

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. I can report that the Mayor did sign the BFI contract today and that has been sent off to BFI. Once it is signed on their end they will begin ordering the carts and implementing the cart program which we expect will be in place by early April. Legislation tonight, you have got a second reading on the resolution to rename the Community Center after Joyce Hanks, the third reading on the wind energy facility legislation and if Council so chooses they could add legislation for a first reading authorizing the Mayor to extend the city health care contract with the county. Councilwoman Huska asked are all the amendments to the wind turbine ordinance, have they all been done? Law Director Graves answered after its first reading, Council did voice I think 5 amendments and all of

those have been incorporated into the print there. *Motion by Huska/Second by Bring to accept the report. Yeas All.

CITIZENS COMMENTARY:

Mark J Erdei, 4015 Tennyson stated I was looking through your sheet on that wind energy and everything. I didn't see nothing unless I overlooked it about especially for the plaza, if they are putting all the cables and everything underground – is there any kind of liability or is the contract for trenching to put them underground to get to wherever they got to go, are they liable if they hit something accidentally – electrical or sewer or anything? I didn't see anything, is it in there? Law Director Graves answered they have their general liability insurance and things like that are also going to be covered in the contract that we have with Nex Gen which is quite a lengthy document. They are going to be responsible for anything that they damage in putting this in. Mr. Erdei stated you see in other cities every once in a while that somebody hit a gas line or something. Mr. Erdei continued I haven't heard anything lately on the marketing firm or whatever that is running the shopping center, any updates? Law Director Graves answered North Coast Capital Partners, I know that the Mayor has been in contact with them and they want to develop the shopping center so they are doing the best job they can to try and get pre-leases, trying to get businesses that want to come in there so they can begin construction with the plan.

Debbie Belaska, 4014 East Lake Road asked what is the result of the Bowling Alley there, have we gotten that resolved yet/what is the issue there? Law Director Graves advised the Bowling Alley eviction case is still pending in Lorain Municipal Court. I had asked for and received a continuance of the hearing for 30 days. They have written a series of checks to the city which were we are depositing on a weekly basis and we want to work with them and they have been compliant. If the plan moves forward the way we anticipate, they should be current by May. But the first 3 have gone through with no problem.

UNFINISHED BUSINESS: None./NEW BUSINESS: *Motion by Huska/Second by Bring to amend the agenda to include Council#010 to tonight's agenda. ROLL CALL TO AMEND: Yeas All – Huska, Bring, Rosso, Kovach, Elliott.

Service Director Arendt apologized I forgot to mention in my report that I will be meeting with Ohio Edison tomorrow about the light at the bike trail, they were supposed to have it put up and it didn't get done. So they promised that they would meet with me tomorrow. President Podmanik asked it seems to me we had a light request on this end of town, are those still pending? Service Director Arendt answered that is scheduled for March.

ORDINANCES AND RESOLUTIONS:

Council#005 – THIRD 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)

*Motion by Huska/Second by Bring for ADOPTION:

ROLL CALL FOR ADOPTION: Yeas All – Elliott, Huska, Kovach, Rosso, Bring.
Ordinance Passes#8-10

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

Council#010 – **FIRST READING** – an ordinance authorizing the Mayor to enter into an agreement extending the agreement regarding officer and employee health care benefits program with the County of Lorain, Ohio.

COUNCIL PRO TEM: President Podmanik read the request of medical leave from Councilman Diebold for a period of 30 days to commence February 17, 2010.

MEETING ADJOURNED: With no further business before this council, Motion by Kovach/Second by Bring to adjourn at 7:26 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 23, 2010.

COUNCIL PRO TEM

Richard Rosso

MAYOR

John J Piskura