

## Minutes of the City Council

Sheffield Lake, Ohio  
December 28, 2010

The regular meeting of the City Council was held Tuesday, December 28, 2010. Council President 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, Elliott, Kovach, Bring, Smith, Stark, Huska, Mayor Piskura, Finance Director Smith, Treasurer E Hoenig, Service Director Smith, Law Director Graves  
Absent: Safety Director Arendt (unexcused), Engineer Skellenger (excused)  
Attending: Concerned Citizens, Planning: Belaska, SUAB: Gee, Members of the Media

\*Motion by Bring/Second by Elliott to accept the minutes of the City Council for December 14, 2010, 2010 with any corrections. Yeas All.

\*Motion by Bring/Second by Elliott to accept the minutes of the Public Hearing for 2011 budget. Yeas All.

\*Motion by Bring/Second by Elliott to accept the minutes of the City Council Worksession for December 21, 2010 with any corrections. Yeas All.

**CORRESPONDENCE/COMMUNICATIONS: None.**

**PRESENTATIONS: None.**

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

**Roads, Drains, Water, Sewer, Refuse: None./Stormwater:**

**None./Safety:None./Buildings, Lands, Vehicles & Equipment:None./Ordinance: None./Finance & Claims:** Chairman Elliott reviewed the minutes of the December 21, 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: None./Council Representative to the Park Board:** Member Kovach reviewed the minutes of the December 20, 2010 meeting.

\*\*\*\*\***ADMINISTRATIVE REPORTS**\*\*\*\*\*

**MAYORS REPORT:** Mayor Piskura stated I would like to make an appointment of David Graves as the city Law Director for his new 1-year term starting January 1<sup>st</sup>. **FINANCE DIRECTOR REPORT:** Finance Director Smith reported of course

you know we have the 2011 budget in front of you and also the last few appropriation changes for the end of the year. Just some small tweaking in the general fund that is a net 0, I added and subtracted until I had net 0 on that. Negative in 205 because we didn't get all the revenue in that we had expected so we had to lower that appropriation to balance that. 601 and 611 are just salary balances and 288 CDBG I actually had lowered that too much last appropriation change and realize that we were doing housing projects with that money and that had to be done in 2010. I thought we were going to do it in 2011 but it is actually for 2010 so I am just correcting that. \*Motion by Huska/Second by Bring to accept the report. Yeas All./**TREASURER REPORT:None./SAFETY DIRECTOR:None./SERVICE DIRECTOR:None./LAW DIRECTORS REPORT:** Law Director Graves reviewed legislation Council#055 is up for a second reading – this is an amended version of what you saw on December 14<sup>th</sup>, the ordinance has been tailored to be specific to part-time, temporary mechanic but include the same pay raise that was discussed previously and that is a range between minimum wage and the maximum class C maintenance rate. But again this would be specific to temporary replacement for mechanic. Also if Council chooses to add to the agenda Council#058, I talked about this at Worksession – our contract for the county for the technical rescue response expires at the end of this year and they are still in negotiations and have asked the local communities to agree to simply extend the current contract and this ordinance would allow us to do that. We should be getting a new version sometime in early 2011 once they have completed those negotiations. Council#059 we did receive the certification from the Auditor on the valuation for the city for the library levy. This would authorize us to go ahead and put this on the ballot and send it off to the Board of Elections and also authorize the Mayor to enter into an agreement with the Library system and one of the most important points of that agreement would be that they would reimburse the city for all costs and expenses related to putting this issue on the ballot. Council#060 is the annual budget which everybody is familiar with and Council#061 is the final appropriation adjustments for the end of the year that the Finance Director discussed. \*Motion by Huska/Second by Bring to accept the report. Yeas All.

**CITIZENS COMMENTARY:**

**Rosa Gee, 588 Kenilworth** stated my question tonight is SUAB oriented, funding had to be changed around. I have spoken to the Finance Director on this, we need to have the funding in one of our accounts to pay for a secretary. Money had to be re-appropriated and removed from accounts, I am hoping someone can find out how we get the money and who hires the secretary so that our minutes can be printed.

**Debbie Belaska, 4014 E Lake Road** stated we had a conversation earlier and I tried to get you the last week on that. We are going around into people's yards,

they are from Columbia Gas but actually they are subcontractors. I have the lady's name which I spoke to – her name is Gayle. They are asking people, they are going to put the riser program so this would be concerning you. They are coming in and they want to do the riser program and they are asking people to shut off their gas for most of the day during the winter. So I mean I don't who to really go to with this. Councilman Bring advised it is only taking them about 45 minutes. Service Director Smith advised it is 1 resident per hour is their time limit, they very rarely go over 1 hour. I believe ours was 1 hour and like 5 minutes but they have a time limit to make and the risers are defective – it is like a recall and the purpose is to keep an exterior gas leak from happening before the meter. So Columbia Gas has been – due to a court action has to replace these parts in the riser and they send every resident a notice. The resident calls and makes the appointment, so the gas is only off and they actually enter the home and they have to have an adult there but they will enter the home and relight the appliances and verify everything is back on working order before they leave the premises. Mrs. Belaska stated there were some concerns that how do we know with all these badges and everything else that these people are legit. Service Director Smith answered they are with Infra Source and they have identification, they are the main contractor for Columbia Gas and that is verified with Ray Frank from Columbia Gas – notification that this program was going to start plus notifications on the residents door with the 800 number to call but they are only there like I say for about an hour. Councilwoman Huska stated I have gotten like 4 of those cards so far and we had everybody over for the holidays and I just didn't understand, my husband has heart trouble and I didn't understand why they picked the holiday season to do this kind of work. Especially when they say that it could be off all day and if they find a gas leak than their going to lock down everything. So I will try to get with them this week for my concern but my husband cannot be in a house all day with no heat. President Podmanik stated the Service Director did say that their target is under an hour. Councilman Bring stated I had mine done in about 48 minutes. Service Director Smith reiterated per residence – yes. They have done over 200,000 homes so far, they have been sweeping the country. They are actually out of state contractors, they have been out of their own state for over 2 years now. It is a non-stop issue, it is not just Sheffield Lake – it is multi state. They have a listing of whose risers, certain manufacturer riser that is from your meter. President Podmanik advised if someone comes and you are not sure, contact Mr. Smith. Finance Director Smith stated or any citizen can certainly contact the Police Department would know that they are in the city. Mrs. Belaska added just a comment – Mark Erdei's Father passed away last night, I know you all see Mark – he is a fixture here and his Father passed away at 9:45 pm yesterday. Mark would love to be here but obviously he is not going to be but

just wanted to give everybody a heads up. Keep him in your prayers too, he is a good man.

**UNFINISHED BUSINESS: None./NEW BUSINESS:**\*Motion by Rosso/Second by Huskato approve the Mayors appointment of David Graves as Law Director. ROLL CALL FOR APPROVAL: Yeas – Rosso, Huska, Smith, Kovach, Elliott, Stark/Nays – Bring. \*Motion by Huska/Second by Rosso to amend tonight’s agenda to include Council#058, 059, 060, 061. ROLL CALL TO AMEND THE AGENDA: Yeas All – Rosso, Huska, Elliott, Kovach, Stark, Bring, Smith.

\*Motion by Rosso/Second by Smith to suspend the 14-day waiting period to approve the budget from the public hearing due to good cause. ROLL CALL TO SUSPEND THE 14-DAY PERIOD FOR APPROVAL OF THE BUDGET: Yeas All – Smith, Rosso, Huska, Kovach, Bring, Elliott, Stark.

#### **ORDINANCES AND RESOLUTIONS:**

Council#055 – SECOND READING (AMENDED) – an ordinance establishing a pay range for the part-time, temporary replacement mechanic, and the declaring of an emergency.

\*Motion by Rosso/Second by Smith for SUSPENSION OF THE RULES: ROLL CALL FOR SUSPENSION OF RULES: Yeas All – Huska, Elliott, Smith, Kovach, Rosso, Stark, Bring.

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

#### **Ordinance Passes#57-10**

Council#058 – EMERGENCY – an ordinance authorizing the Mayor to enter into an agreement with the County of Lorain to extend the contractual agreement for Technical Rescue Response in Lorain County, and the declaring of a emergency.

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

\*Motion by Huska/Second by Smith for ADOPTION: Yeas All – Rosso, Huska, Bring, Smith, Kovach, Elliott, Stark.

#### **Ordinance Passes#58-10**

Council#059 – EMERGENCY – an ordinance of the Council of the City of Sheffield Lake declaring it necessary to levy a renewal tax in excess of the ten mill limitation on behalf of the Lorain Public Library for current operating expenses of the Domonkas Branch of the Lorain Public Library, and the declaring of an emergency.

\*Motion by Huska/Second Smith for SUSPENSION OF RULES:

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

\*Motion by Huska/Second by Smith for ADOPTION:

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

**Ordinance Passes#59-10**

Council#060 – EMERGENCY – an ordinance providing for the current expenditures and other expenditures for the City of Sheffield Lake, Ohio during the fiscal year ending December 31, 2011, and the declaring of an emergency.

\*Motion by Huska/Second by Smith for SUSPENSION OF RULES:

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

\*Motion by Huska/Second by Smith for ADOPTION:

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

**Ordinance Passes#60-10**

Council#061 – 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 Smith for SUSPENSION OF RULES:

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

\*Motion by Huska/Second by Smith for ADOPTION:

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

**Ordinance Passes#61-10**

**COUNCIL PRESIDENT: None.**

**MEETING ADJOURNED:** With no further business before this council, Motion by Kovach/Second by Smith to adjourn at 7:37pm. 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.

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CLERK OF COUNCIL

*Kay Fantauzzi*

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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 December 28, 2010.

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COUNCIL PRO TEM

*Richard Rosso*

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MAYOR

*John J Piskura*