

**MINUTES OF CITY COUNCIL WORKSESSION
SHEFFIELD LAKE, OHIO
July 19, 2011**

The regular meeting of the City Council Worksession was held Tuesday, July 19, 2011. President Podmanik called the meeting to order at 7:46 PM.

ROLL CALL OF MEMBERS:

Present: Podmanik, Rosso, Huska, Stark, Bring, Kovach, Elliott, Treasurer E Hoenig, Finance Director Smith, Law Director Graves, Service Director Smith

Absent: Smith, Mayor Piskura (excused)

Attending: Concerned Citizens, Members of the Media

PRESENTATIONS:

HTEX; Don Shoemaker advised it is basically what it is managed technology cooperative. I have had a 40-year history as an independent telecommunications and technology consultant starting in 1961, I have worked in the public sector since 1999. He reviewed the collaboration concept which is attached to this record, there was a question and answer period.

*******COMMITTEES*******

ROADS & DRAINS: None./SAFETY: Chairman Bring advised the Fire Department will have a demo ambulance here tomorrow morning at 9 am. Law Director Graves advised we have some residents who have been cited numerous times for barking dog, the problem is the ordinance does not carry with it any enhancement or escalating degree of the offense with subsequent violations. It is always just another minor misdemeanor, we have one person that I think has had his fifth citation in the last 2 years. I guess the discussion is and I would recommend it making that an enhanceable offense with subsequent charges in a certain period of time then it would become a more serious offense. There is lots of possibilities; you could make it similar to a speeding ticket where if you have more than 3 within a 1 year period of time it would become a fourth degree misdemeanor punishable by up to 30 days in jail and \$250.00 fine. Councilman Bring asked when we charged that guy with the barking dog, do we check to see if his dog was licensed? Law Director Graves answered I don't know. Now with dog at large – that is an escalating offense, that does go up but the barking dog does not. There was a brief discussion on the escalation/costs/neighbor disputes, etc. which concluded with approving the amending ordinance and escalating charges but for the escalation be for the third offense in a 1 year period of time. Law Director Graves advised the current ordinance reads for classification of child/victim offenders – we have put a prohibition on establishing a residence within a thousand feet of any city parks, library. If the offender is a repeat sexual offender or a child/victim offense – child/victim offense has a specific definition. A child/victim

offense has to do with kidnapping/abduction and those types of crimes, it does not automatically pertain to a sex crime involving a youth victim. I believe that the intent of the ordinance originally was to preclude anyone found guilty of a child or youth victim sex offense from establishing a residence within a 1000 feet of a school or city park or the library. I would recommend that we revise the language to reflect that. Law Director Graves to draw up. Councilman Bring thanked the Police Department for the job they did at Community Days. I think we had minimal problems due to the Police Force that was out there. **BUILDINGS, LANDS, VEHICLES & EQUIPMENT: None.** **ORDINANCE:** Chairperson Huska advised we will be discussing clothing allowance at September meeting. Please ask the Police Chief if he can attend. **FINANCE:** Councilman Rosso advised on the GIS system costs discussed at Finance, I feel we just wait on that until we make a decision of this HTEX. Take appropriations from Council#037 and amend to Council#039 – remove Council#037. **PARK BOARD: None.**

*****ADMINISTRATIVE*****

MAYOR: None. **FINANCE DIRECTOR: None.** **SAFETY DIRECTOR: None.** **SERVICE DIRECTOR:** Service Director Smith advised the sanitary sewer issue with Pump Station#3 and its effects on the systems – it is probably one of the most important things facing us in the near future; that evaluation/data. The solar project; going well/one of three sets is up. Firelands Electric assures me things are going good, couple small delays. We will be starting the Howell pipe project shortly. Continuing ditch cleaning and driveway pipe replacement; it is on-going. The internet sweepstakes café that was in the old Schunenmen's building; he will be re-opening. It will not be a new establishment, he just downsized number of machines. The one in the Old Gus's; that is a new establishment with new fees. List of road repair; I am totally in favor of making bad sections disappear and not doing chip and seal on streets and throwing money away. Service Director Smith reviewed Hot Spots; troubled areas for which he plans to work on and the processes he is looking at doing. Committee discussed proposal of road repair for troubled areas and concurred with Service Director Smith who advised he will compile more information for further discussion. Service Smith continued with the paving of the Shoreway Shopping Center parking lot or sections of it. We have a lot of man hours in the pot holes which are just unbelievable. I have got estimates as we have leases with tenants that we have to take care of. We should look at doing a cut-out; from Speedway through around Chase Bank, the entrance and all along the store fronts, around the second turn-around where the traffic comes back into the second row and all the way back up to Rite-Aid is about \$75,000.00 to include milling, grinding material that runs along the walkways at Shoreway taking into consideration the drainage there. Then the section a little past the wind turbine going west and then adjacent to and meeting the Apples parking lot is just under \$15,000.00 – that is plaining (leveling material). Then the section where this ends, just west of the wind turbine all the way to the grassy area is just slightly over \$15,000.00. The open area where the carnival was – we could get prices on that

but I think that if we make sure that patches are done right and then have it seal coated – possibly gilsonite. I don't have a price or plan for the area by the Bowling Alley or Post Office. Committee concurred with Service Director Smith's plan and questioned where the money would come from for which Finance Director Smith answered it is already in a capital fund for the shopping center. It was part of the original note and it was in the escrow account and last year that came out and we didn't have to use it. We used \$250,000.00 towards paying off the center and we held that money back for a project like this. Councilman Rosso clarified it would be funded to fix this parking lot without raising our debt on the shopping center. There was a brief discussion on the processes and traffic patterns. President Podmanik asked do you have a start date on this? Service Director Smith answered I don't have that yet but it will have to go out for bid. Law Director Graves to draw up legislation for bidding on parking lot at Shoreway Shopping Center for Tuesday's Council meeting./**LAW DIRECTOR:** Law Director Graves advised we do need to get someone else on the Civil Service Commission. We really do need to start the process of an entry level police examination to compile an eligibility list for the time when we are in the position to hire some additional patrol officers. We are obligated every 10 years to evaluate our ward boundaries, we have to accomplish this within 90 days. The manufactured homes issue is still being discussed in Planning Commission. There has not been a formal referral of that issue to Planning Commission which would start the 60 day period. I think they are going to continue to discuss and bring a recommendation to Council to potentially change the zoning code in regard to mobile homes and manufactured homes. The only issue I really want to go over is the pool issue has raised again. He recalled discussions from 3 years ago regarding the large blue inflatable temporary pools. We considered it and discussed it in terms of the fence ordinance as it applied to those temporary pools. Ultimately what happened was the height requirement was reduced from 48 inches to 30 inches by manufacturers specifications. So that any pool more than 30 inches would fall under the requirement for a fence and be 6 feet from the fence and so forth. Letters all went out regarding that issue but it wasn't really brought up again. There are many cropping up again this summer and he referred to one in particular that is being dealt with. Law Director Graves asked Committee do you want to revisit this or do you want us to enforce it as is. Committee concurred enforce code as it stands./**COMMUNICATIONS:** **None./****OLD BUSINESS:** Charter Review – next year./**NEW BUSINESS:** Service Director Smith advised there might be some old sanitary sewer lines but I will know in the future that we might have to as a city look at replacing. Leave HTEX on the agenda for further discussion.

ORDINANCES FOR COUNCILS AGENDA:

Council#034 – THIRD READING – an ordinance authorizing the Mayor to enter into an agreement with Middletown Ford and/or Accord Financial Group for the purchase of a Fire Department Utility truck and the declaring of an emergency.

Council#035 – THIRD READING – an ordinance amending section 1345.08 of the codified ordinances of the City of Sheffield Lake regarding occupancy permit inspections for single-family rental units and multi-family residential buildings having two or more residential units.

Council#036 – THIRD READING – an ordinance amending section 161.02 of the codified ordinances of the City of Sheffield Lake regarding expiration of variance upon failure to apply for building permit.

Council#037 – WITHDRAWN.

Council#039 – EMERGENCY – (amended) 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.

MEETING ADJOURNED: With no further business before this council, Motion by Kovach/Second by Bring to adjourn at 9:35 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.

CLERK OF COUNCIL/COMMITTEES

Kay Fantauzzi

COUNCILPRESIDENT

Edward R Podmanik

and/or

COUNCIL PRO TEM

Richard Rosso

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 WORKSESSION of July 19, 2011.

MAYOR

John J Piskura