

Minutes of the City Council

Sheffield Lake, Ohio

September 25, 2012

The regular meeting of the City Council was held Tuesday, September 25, 2012. Council President Rick Rosso called the meeting to order at 7:03 PM.

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

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

Present: Rosso, Stark, Smith, Belaska, Kovach, McCullough, Elliott, Mayor Bring, Treasurer Woods, Law Director Graves, Finance Director Smith, Service Director Smith

Attending: Planning Commission: Erdei, Concerned Citizens, Members of the Media; Avon Lake Press

READING OF THE MINUTES:

A – Council – September 11, 2012 - *Motion by McCullough/Second by Belaska to accept the minutes of the Council meeting of September 11, 2012. Yeas All.

CORRESPONDENCE/COMMUNICATIONS: None.

PRESENTATIONS: None.

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

Roads, Drains, Water, Sewer, and Refuse: Chairman Rosso reviewed the minutes of the September 10, 2012 meeting. *Motion by Elliott/Second by Belaska to accept the report. Yeas All./

Safety: None./Buildings, Lands, Vehicles & Equipment:

None./Ordinance: None./Finance & Audit: None./Council Representative to the

Community Center: None./Council Representative to the Zoning Board of

Appeals: None./Council Representative to the Planning Commission:

None./Representative to the Park Board: Member Kovach reviewed the minutes of the September 17, 2012 meeting.

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

MAYORS REPORT: Councilman McCullough stated the turbine at Shoreway, I asked about 4 months ago about a fence that was supposed to go around it and you guys said that there was something in the works for that? Is that still in the works or is that going to get done? Service Director Smith answered we have it in the works but financially we are looking at next year about trying to do something about it because it was a little more than we expected./

FINANCE DIRECTOR

REPORT: Councilman McCullough stated I just have a comment, I asked Mrs. Smith for a copy of the expenditures and rent from Shoreway Shopping Center and she did provide that to me./

TREASURER REPORT: None./SAFETY

DIRECTOR: None./SERVICE DIRECTOR: Service Director Smith reported

effective the October 1st billing the refuse rate is going to be increased due to its annual scheduled increase from \$18.11 to \$18.80 per the Allied Waste contract. Councilwoman Belaska stated it has been a long time and I was just wondered, what happened with the meters that we had and Bill Gardner was going to try to put them up for auction? Service Director Smith answered we still have those meters in stock, we use them for replacement meters as of right now and we have no buyers. We have the word out that they are for sale but we have no takers on it. Councilwoman Belaska asked we are still working on the cabinets, have we come up with anything yet? Service Director Smith answered have not come up with anything that Mr. Graves and I know. *Motion by Smith/Second by McCullough to accept the report. Yeas All./**LAW DIRECTORS REPORT:** Law Director Graves reported just a few things to talk about this evening. The settlement agreement has been approved by all the parties of litigation in regard to the Bowling Alley and we should be moving along with the auction within the very near future, we should be coming to the end of that long process. The Service Director and I had a productive meeting today with the City of Lorain in regard to renewing the sewer contract and I will keep Council apprised as those discussions continue. I did receive draft copies of the proposed easements in regard to the Speedway expansion and I will be reviewing those. Also in conjunction with the city engineer and ultimately will be bringing those before Council once those are finalized. The Civil Service Commission – their next meeting is September 27, 2012. They have scheduled a date for the Sergeant's exam; all 4 Patrolmen are going to be taking that test. So in the near future we will be having a new Sergeant in Sheffield Lake Police Department. They are also making preparations for conducting a Lieutenants test in the Fire Department that is still in the preliminary stages. Councilman McCullough stated you said you had a productive meeting with Lorain on their sewer rates? Law Director Graves advised renewing our sewer contract which goes back to 1980. Councilman McCullough stated they are not going to charge us a service charge like they are doing to the Townships are they? Law Director Graves answered we have a very good rate currently, those negotiations will be on-going. He reviewed legislation on the agenda. He advised on the donation of parcel of land from the Uhlik family – the taxes on that are current. Councilman McCullough stated on the memorandum of understanding we are paying \$55,000.00 basically/\$54,705.00 for improvements to the 911 system, are those improvements projected to last the 10 years we are going to have to pay for them or are they going to last 2 or 3 years and we are going to be paying for this 10 and have to do this again in a couple of years because with what I am understanding this new system is all computer based and with technology and everything going out of date so fast these things last a couple of 3 years that would be a long shelf life. I guess what I am asking is is there something in this that has? Law Director Graves answered I think the way to look at this is this is a benefit to

the city now, it is something that the Fire Chief has elaborated on and of course he has a much better understanding of how it will benefit the department and the city as a whole then I would but the costs of that benefit is \$54,705.00. They are allowing us to spread that repayment out over 10 years, in actuality the costs of the benefit now is \$54,705.00. So we are basically financing that over 10 years but the benefit is now, it is needed now. Mayor Bring stated we had asked for 10 years interest free, that way we could pay \$5000.00 a year so it just lowered the costs and we didn't have to dish out all the money at one time. Councilwoman Belaska asked Mr. Graves would you explain I believe it is 1371.18 of temporary signs, I believe it is what our signs are. I noticed a couple of signs out in the city, a couple of people asked me about it so can you cover that? Law Director Graves answered I don't have the ordinance in front of me but I would just say that the regulation of all temporary signs has to be content and neutral. Currently the city requires for any temporary sign a permit; it is a free permit and you have to come to the city and get a permit number and then you can put out your temporary sign. The permit is good for 30 days, all temporary signs are treated the same. *Motion by Elliott/Second by Belaska to accept the report. Yeas All.

CITIZENS COMME NTARY:

Mark J Erdei, 4015 Tennyson stated a while back we wrote the ordinances and everything for the internet cafes and we got them and I was just wondering everything collect from these things, is it going into a separate account to where we can use it for trying to get a new ambulance for our town or is it going into the general fund? Mayor Bring answered a separate account. We are waiting to hear back on the grants for the ambulance from the Fire Chief. Finance Director Smith stated it is in an capital improvement/general fund account but it is separate specifically for that.

Dennis Pedings, 827 East Drive introduced himself, I made application for the 14th ward vacated seat and I just wanted you to get the opportunity to meet me and me to meet you. I live at 827 East Drive and have been there for 15 years. I am an electrician and have been a member of the IBW for over 25 years and I sit on the executive board of my local and also I am a delegate to AFL-CIO. Anything that I can do to help this city move forward and make it a little bit better place for everybody else to live.

/UNFINISHED BUSINESS: None./NEW BUSINESS: Councilwoman Belaska stated Mrs. Smith and to the Mayor too, Mr. Ebenschweller sent a message over. I guess he had attended the Metro Parks meeting that was over there at the Civic Center and he stated to me that the Lorain County Metro Parks indicated that they had no plans of doing anything on the 75 acres until probably about 2 years and that they were supposed to be our trails "Safe Routes to School" and the City of Sheffield Lake could use Ferndale as a shear to the road or hook up with Ferndale and a Safe Route to the Schools because that would give them an opportunity to go

over East Drive, West Drive and Devonshire and he kind of made a map if you would like that. Service Director answered you could submit that to the Park Board. I did have a meeting with Jim Ziemenick prior to that presentation so I was well aware of everything that was going to be discussed. It is called the Sheffield Lake Reservation and you look it up on the internet on Lorain County Metro Parks website. Councilman McCullough stated even though it is Sheffield? Service Director Smith answered yes and my question even to previous Director Dan Martin was why is that and the answer is it borders Sheffield Lake. Sheffield Village has French Creek and that is what it is referred to, it is on this side of the tracks.

Councilman McCullough stated I would like to look into the possibility or opening discussion about maybe a community investment counsel to look into if we could get some business people involved in running the center and ideas for the community on how to take that center forward since we are not going to be able to unload it on somebody. We would actually have a committee that reports to us. Council President Rosso stated correct me if I am wrong David but I think at one point Mayor Piskura was looking at something around that but wouldn't that fall under the administration other than Council – is that where it should be driven from. Law Director Graves advised he is talking about a community improvement corporation; formerly known as community development corporation which is created under the Ohio Revised Code – it is actually under the same statute that creates the Land Reutilization Program which is the County Land Bank that they are doing. We had talked about doing this several years ago, it would actually be the Economic Development Arm of the city (non-profit) that could be designated as the Economic Development Agency for the city. It does have a lot of statutory benefits over local government running business. You can do things that municipal government cannot do. We had drafted some documents and the discussions had begun, my recollection is that the discussions kind of stalled over makeup of the Board and who was going to have more appointing Board members and things like that. It is set up in a corporate structure and there would be a Board and then there would be officers that would manage the day-to-day operations and it would answer directly to the city. It has some benefit, certainly worth discussing – one of the things that city Council could entertain doing would be creating an Economic Development sub-committee that would begin meeting and talking about economic development as a whole for the city. That is an option as well. Council President Rosso stated when Kay gets back we will ask her to pull that information, I think there was – well not legislation but there was some written material that Mayor Piskura had to your point got tied up in the discussions. Law Director Graves advised you have to draft the legislation creating it and then you have to have by-laws. Council President Rosso stated where I was going with was let's see what we have/if we want to review from the past but let's bring it to Worksession and

discuss how we should move forward and how we should get it going. I am in no position tonight to make any decisions but we will put it on Worksession agenda and just start talking about it and get the rules on how to set it up and input that way. Law Director Graves advised in terms of economic development for the city, there is a lot of other things that can be done as well and there is really no current committee that is designated to discuss those issues so that might be something to discuss. Council President Rosso stated we will put that on Worksession and start the discussion and see where it goes.

Mayor Bring stated one of our Council people had a little milestone the other day and I just want to congratulate Alan Smith on his 50th.

Councilwoman Stark asked could we ask applicants for the ward 4 vacant seat to come to our next meeting so that we would have time to come up with some questions to talk to both of them. Council President Rosso asked applicants Mark Erdei and Dennis Pedings to come to the next Council meeting scheduled for October 9th for question and answer period. Law Director Graves advised just to remind Council that an appointment of a public official is a valid exception to meet in executive session for the discussion, while you cannot take a vote you could discuss an appointment of that nature in executive session.

ORDINANCES/RESOLUTIONS:

Council#047 – SECOND READING – an ordinance amending the rate of pay for the position of part-time grant administrator and the declaring of an emergency. Councilman McCullough asked is this coming out of general fund or is this coming out of that CHIPS grant administration fee? Finance Director Smith answered the CHIPS grant administration fee will supplement this, yes. Councilman McCullough asked 100%, I mean up to the \$15,000.00? Finance Director Smith answered no. Councilman McCullough asked how much does it supplement it? Finance Director Smith answered it depends on the grant, I don't have that information with me tonight. Councilman McCullough stated because my concern would be how much are we taking out of general fund to get this rolling? Finance Director Smith answered we discussed that, it is coming out of several funds that the rest of administration comes out of and those will be reimbursed as we get money back from any grants that may be received. Council President Rosso stated it would be interesting what the CHIPS grant administrative line is, I don't know how much that is and I don't expect you to know that off the top of your head but for the next meeting. This is just doing the pay portion of it but as long as we have that answer by next Council meeting before we vote.

Council#048 – 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 Belaska for SUSPENSION OF RULES:

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

*Motion by Elliott/Second by Stark for ADOPTION:

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

Ordinance Passes#44-12

Council#049 – EMERGENCY – a resolution authorizing the City of Sheffield Lake to accept and approve the donation of a parcel of land to the City of Sheffield Lake from the Uhlik family and the declaring of an emergency.

*Motion by Stark/Second by Belaska for SUSPENSION OF RULES:

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

*Motion by Stark/Second by Belaska for ADOPTION:

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

Resolution Passes#45-12

Council#050 – EMERGENCY – an ordinance authorizing the Mayor to enter into a memorandum of understanding with the Lorain County Board of Commissioners for a County 911 Dispatch System, and the declaring of an emergency.

*Motion by Elliott/Second by Stark for SUSPENSION OF RULES:

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

*Motion by Elliott/Second by Stark for ADOPTION:

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

Ordinance Passes#46-12

Council#051 - FIRST READING – an ordinance amending Chapter 961.16 of the codified ordinances of the City of Sheffield Lake regarding swimming areas and beaches.

Council President Rosso advised my appointments as President of Council that I need to address, I have talked to everyone and just wanted to get on record the changes; Mr. Elliott is going to be Council Pro Tem and he is also going to be Chairman of Roads & Drains and he is going to be a member of the Safety Committee. Mrs. Stark is taking over as Chair of the Safety Committee and with Mr. Elliott moving to Safety Committee I have asked Mr. Smith to take over as Chair on the Ordinance Committee and Mr. McCullough will join the Ordinance Committee to replace Mr. Elliott. I believe that addresses all shuffling around that we needed to do to replace me on various committees. As I have spoken to everyone once we fill the ward 4 seat and get back up to a full Council, let's say the beginning of the year everything will be looked at again and adjusted where we

need to. I want to say Thank You to everyone for working with me and taking on a few more responsibility here as we get back up to speed.

MEETING ADJOURNED: With no further business before this council, Motion by Kovach/Second by Stark to adjourn at 7:40 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.



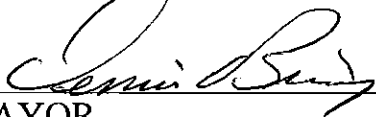
CLERK OF COUNCIL
Kay Fantauzzi



PRESIDENT OF COUNCIL
Rick Rosso

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 September 25, 2012.

COUNCIL PRO TEM
Eric S Elliott


MAYOR
Dennis Bring