

Minutes of the City Council
Sheffield Lake, Ohio
April 13, 2010

The regular meeting of the City Council was held Tuesday, April 13, 2010.
Council Pro Tem Rick Rosso called the meeting to order at 7 PM.

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

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

Present: Rosso, Huska, Diebold, Smith, Kovach, Bring, Elliott, Mayor Piskura, Treasurer E Hoenig, Law Director Graves, Safety/Service Director Arendt

Absent: Podmanik, Finance Director Smith (excused)

Attending: Concerned Citizens, Zoning; Ebenschweller, Planning; Belaska, Grant Administrator Gardner, Members of the Media

*Motion by Bring/Second by Elliott to approve the minutes of the City Council meeting of March 23, 2010 with any corrections. Yeas All.

*Motion by Bring/Second by Elliott to approve the minutes of the Special City Council meeting of March 31, 2010 with any corrections. Yeas All.

CORRESPONDENCE/COMMUNICATIONS:

Monthly report of court receipts for month of March - \$8312.50; receive and file.

PRESENTATIONS: None.

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

Roads, Drains, Water, Sewer, Refuse: None./Stormwater Utility: Representative Smith reviewed the minutes of the March 11, 2010 meeting.

Safety: Chairman Bring reviewed the minutes of the April 7, 2010 meeting. *Motion by Huska, Second by Kovach to accept the report. Yeas All.

Buildings, Lands, Vehicles & Equipment: Chairman Kovach reviewed the minutes of the April 1, 2010 meeting. *Motion by Huska/Second by Bring to accept the report. Yeas All.

Ordinance: Chairman Elliott reviewed the minutes of the April 1, 2010 meeting. *Motion by Huska/Second by Bring to accept the report. Yeas All.

Finance & Claims: None./Income Tax Review Board: None./Investment: None./Council Representative to the Community Center: None.

Council Representative to the Zoning Board of Appeals:

Representative Kovach reviewed the minutes of the March 31, 2010

meeting.**Council Representative to the Planning Commission: None./Council Representative to the Park Board: None.**

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

MAYORS REPORT: Mayor Piskura reported I have a couple of things tonight, first of all I know it has already been reported but I haven't had the opportunity to be able to announce or talk about the bike trail grant that we just got. It was a safe

route to school bike trail grant/multi-jurisdictional includes Sheffield Village and the schools. If everybody has seen our covered bridge and our new bike trail that we got done last year, that will be one of the tunnel ends of the county wide bike trail system. Of course we have the bike trails going down Lake Road but you will be able to go from the covered bridge all the way down our bike trail all the way to a bike trail that will be installed on Harris Road going to the High School and then going over to where the county's comes out at French Creek. So we are all very excited about it, it is going to help the schools and their transportation issues tremendously and it is going to provide a lot of opportunity for people to use them. I wanted to be able to actually say that at a meeting, I know it has already been reported but we are all very proud of that. Mrs. Jensen stated I came to say thank you. Mayor Piskura stated I think the biggest reason that we got that grant was because there was so much cooperation with the multi-jurisdictional. Mayor Hunter, the School Board and the school Superintendent – we all worked together to get that grant and I think that is what made it happen. Secondly Councilman Kovach made reference to the wind turbine from Nex Gen. You have for tonight some legislation to consider, it is the renewable services energy agreement and we are fast approaching dead lines that the private company needs to submit for their grant application to actually make this happen. So I wanted you to know that today is the last day. If this legislation doesn't pass tonight we are not going to be able to do the wind turbine, if it passes we will be able to keep the project rolling. We are no longer using at least for the moment Mr. Valez as our electrical inspector. Therefore I would like to appoint Timothy Golden as the new electrical inspector, you remember it is on a per use kind of basis. If you have any questions about Mr. Golden Joe could probably answer them in a little bit. Finally with a lot of sadness I guess I accepted Joe's resignation from the Service Director's position. However I was able to talk him into staying and helping us in the capacity of Safety Director. If you remember we combined the position for Joe and he did an excellent job, I think he has been one of the best Service Directors we have had and one of the best Safety Directors we have had and I am personally going to miss him being around all the time. He will still be here for meetings, he is still going to be here to help the city as much as he possibly can in the Service Director portion and he will be still the Safety Director. So with that said we have a vacancy in the Service Directors position and I have been talking to an individual that has been very involved in the city. I first started thinking about appointing him when Joe and I were discussing his resignation. This individual is currently the Chairman of the Park Board, he was very instrumental in helping with the master plan and the parks master plan and he worked on the bike trails and the bike trail grant. You might remember the historical markers that we got those were all because of this individual and has been deeply rooted in the community and has management experience and has always been here to help. So I am very comfortable in appointing Len Smith as the new Service Director and would ask for your

confirmation. *Motion by Huska/Second by Kovach to accept the report. Yeas All. ***/FINANCE DIRECTOR REPORT: None./TREASURER REPORT:*** Treasurer E Hoenig reported you have the Treasurer's report in your packet and of course I would have to say again that Rose is doing a great job. *Motion by Kovach/Second by Bring to accept the report. Yeas All. ***/SAFETY/SERVICE DIRECTOR:*** Safety/Service Director Arendt reported I am going to go to Gander Mountain and that is the best place that we have talked about and look for the cameras that Mr. Bring was talking about. I think that they are essential, we have already had some kids that we have had to chase away several times down near the bridge throwing debris in/throwing in logs which eventually cause a lot of damage. So I think the cameras are very necessary, the camera costs is anywhere from \$100.00 to \$120.00 per camera. I would be able to get 2 of them and I will be putting in a voucher and hopefully Mrs. Smith will be able to find the funds for that. The ambulance is repaired and on the other equipment we had hoped to have the Kamasu into the boat launch area last week but there was a couple of problems with the throttle cable and also with the water pump. The water pump has been installed and it is done today. Hopefully tomorrow or by the latest Thursday the Kamasu will be in there to start dredging out the sand that has accumulated. We also have ordered some marker buoy's because the sand has come in so much that there is certain areas that come in if you bring a boat in there about 18 inches on the inside of the channel and I hate to have somebody file a claim a damaged propeller or an out-drive or anything like that. So we did order some buoy's and put those in. We will get the sand out and the buoy's will not be a waste because it is going to happen each and every year. Mayor Piskura advised I just want to be clear that our boat launch isn't filling up with sand, it is supposed to do that – that is a sand trap and it is there to catch it and this is normal regular maintenance. This isn't something that we have to go in and dredge it out because of some kind of major design flaw. Service Director Arendt concurred it is absolutely correct, it is designed to catch the sand. Finally I just wanted to take this opportunity as you know I have turned my resignation into the Mayor. I appreciate the opportunity that you Mayor Piskura and City Council has given me and your faith in my abilities. It has been a rewarding as well as challenging opportunity to be able to work with you and the city employees these last 17 months. The experience that I have obtained will not only remain as part of my managerial achievements but as goals for future endeavors. The professional as well as personal bonds that I have made I will take with me and cherish. I want to thank you all very much and I will be around probably more then some people might want. Council Pro Tem Rosso asked I am not going to let you get off easy because I have a question, I just got my water bill today – was there a problem with sending them out? Service Director Arendt answered yes I forgot about it but I am glad you brought it up. Last week a lot of people were complaining that they weren't getting them and we found out that the post office machine was skipping for the master postage so a lot of them went out

and didn't get there but that has been taken care of. Council Pro Tem Rosso stated so there could be situation where somebody doesn't get it in time to pay it. Service Director Arendt answered right and what we will do is take it case by case basis and study the past history on not charging for a late fee if they have been consistent or anything like that – on a case by case basis. Council Pro Tem Rosso stated alright I was just surprised when I saw it in today's mail. *Motion by Huska/Second by Bring to accept the report. Yeas All./**LAW DIRECTORS REPORT:** Law Director Graves reported in regards to Demolition Board – I had a conversation with the part-time building inspector yesterday and he did inform that there are a number of homes in the community that are vacant and in pretty extreme state of disrepair. He is compiling a list of homes that could potentially be candidates for demolition and we will continue to work on that and abate any real problem properties throughout the city. The Civil Commission as you all should be aware conducted a Chief's test and of the 5 candidates that took the tests 4 achieved a passing score. They will meet tomorrow night Wednesday April 14th at 6 pm to certify the tests results and forward the top 3 candidates on for interviews and hopefully in the near future we will have a full-time permanent Chief which has been a long time coming. The Records Commission – our records retention schedule has been approved and was approved last year by the state. We are preparing for a major record disposal, as we decide what records are ready to go pursuant to that schedule that will be scheduled as well. Legislation for tonight; you have a second reading on the ordinance to address the surface water drainage into sanitary sewers. If you recall that would give the city the authority to correct the problem and bill a private homeowner or place it as a lien on the property. Should Council so chose a number of ordinances that they could add to the agenda this evening; Council#017 is the ordinance that the Mayor referenced earlier authorizing him to enter into the renewal energy services agreement for the wind turbine. I would like to come back to that, I would like to give you some bullet points on the contract as it is rather a lengthy document. Council#018 authorizing the Mayor to sign the administration agreement for CDBG money, that is an annual application that is pretty standard. Council#019 we did bid publicly for the contract to paint the water tower at Ferndale Park. Dentz Painting was the lowest and best bidder and that is up for a first reading tonight to authorize the Mayor to enter into a contract with Dentz Painting for the water tower. They check out and there are no resolved findings for recovery with the state auditor and that is up for a first reading this evening. We have got Council#020 there is a lot of property that is ready for disposal. The Service Department; old computer towers, monitors, printers that are really junk and have no value whatsoever and we would ask Council just to approve that proper disposal. Council#021 would amend the codified ordinance 965 which involves the refuse garbage collection and this would bring our current codified ordinance into and make it consistent with the present agreement that the city has with Allied Waste doing business with BFI.

The wind turbine contract, the renewal energy services agreement – this is a project that we have talked about at great length and has been discussed at Planning Commission and at Zoning Board there was a variance granted to allow them to do testing and it was discussed at some length at the last special Zoning meeting and Council has been apprised all along that this was the direction that we were going. The agreement is rather lengthy but just to summarize some of the more important parts, it is a 10-year agreement and in years 1 through 5 there is a graduated schedule of what the costs per kilowatt hour would be. In year 1 it would be 9 cents and that is based on historical data – very, very competitive with what NOPEC has negotiated with First Energy. In year 6 through 10 there is a guaranteed 5% less than whatever that First Energy rate would be. The idea is that when the turbine begins producing energy it would be supplying a portion of the power for the Apples Grocery Store. We anticipated providing approximately 15% of the necessary power. The city will be receiving the bill from LLC which is actually going to operate Sheffield Lake wind and then we will invoice Apples for that power. The Mayor is in communication with Cascade Management which runs Apples to work out the details of the interconnection agreement and an addendum to their lease which would be coming back to City Council sometime in the future. They would have a utility easement and one of the terms that I was most adamant about is the ability to relocate the turbine in the event of future development at the shopping center. Nex Gen, we have incorporated language in there and they are ready to cooperate and work with the city in regard to any future development and can be easily relocated. So we are going to work together on that. Some of the terms in here are not enforceable against the city and that is something, for example; indemnification and there is other language in here that by law doesn't apply to us. It is in there and the caveat is to the extent provided by law. The idea is that if we work out a deal with a developer that wants to develop the center that the agreement would be enforceable against a future development company as well. The effective date would be the date that this is signed by the Mayor, hopefully this evening and at that point Nex Gen will begin their process of applying for various grants and other details to get it going. Mr. Ginesi is in the audience today and he could answer in further questions that you would have but he told me that once this is rolling, once all the appropriate approvals are done that they can have the turbine up in probably under 4 weeks. But that is after the interconnection agreement and all that is settled. Those are the most important terms, the rest of the contract is pretty standard. The city did advance \$9500.00 and that is a prepayment for energy and we are working out the details of how that would be charged back in regard to Apples. That would be a credit to their power purchase as well.

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

CITIZENS COMMENTARY:

Dorothy Wisnieski, 543 Lakeview Avenue stated I am concerned about this leaf/trash everything pick-up, this is kind of being jammed down our throats right

now isn't it – an emergency? We talked about this last year and nothing happened and everything is fine and now all of a sudden we have got this is going to be passed as an emergency, how come? Law Director Graves answered the contract to implement the program has already been signed and passed through legislation by Council and discussed at numerous Council meetings, special public hearings and committee meetings. The ordinance that is on the agenda this evening or could be added to the agenda to this evening would be just to amend our codified ordinances to be consistent with the contract that the city has already entered into and has been authorized by legislation. Mrs. Wisnieski stated this says that the yard waste pick-up will only be from April 15th to November 30th – what happens to the leaves? Law Director Graves answered I think if you talked to the other communities and Allied – those are the months when you have the leaves, from April through November. Mrs. Wisnieski stated no. Law Director Graves asked you have leaves in December and January? Mrs. Wisnieski answered yes I do. Law Director Graves answered the yard waste can be handled a number of different ways, if you want to put your yard waste out on a weekly basis it has to be in the brown recycle bags. If you wait until the 1 collection week (the 3rd cycle) for the unlimited pick-up then you could put it all out there. The 3rd option would be to put it in your 96-gallon trash receptacle, so you have 3 options for your yard waste.

Jean Taylor, 693 Idlewood Avenue stated this is a bunch of baloney, first of all how are we supposed to manage these cans. It is okay for you to say shove it in a can who is going to wheel it down the driveway? What are we going to do store it up in the driveway so that on the 3rd week we can put it in a plastic bag? Council Pro Tem Rosso clarified you are concerned about not being able to physically move the can down? Mrs. Taylor answered yes there are a lot of older people that live in Sheffield Lake and what do we do when the snow is down and I live on a corner, when the snow plows come around that snow is all piled up. Am I supposed to put them on the top of the snowplow? Council Pro Tem Rosso answered on the first part, the gentleman from Allied Waste that spoke 2 options; 1 you can contact Allied Waste, a senior citizen can contact Allied Waste and say look I can't bring that can down at the end of my driveway because of my age and my health and they will send the guy up to your house to pull it down to the end of the driveway to empty. The second option being a senior citizen, a lot of time you don't produce as much waste as other homes and again contact Allied Waste and they would allow you to put a small bag out versus the 96-gallon can. But again that was an option for senior citizens that he had said they would be more than happy to do. Mrs. Taylor continued the same with yard waste, it is supposed to be from April 15th – I don't know about anybody else but I have cut my grass twice already and it is not the 15th. So we have just got to pile this up? I went down and bought paper bags today and do you know they are 50 cents a piece and what happens, you can only fill them so high then if you are going to close them up so the water doesn't get in. I have 4 and 5 bags of grass so I am supposed to pay out

all of this extra money? It is ridiculous, every time this city wants something they advertise and everything but when it comes down to the people we can get nothing – absolutely nothing. We passed an ordinance for our streets and we got nothing but pot holes and the shopping center is disgusting. I have to go down Lake Road and up Lake Breeze over to Apples but I tell you if they ever start dropping bombs from Iraq down here we will miss them because we go like this around the pot holes – streets in England were better then this when the bombs fell. Council Pro Tem Rosso advised as the Law Director said you know this legislation was discussed for months and there were several public hearings. Mrs. Taylor stated there was nothing in the newspaper, there was nothing sent to the houses even on the water bill to say we are going to discuss this. Council Pro Tem Rosso advised it was in the newspaper. Law Director Graves advised Mr. Edwards who is in the back – it has been in the Press at least 3 times. Mrs. Taylor stated I called the Water Department yesterday to find out what was going on and those poor ladies down there didn't even know anything about it. They had so many irate citizens calling them. The one woman said "I went home at lunch time to see if there was the little letter in her mailbox" because she didn't even know what it was about. Law Director Graves advised because the questions are supposed to be answered by Allied Waste, those questions are supposed to be directed to customer service line at Allied Waste. Mrs. Taylor stated no, you Council members represent us. Law Director Graves advised but the questions about the implementation program go to the agent. Mrs. Taylor stated I called Allied Waste today on that number to ask them about the paper bags and they couldn't even give me any information. What are the paper bags on to do when it rains, do they disintegrate? You know Sheffield Lake is going to look like a city dump, it is very well for Mr. Kovach to say we got the beautiful bike park and we got turbines and a boat dock but 90% of the people don't have boats. Law Director Graves advised the program is already in place in Avon Lake. Mrs. Taylor stated I don't care about Avon Lake. Law Director Graves continued in North Ridgeville. Mrs. Taylor stated that is not us. Mr. Graves – if we wanted to live in Avon Lake we would have better streets – we live in Sheffield Lake, let's go for Sheffield Lake, we are residents of Sheffield Lake. Not Avon Lake, not Strongsville or anything else, we are here and you represent us in Sheffield Lake. Law Director Graves advised some of the benefits of the program include the recycle bank program, I don't know how many people are familiar with that but you will be getting credits towards your grocery bill which should be about \$20.00 a month. Mayor Piskura advised mam, if you would care to stay after for a little bit we can go over in detail the entire program with you because there really are a lot of benefits. The reality of the situation with this particular issue is that this was going to happen regardless of whether you liked it, I like it or Council liked it it was just a matter of when. Mrs. Taylor stated but we weren't asked. Mayor Piskura advised what we did was instead of it being jammed down our throats in a year we decided to be pro-active and had our Law Director

negotiate the best possible contract that he could in exchange for starting the program a year early which he already said was already implemented in most of the counties. So if you read the contract and compare it to everybody else's, we still have basically the best contract in the entire county and if we hadn't done this you would have either done 2 things. Either we would have been on the bottom rung because we would have been at their mercy in terms of the agreement or we would have been paying out the nose to have pick-up be exactly as it is today or as it was. We all had limited choices with this issue but again if you care to stay after we can go over it in great length with you. Mrs. Taylor stated the city is going to look like a dump because people won't be able to put their stuff out to get it picked up, it will be sitting outside and there will be trash sitting outside with bags of yard waste sitting outside. Mr. Diebold stated I sympathize with you, I have a couple of tenants one is 80 and one is 70 something and one has a walker. I have notified them ahead of time and you can request a smaller 42-gallon container which will maybe ease it out a little bit. You know it is not such a big bulky container. I told them about that so if that would help at all I would suggest you may try that. Mrs. Taylor stated I am not happy with any of it. I think it is shoved down our throats. ***Olivia Taylor, 325 Lynne*** stated she did a lot of the talking and you guys answered a lot of questions but here is another question and it is partially on behalf of my neighbor. They have 8 people in the house and they fill up more than 1 garbage can and in the flyer it says there is only 1 garbage can issued. Council Pro Tem Rosso answered well the gentleman from Allied Waste said he has no problem with giving 2 if needed and would even possibly go to 3. Law Director Graves added it has been clarified – everyone is going to start out with 1 96-gallon cart and that is a large cart and 1 – 68-gallon recycle cart which you can put most of your trash is recyclable and you are going to find that a lot of the stuff that you are now throwing away can now go into the recycle bin. The third collection cycle of the month is still going to be unlimited pick-up, you can put everything out there. Mrs. Taylor asked can you put it out in plastic bags? Law Director Graves answered on the unlimited day – yes. But for the first few weeks everybody is getting the 1 – 96-gallon trash cart and the 68-gallon recycle cart. If after a few weeks people are finding that they are having more trash than what a 96-gallon cart can accommodate then they can request a second cart. You call Allied Waste for that. Mr. Bring added also if it is the elderly, if they don't have a lot of garbage they can actually get a 68-gallon regular container too. Law Director Graves added or even a 42-gallon – there is a smaller one that they can get. Mrs. Taylor stated my neighbor and I do her lawn too, like I said in December because we have an Oak in the back of our yard and that doesn't fall until late and mine didn't fall until after Christmas. Like right now I have a huge amount of leaves in my back yard that I need to get up. I mean what do we do about that, it is saying yard waste only being picked up once a month? Law Director Graves answered you can put your yard waste out every week in the brown recyclable bags or you can put it out in any

container you want on the one unlimited pick-up – the third collection cycle of the month or you can put it in your blue trash receptacle. So if you don't generate a lot of trash you have a 96-gallon receptacle and you can put your grass and leaves in that and they will take it every week. Mr. Kovach stated remember now if you are using a 96-gallon, most trash cans are only a 30-gallon container. So like you are saying your neighbor uses because of the amount of people use what 2 or 3 of those? That would be equal or close to equal to the one 96-gallon. Mrs. Taylor stated yes but it weighs a lot when you put the stuff in, how are you supposed to maneuver it? Mr. Bring answered it is on wheels. Mrs. Taylor answered yes it is on wheels big deal you still got to push it. There was a brief discussion.

Ann Marie Woltman, 649 Sheffield asked what if your container disappears, are they going to charge you for another one? The reason why I ask that is because at another location when that happened, they wanted this reimbursement to buy another one? Mr. Bring answered they said if it was damaged or anything they would replace it. He didn't say anything about being stolen or anything but he said if it was damaged or the lid broke or anything like that they would replace it for free. Mrs. Woltman stated I would like for you to check into that.

Debbie Belaska, 4014 East Lake Road stated thank you Dennis, my husband and I appreciate it and everybody who was involved – thank you. Mr. Bring answered no problem, glad to see that everybody showed up.

Bob Ebenschweller, 362 Cove Beach stated in the rules of the packet we got from Allied Waste that you need to separate your regular refuse from the recyclable by putting 1 can on one side of your driveway and the other can on the other side. In our group of houses where I live and I am sure there are others the driveway is right on the property line so that would necessitate you putting your rubbish or your recyclables on your neighbors tree lawn and would they object if you put them like 20-feet apart in front of your own house or would they have to be on either side of your driveway. Law Director Graves stated I can't imagine them having an issue with that. Mr. Ebenschweller stated I didn't know how much they were going to stick to that. Mr. Kovach stated I don't think that is going to make a big difference because you have people that have a single driveway or a double driveway or even some that I have seen that have like 4 car lengths wide. Law Director Graves stated I really don't think that is going to be a problem.

Mark J Erdei, 4015 Tennyson stated I would just like to say on my behalf and I would imagine a lot of people here that we are going to miss you Joe because one hell of a Service/Safety Director – you did a heck of a job. He continued the only question that I have on that recyclable, they said the product has to be rinsed out and we do that now and then put it in a clear plastic bag and then take it up. Can we still use a clear plastic bag to just throw in that container because over the summer and that – you are going to have to dry them because eventually that is going to accumulate on the bottom of the can? Mr. Kovach answered I would have to say the answer would probably be yes because those bags are recyclable. Mrs. Taylor

stated the answer is no, they told me that today. She explained what was advised from Allied Waste – it has to be out of the bag, it has to be in there loose. There was a brief discussion. Law Director Graves to check on. He advised there should be a second mailer coming out very soon letting you know whether your trash collection is going to be on Monday or Tuesday.

Kevin McMichael, 4840 Southwood stated I am on a dead-end street and I called them about that situation because obviously – I said does the truck pick up on both sides of the truck and I said okay well if it only picks up on the right side of the truck. That means that people who live on dead-end streets are going to have to put all their garbage on one side of the street or the other. I asked her what side of the street are we going to do this and she said well it will be on the right side of the street and I reminded her that on dead-end streets you can only park your car on the right side of the street. Well if you put your garbage on the right side of the street means you have to put it in the middle of the road because the garbage truck is not going to be able to pick it up because the car is on the right side of the street. Council Pro Tem Rosso advised they are supposed to get out of their truck and move that can to where that thing would pick it up, that was discussed. Mr. McMichael stated but the whole thing is to be automated so that they don't have to do that. Council Pro Tem Rosso stated I understand but what the guy said was if you have a car parked that blocking them access to that can they are to get out of their truck and move the can themselves. You are not going to have to move your can to the other side of the street so that they can pick it up. Mr. McMichael asked what do you do about the people on the other side of the street then. When the truck pulls down the street, either backs in or pulls in the lift is only on one side of the street – that means he is going to have to go all the way back to the end of the street and turn around and come back. Law Director Graves answered yes that is what they have to do. Council Pro Tem Rosso advised that was discussed and asked and he said they will move them.

Lisa Serincowski, Erie Shore Landings, apt#316 stated I live in an apartment and I am ecstatic about this recycling and that is the reason that I was coming. I have been trying to get recycling at my building for a few months now because I believe the benefits far out weigh any short term inconveniences. I just think the benefits are awesome and are we going to have somewhere here where I can recycle my stuff because that is really my main concern. All this trash that is taking up my kitchen which are recyclables because I don't have anywhere to take it, I looked on line and there is nowhere to recycle plastics. So are you going to have a can here? I even posted a sign at my apartment complex – don't be trashy – recycle. I have 40 signatures and even the owner signed it of the building but it is Allied Waste that won't pick it up from us and I have issues with that so I would like to recycle stuff. Law Director Graves answered we will talk with them about how to handle the apartments and the apartment residents that want to participate in recycling.

UNFINISHED BUSINESS: Councilman Diebold advised I would just to report on the Walker Road/Abbe Road project and I am sure Mrs. Wisniewski knows every bit about it and Bob probably knows about it too. They are making a little bit of headway, really slow but at least they are back to work and they are moving forward at a very slow pace but they are moving forward. There was a brief discussion on prolonged project./**NEW BUSINESS:** *Motion by Huska/Second by Bring to amend the agenda to include Council#017 through 021 to tonight's agenda. ROLL CALL TO AMEND: Yeas All – Huska, Bring, Kovach, Elliott, Diebold, Smith, Rosso. *Motion by Bring/Second by Huska to approve the Mayor's recommendation of appointment of Timothy Golden for electrical inspector. ROLL CALL FOR APPROVAL: Yeas All – Bring, Smith, Rosso, Diebold, Kovach, Huska, Elliott. *Motion by Huska/Second by Kovach to approve the Mayor's recommendation of Len Smith for Service Director. ROLL CALL FOR APPROVAL: Yeas – Huska, Elliott, Kovach, Rosso, Diebold, Bring/Abstain – Smith. Mayor Piskura swore in Len Smith for the appointment of Service Director.

ORDINANCES AND RESOLUTIONS:

Council#013 – SECOND 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#017 – EMERGENCY – an ordinance authorizing the Mayor to enter into a renewable energy services agreement with Sheffield Lake Wind, LLC for the purchase of wind generated electricity, and the declaring of an emergency.

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

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

*Motion by Huska/Second by Bring for ADOPTION:

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

Ordinance Passes#16-10

Council#018 – EMERGENCY – an ordinance authorizing the Mayor to enter into a Housing Revolving Loan Fund Administration agreement with the State of Ohio, Department of Development for the disbursement of Community Development Block Grant Program funds to the City of Sheffield Lake, 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, Smith, Rosso.

*Motion by Huska/Second by Bring for ADOPTION:

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

Ordinance Passes#17-10

Council#019 – FIRST READING – an ordinance authorizing the Mayor to enter into a contract with Dentz Painting for the Chicago Tank Water Tower painting.
Council#020 – EMERGENCY – an ordinance determining that municipal personal property of the City of Sheffield Lake is not needed for public use, is obsolete and unfit for the use for which it was acquired, that the property has no value and authorizing the Service Director appropriately dispose of the property, 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, Smith, Rosso.

*Motion by Huska/Second by Bring for ADOPTION:

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

Ordinance Passes#18-10

Council#021 – EMERGENCY – an ordinance amending section 965 of the codified ordinances of the City of Sheffield Lake regarding garbage and rubbish collection, and the declaring of an emergency.

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

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

*Motion by Huska/Second by Bring for ADOPTION:

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

Ordinance Passes#19-10

COUNCIL PRESIDENT: None.

MEETING ADJOURNED: With no further business before this council, Motion by Kovach/Second by Bring to adjourn at 8:11 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 April 13, 2010.

COUNCIL PRO TEM

Richard Rosso

MAYOR
John J Piskura