

Minutes of the City Council

Sheffield Lake, Ohio

January 24, 2012

The regular meeting of the City Council was held Tuesday, January 24, 2012. Council President Edward Podmanik called the meeting to order at 7:04 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, Belaska, Stark, Kovach, Elliott, Smith, Mayor Bring, Treasurer Woods, Finance Director Smith, Service Director Smith, Law Director Graves (7:45)
- Absent: McCullough (excused)
- Attending: Planning; Guenther & Erdei, Zoning; Rinderknecht, Concerned Citizens, Members of the Media; Avon Lake Press

- *Motion by Rosso/Second by Elliott to accept the minutes of the January 10, 2012 Council meeting with any corrections. Yeas All.
- *Motion by Rosso/Second by Elliott to accept the minutes of the January 17, 2012 Council Worksession meeting with any corrections. Yeas All.

CORRESPONDENCE/COMMUNICATIONS: None.
PRESENTATIONS: None.

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

Roads, Drains, Water, Sewer, and Refuse: Chairman Rosso reviewed the minutes of the January 9, 2012 meeting. *Motion by Stark/Second by Elliott to accept the report. Yeas All./**Safety: None./Buildings, Lands, Vehicles & Equipment: None./Ordinance: None./Finance & Claims:** Chairperson Stark reviewed the minutes of the January 17, 2012 meeting. *Motion by Elliott/Second by Rosso to accept the report. Yeas All./**Investment: None./Council Representative to the Community Center: None./Council Representative to the Zoning Board of Appeals:** Representative Kovach reviewed the minutes of the January 18, 2012 meeting. So noted changes were made./**Council Representative to the Planning Commission:** Representative Belaska reviewed the minutes of the January 19, 2012 meeting./**Council Representative to the Park Board: None.**

*******ADMINISTRATIVE REPORTS*******

MAYORS REPORT: Mayor Bring submitted 3 for the Park Board; Jim Lewis, Daniel Farris and James Albaugh. Again on the water rates and stuff, we do have

to look at that. The Finance Director and I were having discussions about it today, the 3 readings and if you don't do the emergency clause then we are going to be looking at the first part of April it will be very stressful. We are both getting a little nervous on that. I have been working on a number of things in the office and probably in the next month or so I will be bringing some things to you guys just to let you know what is going on. We are just getting started here and getting things moving, I appreciate everybody's patience. *Motion by Elliott/Second by Stark to accept the report. Yeas All./**FINANCE DIRECTOR REPORT:**

None./TREASURER REPORT: None./SAFETY DIRECTOR: Mayor Bring reported we did have a meeting with the Police Chief this morning, he had a little bit of change in plan. He is going to do a family medical leave and that is going to last about 16 weeks. As of right now he has rescinded his retirement which he sent to me so we accepted that. At the time of his medical leave he will inform us of his intentions. *Motion by Elliott/Second by Stark to accept the report. Yeas All./**SERVICE DIRECTOR:** Service Director Smith reported I have a few things. We had a snow event over the weekend and all went well. I put a snow parking ban in effect starting at 3 pm Friday and ending at noon Saturday, called the Police Department and all the media so that we could get the cars off the road before the snow fell. That was real important because we did put the parking ban in effect before we had any snow – several hours. It was very effective, we had a couple of streets that we had issues with but overall it worked very well. We had some complaints, I have wanted to make you guys aware concerning the streets off of Irving Park. We can't always back down those streets and we have had several complaints about people just don't want the trucks turning around in the driveway and said that the big trucks were turning around. The problem with that during the snow fall is we used the one ton down there on those streets, we didn't use any big trucks but we still are maneuvering the driveway turn-around's where we are alternating different houses and taking note of that as best we can. But it does create a safety issue when you are backing a big truck back down the street during a snow event. Overall it was very manageable and I think the guys did a great job. I have entertained several questions recently on occupancy, multi-family and residential – just concerning the occupancy permits and I just wanted to reaffirm to everybody that R1; residential occupancy permits where like someone owns a house on a rental property is a 2-year permit as defined by ordinance. Multi-family and point of sale require re-occupancy permits, we don't have re-occupancy permits during that 2-year that a homeowner has. There has been a little confusion on that so I wanted to reaffirm that. At the last Council meeting it was brought up about a list of NSF checks which we have and we have been working diligently on and we plan to have them pretty well cleared up by the end of the month and I will make sure that everyone is aware of what's going on. The problem seems to be why there was so many is the system doesn't apply over-payments to an amount

that is itemized as an NSF on our system. So it has to be physically and manually taken out and put in on that past amount. Otherwise it just shows a payment going on to the current bill and it doesn't apply to the original amount that it was added to. We will have this cleared up and Lisa assures me that it will be by the end of the month so I will be able to give you more on that. *Motion by Elliott/Second by Belaska to accept the report. Yeas All./**ENGINEER: None./LAW DIRECTORS REPORT: None.**

CITIZENS COMMENTARY:

Mark J Erdei, 4015 Tennyson asked is everything all done with the Post Office and them breaking their lease that is all settled now? Law Director Graves answered yes I think the last month we received rent was October 2011. Mr. Erdei asked so everything is okay? Finance Director Smith advised they didn't give us any choice. They had the opportunity to cancel that lease and they took advantage of that. Law Director Graves advised they were in their option term when they extended their lease and the provision said that at any time beyond the initial fixed term that they could terminate with notice to the city. Mr. Erdei asked how is the Bowling Alley coming on that situation? Law Director Graves answered still in litigation and we have been referred to mediation with the Common Pleas Court so we will be trying to mediate that between the city, the Bowling Alley owners, the Chase Bank and the Trust – the 2 lien holders. Mr. Erdei stated I would like to thank Mr. Smith too, I had people over and they were really impressed on how our streets were cleaned and salted – they did a good job.

/UNFINISHED BUSINESS: None./NEW BUSINESS: *Motion by Rosso/Second by Elliott to approve the Mayors recommendation to appoint Jim Lewis to the Park Board. ROLL CALL FOR APPROVAL: Yeas All – Kovach, Smith, Rosso, Belaska, Elliott, Stark. *Motion by Rosso/Second by Belaska to approve the Mayors recommendation to appoint Daniel Farris to the Park Board. ROLL CALL FOR APPROVAL: Yeas All – Rosso, Stark, Kovach, Belaska, Elliott, Smith. *Motion by Rosso/Second by Belaska to approve the Mayors recommendation to appoint James Albaugh to Park Board. ROLL CALL FOR APPROVAL: Yeas All – Belaska, Rosso, Smith, Kovach, Elliott, Stark.

ORDINANCES/RESOLUTIONS:

Council#002 – 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 Elliott/Second by Rosso for SUSPENSION OF RULES:

ROLL CALL FOR SUSPENSION OF RULES: Yeas All – Smith, Belaska, Rosso, Kovach, Stark, Elliott.

*Motion by Elliott/Second by Rosso for ADOPTION:

ROLL CALL FOR ADOPTION: Yeas All – Elliott, Kovach, Rosso, Smith, Belaska, Stark.

Ordinance Passes#2-12

Council#003 – FIRST READING – an ordinance amending Chapter 931.03 of the codified ordinances of Sheffield Lake establishing the monthly sewer rental rate for the municipality and the declaring of an emergency.

Council#004 – FIRST READING – an ordinance amending section 935.15(a)(1) of the codified ordinances of the City of Sheffield Lake establishing the monthly water consumption base rate for the municipality and the declaring of an emergency.

COUNCIL PRESIDENT: None.

MEETING ADJOURNED: With no further business before this council, Motion by Kovach/Second by Belaska to adjourn at 7:33 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

Kay Fantauzzi

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 24, 2012.

COUNCIL PRO TEM

Richard Rosso

MAYOR

Dennis Bring