

Minutes of the City Council
Sheffield Lake, Ohio
May 25, 2010

The regular meeting of the City Council was held Tuesday, May 25, 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, Rosso, Huska, Kovach, Bring, Elliott, Treasurer E Hoenig, Finance Director, Service Director Smith

Absent: Smith, Mayor Piskura, Law Director Graves, Safety Director Arendt (excused)

Attending: Concerned Citizens, Zoning: Ebenschweller, Members of the Media

*Motion by Bring/Second by Huska to approve the minutes of the City Council meeting of May 11, 2010 with any corrections. Yeas All.

*Motion by Bring/Second by Huska to approve the minutes of the City Council Worksession meeting of May 18, 2010 with any corrections. Yeas All.

CORRESPONDENCE/COMMUNICATIONS: President Podmanik read into the record the resignation of Ward 1 Councilman Edward Diebold.

PRESENTATIONS: *Donald Eager* advised we do the Fair Housing Program for Lorain County which is a requirement under the Community Development Block Grant Program and since you receive Community Development money from the State of Ohio through the county we are required to come in and do a very brief presentation. You have a little packet there that has a couple of posters and some information and brochures and so forth. This is a new program for us, we just started doing this program at the middle of April for the county. I don't what it was in the past but we do it a little bit different, I have been doing Fair Housing work for 30 some odd years but one of the things that we try to do for the importance for you as Council members and city officials is we try to be the answer place for housing problems; a – z. While we focus a lot of Fair Housing discrimination and housing and so forth, we do a lot of tenant landlord issues. We work with a lot of landlords and a lot of tenants who have problems from repairs to evictions and trying to find money to pay rent and we also do foreclosure counseling and help people in trying to negotiate with lenders, put them into the right place. We also help people with home buyers seminars. We work with low to moderate income folks as well as advocates within the community who serve the community to try to help out. When you calls from your wards or just in the city in general with people who are having housing problems, we are the service that you can refer people to – it is free and there is no charge to any of the residents of the city. If we

can't solve the problem, we know people who can at least help them. As I said we have just started this new program for us, we have just kind of started in gearing up and I know you have gotten community development money along the years. Whenever you sign, one of the things that you sign when you get Community Development Block Grant money or when you apply for it – is that affirm to further Fair Housing and that has become even more important today because of the lawsuit in West Chester County New York where West Chester County New York had to pay HUD back 62 million dollars because they did not affirm to further Fair Housing and they were sued by residents within the community. Where it is one of those you do so you can continue to receive the money which we need to get because community development block grant is probably the last basking of revenue sharing that we have around. It is important to understand that when you sign off on those things that it does carry some weight with it and what we do is keep you in compliance so that you can continue to get the community development money that you need. As I say we just started doing this for the county – we did the county outside of Elyria and Lorain and we just started it in mid April or so and we have gotten like 10 or 12 calls so far. None from Sheffield Lake but at least we are starting to get them. That information is stuff that we are starting to mail out to all – churches and everywhere we can think of to get the information out.

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

Roads, Drains, Water, Sewer, Refuse: None./Stormwater Utility: Representative Bring advised minutes of May 13, 2010 are attached and also advised Rosa did take some photographs of Pride Day and posted them on the internet. *Motion by Huska/Second by Kovach to accept the report. Yeas All./**Safety: None./Buildings, Lands, Vehicles & Equipment:** Councilman Kovach reviewed the minutes of the May 6, 2010 meeting. President Podmanik requested Mr. Kovach to chair this committee. *Motion by Huska/Second by Bring to accept the report. Yeas All./**Ordinance: None./Finance & Claims:** Chairman Elliott reviewed the minutes of the May 18, 2010 meeting. *Motion by Huska/Second by Bring to accept the report. Yeas All./**Investment: None./Council Representative to the Community Center: None./Council Representative to the Zoning Board of Appeals: None./Council Representative to the Planning Commission:** Representative Huska reviewed the minutes of the May 20, 2010 meeting./**Council Representative to the Park Board: None.**

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

MAYORS REPORT: None./FINANCE DIRECTOR REPORT: Finance Director Smith reported you have a copy of the ordinance for our annual note renewal that will before you June 8 and this is the same thing we do every year to renew our notes that we have carried over every year. Councilman Bring asked do you know if we have any intention of applying for the grant for the extra police or not because that is going to expire pretty soon? Finance Director Smith answered I am

not sure about that, I know that Mr. Gardner had looked into that and from what I understand it fairly difficult to get. But I can find out and get back to you, I don't really know where that is at. Councilman Bring stated well time is running out and I thought somebody was moving on it but I haven't heard anything. Finance Director Smith stated well there was a fine line on if we would have to hire and at this time. *Motion by Huska/Second by Bring to accept the report. Yeas All./**TREASURER REPORT: None./SAFETY DIRECTOR: None./SERVICE DIRECTOR:** Service Director Smith reported I have a few things this evening. Walker Road will be closed tomorrow from 8:45 to 12:45 for the striping process. We are at the same time going to entertain blacking out the center lines that are exposed now and that have worn open that run from Walker Roads new section to the Avon Lake line and everybody has been notified of that. It should be open by 1 o'clock. As Steve had mentioned about the wind turbine. We did have a site meeting that was successful, we are waiting on the state review that is going through with Nex Gen which is just a formality and they have moved a crane on site which is what you see in the parking lot temporarily. The boat launch has an in and out lane designations now, that is something that we have debated over and over. We had several issues where when it got busy it became like a bottle neck, so we think that will resolve it. Councilman Rosso asked with out new garbage collection and the holiday Monday what it will be – will Monday go to Tuesday and Tuesday to Wednesday? Service Director Smith answered I don't know but I imagine it would but I will find out for you. If there is a change we will try to get that out so it would be general knowledge. Finance Director Smith advised they have stated that on their pamphlets that if it is the holiday then it goes to the next day. Councilman Bring stated Walker Road – I know we have waited a long time but they really did a nice job on that. Councilman Elliott stated the cameras for around the city, did you mention that in your report? Service Director Smith answered as you know the boat launch is on camera, we have some internal cameras outside the parking lot area – a separate system. The bike path from the covered bridge to Ferndale is the next target for cam's and a security company is in the process of going through and doing that. The 2 trap cam's are used for vandalism/graffiti issues/spot checking issues where we have issues that just arise on a temporary basis and we need to get some in there and get it and take a picture and it gives us a lot more options. The other cam's are in process and that should give us full coverage from the bridge through to Ferndale Park including Ferndale Park. As we get the results I will bring that up to you guys. *Motion by Huska/Second by Bring to accept the report. Yeas All./**LAW DIRECTORS REPORT: None.**

CITIZENS COMMENTARY:
Mark J Erdei, 4015 Tennyson stated now that the plaza is torn down and everything, do we have a actual place where we are going to put the carnival people and where are they going to sit up? Service Director Smith answered I don't

know the exact location of that but people with CCC will probably bring that forward. Steve might be able to give us some insight. Councilman Kovach answered to my knowledge they will be sitting up the same way they were last year, they weren't in the grass they were on the edges – they had several other big trailers which were where the one new power supply that we put in. They have to go where the power is, see they can't be just anywhere – they are on either side of that mound, there will be several of the big office trailers closer to Apples and then most of the living accommodations will be on the Old Minotti's side and the bunk houses will be right next to it. That is the way it was set up and like I say that is the best way to set up for power and all the facilities. Nothing has really changed other than the amount of dirt that went in – they won't be up in the grass. Service Director Smith stated we are in the process of grooming the grass areas, they need to be rock hounded and some other issues, we cleaning it up and replanting it and getting it to grow better. But at the same point keep in mind that the wind turbine should be up before Community Days and that will be buffered around – if we have to we will use 6X2X2 concrete blocks on a temporary basis to block off the foundation area of it but that will be the only thing that will change is the area where the wind turbine is. Mr. Erdei continued on our Community Days, I noticed and even people that I took there do we have any kind of extra seating to where people can sit out front by Lake Road or anywhere on the outside or in the middle of the Community Days where they can actually sit down and eat instead of just walking around and eating. Councilman Kovach answered we have a pavilion there set up. There are 3 20-foot long tents with almost every available picnic table in the city. There are a couple that they do set out, you really don't want to many eating things going on because you got little kids running around. We try to contain it into particular areas. I don't think they want to be putting picnic tables up on Lake Road, I mean I guess it could be interesting.

Bob Ebenschweller, 362 Cove Beach stated Council#022 sponsored by Council; changing the ordinance about donations and it says it is in the best interest of the City of Sheffield Lake to amend. What brought about that, this ordinance was passed probably like a year and a half ago or something – what was the necessity of the change? Councilman Elliott answered the necessity was basically that it was bringing up some hardships I guess; when people actually wanted to donate money to the city during Pride Day and everything, somebody wanted to donate any amount of money – if somebody tried to hand us \$20.00 and we couldn't take it without Council actually approving it first. So I think we set up a \$500.00 amount. Mr. Ebenschweller stated \$500.00 – that is a pretty good chunk of change and I wondered why they arrived at the \$500.00 figure. Councilman Rosso advised they originally asked for \$1000.00. Councilman Elliott continued also labor, so we pretty much made a provision in there that anybody that wanted to donate their time to the city could do so without Council approval. So it was actually a barrier between us operating.

UNFINISHED BUSINESS: None./NEW BUSINESS: *Motion by Huska/Second by Rosso to amend the agenda to include Council#026, 027 and 028. ROLL CALL TO AMEND: Yeas All – Kovach, Rosso, Elliott, Huska, Bring. *Motion by Rosso/Second by Huska to accept Mr. Diebold’s resignation from Ward 1 Council. ROLL CALL TO ACCEPT: Yeas All – Rosso, Huska, Kovach, Bring, Elliott. *Motion by Rosso/Second by Huska to declare Ward 1 Council seat vacant. ROLL CALL TO DECLARE WARD 1 SEAT VACANT: Yeas All – Elliott, Kovach, Bring, Huska, Rosso. President Podmanik explained process to fill the vacant seat. *Motion by Rosso/Second by Elliott that we accept applications to fill the Ward 1 Council seat until 5 o’clock on June 7, 2010. Councilman Rosso explained the criteria is that you have to be a resident of the city for 2 years and a resident of Ward 1 for 1 year and I believe you have to be a registered voter. Councilman Bring advised just to let everybody know, I am probably going to apply for the Ward 1 position. Just wanted everybody to know that is my intention. Yeas All.

ORDINANCES AND RESOLUTIONS:

Council#022 – THIRD READING – an ordinance amending section 111.06(a) of the codified ordinances of Sheffield Lake regarding donations to the city.

*Motion by Huska/Second by Bring for ADOPTION:

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

Ordinance Passes#24-10

Council#026 – FIRST READING – an ordinance amending section 561.03 of the codified ordinances of the City of Sheffield Lake regarding abatement of nuisance by municipality, and the declaring of an emergency.

Council#027 – FIRST READING – an ordinance authorizing the Mayor to enter into contract with the lowest and best bidder to repair and/or replace 4500 square feet of roof of the Joyce E. Hanks Community Civic Center. The bid will include engineering and installation services as part of State, Federal and First Energy grant applications for 15KW solar energy panels, metering and connections contingent upon receipt of grant funds.

Council#028 – FIRST READING – an ordinance by the Council of the City of Sheffield Lake establishing employee eligibility and contribution rates for participation in the Lorain County Health Insurance Plan.

COUNCIL PRESIDENT: None.

MEETING ADJOURNED: With no further business before this council, Motion by Kovach/Second by Bring to adjourn at 7:45 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 May 25, 2010.

COUNCIL PRO TEM

Richard Rosso

MAYOR

John J Piskura