

Minutes of the City Council
Sheffield Lake, Ohio
February 23, 2010

The regular meeting of the City Council was held Tuesday, February 23, 2010. Council President Edward Podmanik called the meeting to order at 7:07 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, Elliott, Treasurer E Hoenig, Safety/Service Director Arendt, Law Director Graves
Absent: Smith, Diebold, Mayor Piskura, Finance Director Smith (excused)
Attending: Concerned Citizens, Planning; Belaska, Zoning; Ebenschweller, Civic Center; Nicola, Members of the Media

*Motion by Bring/Second by Elliott to approve the minutes of the City Council meeting of February 16, 2010 with any corrections. Yeas All.

CORRESPONDENCE/COMMUNICATIONS: None.
PRESENTATIONS: None.

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

Roads, Drains, Water, Sewer, Refuse: None./Stormwater Utility: None./Safety: None./Buildings, Lands, Vehicles & Equipment: None./Ordinance: None./Finance & Claims: Chairman Rosso advised I will not be here for the next meeting. President of Council Podmanik will chair.**/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:

None./TREASURER REPORT: None./SAFETY/SERVICE DIRECTOR:

Safety/Service Director Arendt reported we are gearing up for this weekend, all machines are operable. We have got some more salt that was delivered, last year we used 1045 tons and so far this year we have ordered 800 tons so we have met our minimum we had ordered through the consortium that we are involved in right now. The police vehicle that was damaged, we were supposed to get a check from the persons attorney last Friday and that did not happen. The person now is going to make restitution hopefully by tomorrow morning. That is the case now so he is supposed to be here tomorrow morning with the full amount. President Podmanik asked when they plow the streets like Holl, Belle, Brockley, Knickerbocker – they

don't seem to get close enough to the curb, is there a reason? Service Director Arendt answered I apologize and I do have an answer for you, in that instance the larger truck broke down and that was a hydraulic line that broke down and was down for 4 hours so they had to use the lighter truck which doesn't have enough umph to push that amount of snow up all the way over. The larger truck was supposed to follow it so we had one down and the other truck was doing another road so we weren't able to get to it until I think it was the next day we got to it. President Podmanik stated I didn't know if it was the type of curb it was or if we had a problem that I wasn't aware of. They were about 2 feet off the curb. Service Director Arendt reiterated right the big truck was supposed to follow the smaller truck and it would have been done very quickly and that broke down. President Podmanik advised which by the way they did an excellent job as far as I could tell on snow removal all over the city, I didn't see a whole lot of problems anywhere. Service Director Arendt advised I have to tell you the guys have been fantastic, I have come into the city when it snowed and my sister-in-law has come through the city and compared to the other city Lorain and then as she passed through here going to Avon Lake the snow was there again. I did come through the side streets, it took a little longer then we would have liked but very happy with the work.

*Motion by Huska/Second by Bring to accept the report. Yeas All./**LAW**

DIRECTORS REPORT: Law Director Graves reported the Civil Service Commission is going to meet tomorrow and review the applications for the Fire Chief's position. We do have a number of candidates who have applied and we will be scheduling that test and posting the study materials right after tomorrow's meeting. So there is a number of outside candidates that want to test for the position of Fire Chief so that is good. The Records Commission, we are going to be scheduling a records disposal very soon and according to the Finance Director on that, I had a conversation with her the other day on that. The Tax Board of Review – that meeting is scheduled for Monday, March 1, 2010 at 7 pm and I have provided them with some proposed rules and procedures for their consideration and then I anticipate their scheduling a first hearing on the tax appeal that has been filed. Continuing to work on a number of projects that everyone should be aware of, continuing to review the renewal energy service agreement from Nex Gen for our proposed wind turbine project.

CITIZENS COMMENTARY:

UNFINISHED BUSINESS: None./NEW BUSINESS: *Motion by Bring/Second by Kovach to go into executive session for the purpose of pending litigation and also investigation of charges against a public official. **ROLL CALL TO GO INTO EXECUTIVE SESSION:** Yeas All – Rosso, Huska, Elliott, Smith, Kovach, Diebold, Bring.

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

Law Director Graves advised let the record reflect the City Council of Sheffield Lake did adjourn into executive session to discuss pending litigation and also the investigation of charges and complaints against a public official.

*Motion by Huska/Second by Bring to add Council#008 and #009 to tonights agenda. ROLL TO AMEND THE AGENDA: Yeas All – Elliott, Kovach, Huska, Diebold, Rosso, Smith, Bring.

*Motion by Huska/Second by Bring to confirm the Mayors recommendation of Rick Rosso, Jim Hoenig and Barb Holley for the Board of Review. Yeas – Kovach, Huska, Bring, Elliott, Smith, Diebold/Abstain – Rosso.

Councilman Diebold stated Mr. Arendt do you think by any chance we can get a load or two of screenings down there by Walker, maybe Mould Construction can come down and work a half a day on dressing those laterals up the west side of Abbe/Walker. It is really getting nasty and I have been getting quite a few complaints from some citizens and me. There was a brief discussion. Service Director Arendt answered I will call them tomorrow.

ORDINANCES AND RESOLUTIONS:

Council#001 – THIRD 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 Bring for ADOPTION:

ROLL CALL FOR ADOPTION: Yeas – Smith, Huska, Kovach, Bring, Elliott, Diebold/Nays – Rosso.

Ordinance Passes#6-10

Council#005 – SECOND READING – an ordinance by the Council of the City of Sheffield Lake establishing Chapter 1121 of the codified ordinances of Sheffield Lake regarding wind energy facility. (**amended**)

Council#008 – EMERGENCY – an ordinance authorizing the Mayor to enter into the sixth amendment to contract with Browning-Ferris Industries of Ohio, Inc. (BFI), and the declaring of an emergency.

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

ROLL CALL FOR SUSPENSION OF RULES: Yeas – Bring, Diebold, Kovach, Smith, Huska/Nays – Rosso, Elliott.

*Motion by Huska/Second by Bring for ADOPTION:

ROLL CALL FOR ADOPTION: Yeas – Smith, Huska, Bring, Kovach, Elliott, Diebold/Nays – Rosso.

Ordinance Passes#7-10

Council#009 – FIRST READING – a resolution to rename the Community Civic Center the “Joyce Hanks Community Civic Center”.

COUNCIL PRO TEM: None.

MEETING ADJOURNED: With no further business before this council, Motion by Kovach/Second by Bring to adjourn at 8:25 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 February 16, 2010.

COUNCIL PRO TEM

Richard Rosso

MAYOR

John J Piskura