minutes of the June 4, 2008 meeting. \*Motion by Huska to accept the report. Yeas All./**Buildings, Lands, Vehicles & Equipment:** **None.**/**Ordinance:** Chairman Elliott reviewed the minutes of the June 5, 2008 meeting. \*Motion by Huska to accept the report. Yeas All./**Finance & Claims:** **None.**/**Investment:** **None.**/**Records Commission:** Acting Chairman Graves reviewed the minutes of the June 3, 2008. \*Motion by Huska to accept the report. Yeas All./**Council Representative to the Community Center:** **None.**/**Council Representative to the Zoning Board of Appeals:** **None.**/**Council Representative to the Planning Commission:** **None.**/**Council Representative to the Park Board:** **None.**

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

**MAYORS REPORT:** Mayor Piskura reported first I would like to start off by addressing or expanding on some of the comments that have been made especially by Councilman Bring. About the Dog Warden, it was brought to me that there were some concerns about the elimination of the position which we did not do. We do have a part-time Dog Warden that is on medical leave and while he is gone our officers are handling what they can and calling the county when we need to. We do have an idea for a more long-term permanent solution by pooling some money with other communities for the possibility of full-time Dog Warden in the future but in the absence of that when our Animal Control Officer comes off of medical leave he will be back to his normal duties as the Animal Control Officer. A lot of talk about efficiency of operations, we have been talking about it for a couple of meetings between the administration and Council. We got some bad news about our foreclosures, our foreclosures are the highest in the county. I have been asked to comment several times on that and there is really no good justification or reason that I can come up with other than we are the most densely populated city in the county with the most affordable housing. However, the foreclosure rate is going to mean about \$100,000.00 revenue short-fall just on the property tax side. Not to mention the loss of income from the income tax side of the people that were living in the homes. So the urgency to us exploring the efficiency of our operations and trying to trim more and save more and more money is becoming more and more every day and you know with the gas prices and economy in general – everybody is hurting. So in that vein, we have been looking at a lot of things. First I would like to publicly recognize and thank both the Police and Fire Chiefs. I have asked them to take a look at some of their departments functions and they have really stepped up to the plate and had good ideas and have been very helpful. In a nutshell I am going to go through some of the list of proposed changes that we are looking at making for your comments. In the Police Department, we are, along with what Councilman Bring was saying about the maintenance of cars. We currently have 11 cars that are running and I have asked the Chief to pick out the best 6 that he has and we are going to trim down the fleet to just those 6. In case you weren't aware of the new policy on taking cars home, that is a thing of the past. There are no cars in the city that go home with any employee, department heads included. We don't have a need for those cars and if we trim the fleet, we are then going to go buy a dealer fleet maintenance schedule that will have the cars professionally maintained and staying on a strict dealer schedule should extend the life of the cars significantly. In addition to trimming back the fleet, we are probably going to make some adjustments to the driving assignments and we have also looked at when we are replacing the fleet the possibility of purchasing more fuel efficient cars. We haven't really identified what if any the opportunity for a different car may be, the best prospect being I believe a Dodge Magnum – it is a V6, still rated for police duty but gets significantly better gas mileage than the Crown Vic. We are going to have an auction soon or Mike Bass does a lot of

government work and we will see if we can get some trade-ins. But one of the things that we are going to do in addition to trimming down the fleet in the Police Department is taking the surplus from the sale or trade-in of that fleet and look into getting rid of the Crown Vics in the Service Department. It has always been financially in our best interest to just take the police department vehicles out of service as police vehicles when they get so many miles on them, ship them directly over to the Service Department and that way we don't have to buy any new Service Department vehicles but with the price gas as it is, the Crown Vics are getting about 14 miles to the gallon. It is no longer financially responsible just to take those cars and dump them to the Service Department for them to drive around at 14 mile to the gallon car. So we are going to try to get the Crown Vics out of service at the Police and go to something a little bit more fuel efficient there as well. The new senate energy bill was passed and that includes an amendment to what was originally HB300 which allows us to borrow money to make improvements on infrastructure and not have that borrowing count towards our debt. The significant change is that we can borrow out to the capital life of the expenditure, so if a new heating system has capital life of 30 years we can annuitize that payment for 30 years. Now that makes it much more attractive for us to look at, you know the thought of going green and becoming more energy efficient and getting our buildings leads certified. We have an energy audit that is being done right now and we are going to get the results – it is a soft audit but we going to get the results of that on Tuesday. We are going to review them; we are looking at things in the buildings such as the heating and air conditioning. We are looking at the possibility of smaller wind generators for the buildings especially the pump houses and the Community Center. We are looking at solar power, we are looking at everything we can even down to the replacement of the light fixtures. We should have the results to that next Tuesday and I will be able to brief you at that next meeting. The only other thing that I really needed to ask for is along with our talk about the finances, we have had some on-going discussions about employee compensation and I would like to request an executive session to continue those discussions. The last thing that I forgot to mention about the senate energy bill is that included in that is utilities, so in addition to looking at the buildings themselves, we are also looking at our utilities. Our over-all energy consumption, 28% of it goes to street lights and you know there led street lights out there now. They could probably save us in the neighborhood of \$100,000.00 just on a utility bill. So hopefully we will have some maybe ideas to kick around next week. Law Director Graves asked could you give us just a brief indication of what fuel costs were last year and what they are expected it to be this year on an annual basis for the city coupled with a reduction in revenue. Mayor Piskura answered the reduction in our revenue has been going down every year, the biggest reason I stated before is the tapering off of the private sector increases in income tax. This year the decreases are probably going to be in the neighborhood, I am going to take a stab so you can't really hold

me to it – probably around \$130,000.00. Our gas has been going up significantly, last year we were at just under \$100,000.00 in gas and this year we projected \$130,000.00 and we are already surpassing our budget numbers. If we don't make any changes or our changes aren't effective enough we are going to be coming and asking for an increase in appropriations just in our gas lines. The latch-key program is out/advertised, this is what the flyers look like. If anybody is interested, the number is 216-263-6874 for anybody that is interested and you can get a sign-up sheet here. We got a letter from Ohio Public Works, we have been approved for Ferndale, Phase II our financial assistance package of \$300,000.00 and in addition to being approved for that \$300,000.00 the naming of Bill as our project manager was approved. For the Finance Director, I am not sure if it is on the schedule or not but if she hasn't already she was going to ask for a special council meeting next Tuesday, either before or after our other meetings. Specially to talk about the annual renewal of the notes, if you recall we have about 3 or 4 notes. This year we are able to aggregate them into 1 borrowing, we are keeping the separate notes but instead of having to do fees for each individual note we were able to bring in bond council and do them all at once and get a deal on the fees. However because of staggering dates, we have blown the time line necessary for at least one of the repayments. So rather than wait until the next Council meeting it is going to require a special council meeting. \*Motion by Huska to accept the report. Yeas All./**FINANCE DIRECTOR REPORT: None.**/TREASURER REPORT: report attached/**SERVICE DIRECTOR REPORT:** Service Director Gardner apologized for missing the meeting the other night. I would just like to comment on something that came up at the Roads and Drains meeting at the last meeting. I apologize that Alan isn't here to brief you on the meeting. But at that meeting there was comments from the audience about Fish and Game people that were in the City of Sheffield Lake for 2 days and to my knowledge they didn't contact Police or the Fire or myself. But they were here investigating the death of 1400 fish on Day Ditch and after exhaustive research they went down Day Ditch and determined that somewhere south of Howell and north of Knickerbocker someone dumped something in the creek that killed those 1400 fish that went all the way out to the lake. They tracked it all the way back to Lake Breeze pool and everything else, they can't determine what it was exactly but they think it was some sort of a clear liquid because there is no indication of any gasoline or anything else being used. It could be uria, most probably chlorine. So someone cleaned their pool and dumped it into the storm sewer then they may have poisoned those fish. It was a significant kill, enough so that the Fish and Wildlife were here. Council President asked are they going to keep us informed of anything they find, any results? Service Director Gardner answered yes, I brought up the fact that the Fire Department and myself should have known about this. But they conducted their investigation, they came and called me afterwards. Fire Chief Conrad asked Bill, do you know if it was ODNR? Service Director Gardner answered it was Fish and Wildlife that did it.

\*Motion by Huska to accept the report. Yeas All./**SAFETY DIRECTOR**

**REPORT:** Mayor Piskura advised I have both the Police Chief and Fire Chief here, if they have a report to give would you permit them? Council President Podmanik answered yes. Police Chief Shepherd stated I don't really have anything but I can certainly answer any questions if you have them. Fire Chief Conrad advised as stated in the minutes from the Safety Committee meeting, I am going to have to get with the Law Director and the Mayor to put out bids on the old fire truck that we are going to be replacing. According to the technicalities of the grant, we have to sell that and it has to be taken out of the fire service so we can't sell that or donate it to another Fire Department. So I will be getting with the Mayor and the Law Director on that. My understanding that this new truck is in 2 pieces now, the engine and the pump are all mounted on the frame along with the cab and they are getting ready to put the box on the back of the truck and mount that onto the frame. It should be just a couple more days and it should be finished and then go through the process of finishing out. It should be here by the end of the month.

\*Motion by Huska to accept the report. Yeas All./**LAW DIRECTOR REPORT:**

Law Director Graves advised not much to report tonight, just in regard to legislation. We have all of the zoning revisions that we talked about last time up for second readings. Also, if Council would so choose could add to the agenda Council#044 and Council#045. Council#044 comes out of Ordinance Committee, I had an individual come and wanted to start a taxi cab business in the city. In looking at the codified ordinances, we do have an entire chapter dedicated to the requirements of a taxi cab but it was unfortunately adopted in 1960 and never obsolete, outdated. It was the opinion of the committee that that entire chapter should be repealed, that legislation is before you to be added to the agenda simply to repealing 874 of the ordinances regarding taxi cabs. Council#045 which Councilman Elliott discussed, is in regard to changes to the ATV ordinance. In reviewing the ordinance it was somewhat conflicting and contradictory as to whether or not they were permitted or not permitted within the city. There was a number of provisions which seemed to allow them and then at the very end it said they are not allowed in any capacity within the city. The Ordinance Committee debated the issue, it would come up to Council it went back. The changes that have been made to the ordinance are as follows and most of this comes out of the ORC; under 3075.03 if you look at the amended version – we added section 9 which says that they are prohibited on private property for recreational use. 3075.04 permitted operations – we added subsection f which delineates that they are allowed on private property for the purpose of yard work, landscaping, snow plowing or other non-recreational uses. The rest of the chapter already stated that they are not allowed on the city streets for any purposes and proper licensing requirements. We did delete under subsection .09, subsection b which was the language that said they are not allowed in the city under any circumstances. So the net result of this is that all terrain vehicles, mini bikes, dirt bikes, snow-mobiles, etc., they are permitted

within the city. They are not allowed to be driven on the city streets, they are permitted to be used on private property but only for non-recreational purposes such as landscaping, yard work, snow-plowing, etc. So we make the entire chapter consistent and we don't deprive the rights of the private property owner could use those vehicles for non-recreational purposes. So that also could be added to the agenda tonight for a first reading. \*Motion by Huska to accept the report. Yeas All. \*Motion by Huska to amend the agenda to include Council#044 and Council#045 to tonight's agenda. ROLL CALL TO AMEND THE AGENDA TO INCLUDE COUNCIL#044 AND COUNCIL#045: Yeas All – Huska, Diebold, Bring, Kovach, Elliott. Law Director Graves advised as far as Demolition Board, we did have a meeting scheduled to discuss at least one other nuisance property in the city that might have been considered for abatement. That property owner did pull a permit, he has been issued a notice to repair or demolish the property. Under the city's dangerous building ordinance, he has 15 days to begin that repair and it must be completed within 60 days. So we are waiting to see how that proceeds. He could petition the Demolition Board for additional time or challenge the determination of the Building Inspector as to whether or not it really constitutes a dangerous building. If he makes either of those petitions, the Demolition Board could convene to consider that. Otherwise, after 60 days if he hasn't completed the work the Demolition Board could meet to consider abatement of the nuisance by the city. The Civil Service meeting had to be canceled because one of the two members had a conflict. I believe that is going to be rescheduled, they are considering doing the preliminary work to schedule a couple of tests for the Fire Department and the Police Department.

**CITIZENS COMMENTARY: None./UNFINISHED BUSINESS: None./NEW BUSINESS:** \*Motion by Bring to go into an executive session after ordinance and resolutions for the discussion of employee compensation. ROLL CALL TO GO INTO EXECUTIVE SESSION AFTER ORDINANCES AND RESOLUTIONS FOR THE DISCUSSION OF EMPLOYEE COMPENSATION: Yeas All – Bring, Elliott, Diebold, Kovach, Huska.

***ORDINANCES AND RESOLUTIONS:***

- 1.) Council#029 – SECOND READING – a resolution by the Council of the City of Sheffield Lake setting the proposed rezoning of the property on the west side of Abbe Road from Walker Road south to the city limits for public hearing.
- 2.) Council#030 – SECOND READING – a resolution by the Council of the City of Sheffield Lake setting the proposed rezoning of the property on the west side of Abbe Road from Lake Road south to the apartments for public hearing.
- 3.) Council#031 – SECOND READING – a resolution by the Council of the City of Sheffield Lake setting the proposed rezoning of the property on the

- west side of Abbe Road from the apartments south to Walker Road for public hearing.
- 4.) Council#032 – SECOND READING – a resolution by the Council of the City of Sheffield Lake setting the proposed rezoning of the property on the west side of the apartments on Abbe Road between Lake Road and Walker Road for public hearing.
  - 5.) Council#033 – SECOND READING – a resolution by the Council of the City of Sheffield Lake setting the proposed rezoning of the Speedway property on the south side of Lake Road for public hearing.
  - 6.) Council#034 – SECOND READING – a resolution by the Council of the City of Sheffield Lake setting the proposed rezoning of the property on the south side of Lake Road between Lynne Drive, Cove Beach Avenue, and Hawthorne Avenue for public hearing.
  - 7.) Council#035 – SECOND READING – a resolution by the Council of the City of Sheffield Lake setting the proposed rezoning of the property on the south side of Lake Road from Cove Beach Avenue west up to, but not including, the apartments west of Abbe Road, including all land to the north side of Hawthorne Avenue for public hearing.
  - 8.) Council#036 – SECOND READING – a resolution by the Council of the City of Sheffield Lake setting the proposed rezoning of the property on the east side of Pleasantview Avenue from Hawthorne Avenue south to Walker Road for public hearing.
  - 9.) Council#037 – SECOND READING – a resolution by the Council of the City of Sheffield Lake referring the matter of rezoning the property located on the west side of Abbe Road from Walker Road south to the city limits to the Planning Commission of the City of Sheffield Lake for its consideration.
  - 10.) Council#038 – SECOND READING – a resolution by the Council of the City of Sheffield Lake referring the matter of rezoning the property located on the west side of Abbe Road from Lake Road south to the apartments to the Planning Commission of the City of Sheffield Lake for its consideration.
  - 11.) Council#039 – SECOND READING – a resolution by the Council of the City of Sheffield Lake referring the matter of rezoning the property located on the west side of Abbe Road from the apartments south to Walker Road to the Planning Commission of the City of Sheffield Lake for its consideration.
  - 12.) Council#040 – SECOND READING – a resolution by the Council of the City of Sheffield Lake referring the matter of rezoning the property located on the west side of the apartments on Abbe Road between Lake Road and Walker Road to the Planning Commission of the City of Sheffield Lake for its consideration.



- 13.) Council#041 – SECOND READING – a resolution by the Council of the City of Sheffield Lake referring the matter of rezoning the Speedway property located on the south side of Lake Road to the Planning Commission of the City of Sheffield for its consideration.
- 14.) Council#042 – SECOND READING – a resolution by the Council of the City of Sheffield Lake referring the matter of rezoning the property located on the south side of Lake Road between Lynne Drive, Cove Beach Avenue, and Hawthorne Avenue to the Planning Commission of the City of Sheffield Lake for its consideration.
- 15.) Council#043 – SECOND READING – a resolution by the Council of the City of Sheffield Lake referring the matter of rezoning the property located on the south side of Lake from Cove Beach east up to, by not including, the apartments west of Abbe Road, including all land to the north side of Hawthorne Avenue to the Planning Commission of the City of Sheffield Lake for its consideration.
- 16.) Council#044 – FIRST READING – an ordinance repealing Chapter 784 of the codified ordinances of the City of Sheffield Lake regarding taxicabs.
- 17.) Council#045 – FIRST READING – an ordinance amending Chapter 375 of the codified ordinances of the City of Sheffield Lake regarding snowmobiles, off-highway motorcycles and all purpose vehicles.

\*Motion by Huska to go into executive session for the discussion of employee compensation. ROLL CALL TO GO INTO EXECUTIVE SESSION: Yeas All – Bring, Elliott, Diebold, Huska, Kovach.

\*Motion by Bring to return to regular session. ROLL CALL TO RETURN TO REGULAR SESSION: Yeas All – Kovach, Huska, Diebold, Elliott, Bring.

Law Director Graves advised let the record reflect that the City of Sheffield Lake Council did adjourn into executive session for the discussion of compensation of public employees pursuant to the Ohio Sunshine laws.

**COUNCIL PRESIDENT: None.**

**MEETING ADJOURNED:** With no further business before this council, Motion by Kovach to adjourn at 9 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*

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 June 10, 2008.

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PRESIDENT OF COUNCIL

*Edward R Podmanik*

*and/or*

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COUNCIL PRO TEM

*Richard Rosso*

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MAYOR

*John J Piskura*