

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

The regular meeting of the City Council was held Tuesday, March 23, 2010. Council President Edward Podmanik called the meeting to order at 7:05 PM. **THE INVOCATION WAS GIVEN BY: Council Chaplin, Kay Fantauzzi**, who, then led in the Pledge of Allegiance.

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

Present: Podmanik, Bring, Kovach, Huska, Elliott, Diebold, Mayor Piskura
Absent: Rosso, Smith, Finance Director Smith, Treasurer E Hoenig,
Safety/Service Director Arendt (excused)
Attending: Concerned Citizens, Zoning; Ebenschweller, Planning; Belaska,
Members of the Media

*Motion by Bring/Second by Huska to approve the minutes of the City Council meeting of March 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: None./Income Tax Review Board: Law Director Graves reviewed the minutes of the March 15, 2010 meeting. *Motion by Huska/Second by Bring to accept the report. Yeas All.**Investment:** Mayor Piskura reviewed the minutes of the March 23, 2010 meeting. *Motion by Huska/Second by Bring to accept the report. Yeas All.**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:** Member Kovach reviewed the minutes of the March 15, 2010 meeting.

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

MAYORS REPORT: Mayor Piskura reported I have 2 things – I can't talk in detail but I have a meeting tomorrow about the shopping center and they have had a couple of new perspective interested businesses that as they develop I will make you more aware of them. I do in addition to just letting you know that things are not at a standstill at the shopping center. Although they are moving a little bit slower then we want, we are still working on it. I wanted to request a very brief executive session to talk about the appointment, employment and compensation of a public employee. *Motion by Huska/Second by Bring to accept the report. Yeas All.**FINANCE DIRECTOR REPORT: None./TREASURER REPORT: None./SAFETY/SERVICE DIRECTOR: None.**

All./LAW DIRECTORS REPORT: Law Director Graves reported not a whole lot to report tonight. We continue to work on a lot of projects that Council is aware of. In addition to the Special Zoning meeting on March 31st which will be to talk about the conditional use permit for the proposed wind turbine at the shopping center. That is also the same night we will be holding our Fire Chief's test. I will keep you apprised of all of that. In terms of legislation this evening, you have got a third reading authorizing the Mayor to enter into an extension agreement for the health care plan. It is the county plan and there is no substitute changes to the plan we are just extending it and getting it on the same calendar with the rest of the county. We also have a second reading on the application for the CHIP grant, we would like Council to consider passing this as an emergency if they can get 5 members that would vote on it and I know that Councilwoman Huska has a very good reason as to why she would abstain from voting on it. So it is up for a second reason this evening and we will make that application once that passes. Also should Council choose to add them to the agenda tonight; we have Council#013 and this is what was discussed and came out of the Ordinance Committee actually authorizing the city to actually be able to correct stormwater infiltration to residents sanitary sewers and then be able to charge them or put a lien on the property and that would be a first reading. We have a first reading on an ordinance authorizing the Mayor to enter an agreement for the highest and best bidders – we are currently bidding for an additional cell tower to be placed on the water tower. We have a company that is very interested in doing that and we could accommodate more than 1 and then they would lease that space and it would be income to the city. So that is up for a first reading tonight as well. We have an appropriations change from the Finance Director decreasing the Grant Administrative line by \$21,300.00 and increasing the engineering line by \$21,300.00 and then we have the annual codification ordinance which Walter Drane provides to update our codification with all the legislation we passed in the previous year as well as changes to the state criminal codes. *Motion by Huska/Second by Bring to accept the report. Yeas All.

CITIZENS COMMENTARY:

Debbie Belaska, 4014 East Lake Road stated I would like to invite everybody down, we had a candidates night over here in the past here in Sheffield Lake at Gus's. They are also having one candidates debate at 7 pm at Gus's in the Village on March 24th at 7 pm. All is welcome to attend and that is tomorrow night. Mayor Piskura asked Debbie, do you know who is going to be there? Mrs. Belaska advised of candidates who would be debating. Mayor Piskura advised I think Vic Stewart was talking about it too but I wasn't sure if he was though.

UNFINISHED BUSINESS: None./NEW BUSINESS: *Motion by Huska/Second by Bring to amend the agenda to include Council#013, 014, 015 and 016 to tonight's agenda. ROLL CALL TO AMEND: Yeas All – Huska, Bring, Kovach, Elliott, Diebold.

ORDINANCES AND RESOLUTIONS:

Council#010 – THIRD 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.

*Motion by Huska/Second by Bring for ADOPTION:

ROLL CALL FOR ADOPTION: Yeas All – Elliott, Bring, Diebold, Kovach, Huska.

Ordinance Passes#11-10

Council#011 – SECOND READING – a resolution for the purpose of authorizing the Mayor to file a FY 2010 Community Housing Improvement Program Grant (CHIP) application with the Ohio Department of Development; and, declaring an emergency.

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

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

Motion for suspension failed.

Council#013 – FIRST READING – an ordinance by the Council of the City of Sheffield Lake amending section 931.14 of the codified ordinances regarding drainage of surface water into sanitary sewers.

Council#014 – FIRST READING – an ordinance authorizing the Mayor to enter into agreement with the highest and best bidder(s) for cell tower communication site lease(s), and the declaring of an emergency.

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

ROLL CALL FOR SUSPENSION OF RULES: Yeas All – Bring, Kovach, Huska, Elliott, Diebold.

*Motion by Elliott/Second by Kovach for ADOPTION:

ROLL CALL FOR ADOPTION: Yeas All – Huska, Bring, Kovach, Elliott, Diebold.

Ordinance Passes#12-10

Council#015 – 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 Huska/Second by Bring for SUSPENSION OF RULES:

ROLL CALL FOR SUSPENSION OF RULES: Yeas All – Diebold, Huska, Elliott, Bring, Kovach.

*Motion by Huska/Second by Bring for ADOPTION:

ROLL CALL FOR ADOPTION: Yeas All – Bring, Elliott, Kovach, Diebold, Huska.

Ordinance Passes#13-10

Council#016 – EMERGENCY – an ordinance approving the recodification, editing and inclusion of certain ordinances as parts of the various component codes of the codified ordinances of Sheffield Lake, Ohio, and the declaring of an emergency.

*Motion by Huska/Second by Bring for SUSPENSION OF RULES:
ROLL CALL FOR SUSPENSION OF RULES: Yeas All – Elliott, Bring, Diebold, Huska, Kovach.

*Motion by Huska/Second by Bring for ADOPTION:
ROLL CALL FOR ADOPTION: Yeas All – Kovach, Elliott, Diebold, Huska, Bring.

Ordinance Passes#14-10

*Motion by Bring/Second by Huska to go into executive session for the purpose employee issues; appointment, employment and compensation of a public employee. ROLL CALL TO GO INTO EXECUTIVE SESSION: Yeas All – Bring, Huska, Diebold, Kovach, Elliott.

*Motion by Bring/Second by Elliott to return to regular session.

ROLL CALL TO RETURN TO REGULAR SESSION: Yeas All – Bring, Diebold, Huska, Kovach, Elliott.

Law Director Graves advised let the record reflect that the City Council of Sheffield Lake did adjourn into executive session to consider the employment, and compensation of a public employee pursuant to 121.22 of the Ohio Revised Code and Sunshine Laws.

COUNCIL PRESIDENT: None.

MEETING ADJOURNED: With no further business before this council, Motion by Kovach/Second by Bring to adjourn at 8:03 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 March 23, 2010.

COUNCIL PRO TEM

Richard Rosso

MAYOR

John J Piskura