

Minutes of the City Council
 Sheffield Lake, Ohio
 February 8, 2011

The regular meeting of the City Council was held Tuesday, February 8, 2011.
 Council President Podmanik called the meeting to order at 7:03 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, Stark, Kovach, Bring, Elliott, Mayor Piskura, Finance Director Smith, Law Director Graves, Service Director Smith

Absent: Smith, Treasurer E Hoenig (excused)

Attending: Concerned Citizens, Planning; Belaska, SUAB; Gee, Lt. Card, (wife Michelle and children), Lt. Novak, Fire Fighters; Koch, Davis, Kozlowski, Mariner, Cochran, Campbell, Members of the Media

*Motion by Bring/Second by Rosso to accept the minutes of the Council meeting for January 25, 2011 with any corrections. Yeas All.

CORRESPONDENCE/COMMUNICATIONS:

Monthly report of court receipts for month of January for \$5537.00 – receive and file.

PRESENTATIONS: None.

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

Roads, Drains, Water, Sewer, Refuse: Chairman Bring reviewed the minutes of the February 7, 2011 meeting. *Motion by Bring/Second by Huska to approve the sewer for 100 Pembridge Court in the amount of \$161.70. Yeas All. *Motion by Bring/Second by Huska to approve the sewer credit for 874 Kenilworth in the amount of \$70.56. Yeas All. *Motion by Bring/Second by Huska to approve list of unpaid water bills in the total amount of \$8,368.01 to be submitted to the county auditor. Yeas All. *Motion by Huska/Second by Stark to accept the report. Yeas All./**Stormwater: None./Safety:** Chairman Bring reviewed the minutes of the February 2, 2011 meeting. *Motion by Huska/Second by Kovach to accept the report. Yeas All./**Buildings, Lands, Vehicles & Equipment:** Chairman Kovach reviewed the minutes of the February 3, 2011 meeting. *Motion by Huska/Second by Bring to accept the report. Yeas All./**Ordinance:** Chairman Elliott reviewed the minutes of the February 3, 2011 meeting. *Motion by Huska/Second by Bring to accept the report. Yeas All.

Finance & Claims: None./Investment: Mayor Piskura reported we most likely will be scheduling this quarters Investment Committee meeting sometime next month.
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: Mayor Piskura reported earlier this month we had a Fire Chief test and the Civil Service Commission has certified the number 1 person on the list. I would like appoint Tim Card as our new Fire Chief for your consideration. *Motion by Huska/Second by Bring to accept the report. Yeas All./**FINANCE DIRECTOR REPORT:** Finance Director Smith reported all I have this evening is an ordinance that can be added to your agenda if you would please for appropriation changes. These are mostly small carry-over balances from last year that just need to be re-appropriated for 2011. There is an increase in 2 salt lines which Len requested for an additional 200 tons of salt for this season. Hopefully we won't have to use it, if we do it is there and if not it will for next fall/winter. *Motion by Huska/Second by Bring to accept the report. Yeas All./**TREASURER REPORT:** report available in Clerk Fantauzzi's office./**SAFETY DIRECTOR: None./SERVICE DIRECTOR:** Service Director Smith reported basically every one of these reports kind of covered a lot that has been going on over the last week. I did want to say that the Service Department/Road Department/Park Department and the Utilities Department have been working real good as a team in order to handle the winter situation with the snow. That goes from the complaints coming in and being addressed, service items being given out and being addressed – the flow of everything. So it has went really good and I want to thank all 4 departments for all their help, they have been fantastic. Coconut's internet café as Councilman Elliott explained did open up on Friday and they are in business and she is real happy to be a part of the community. *Motion by Huska/Second by Bring to accept the report. Yeas All./**LAW DIRECTORS REPORT:** Law Director Graves reported I would like to direct your attention to tonight's legislation. You have a third reading on the clarification in the codified ordinances definition of private garage. A second reading tonight on public nuisance ordinance and that again is the legislation which will enable the city to hold a landlord or property manager responsible for repeated nuisance calls to a property. Should call so choose they could also add to the agenda tonight Council#010 which is the legislation that we have discussed previously authorizing the Mayor and the Finance Director to enter into the lease purchase agreement for 3 new police cars. Then lastly Council#011 which the Finance Director talked about the minor appropriation changes. I would also like to report tonight that someone that I got to know fairly well over the last couple of years in working

with the Civil Service Commission – Richard Alley passed away yesterday suddenly due to a heart attack and I am sure all the city's thoughts and prayers go out to this family. The only other thing I would request is a brief executive session following ordinances and resolutions for the discussion of current litigation.

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

CITIZENS COMMENTARY:

Kerry McCullough, 685 Roberts Street stated the first question I have is the shopping center increase \$106,000 and that is for? Finance Director Smith answered that actually is a carry-over from the escrow account that we had and we used part of it to pay last year and that is what is left. Mr. McCullough stated our internet cafes, I noticed in Vermilion they are going to allow them to have liquor license. Now I know a couple of spots where the internet cafes are at now, are those prohibited from serving? Law Director Graves answered yes. Mr. McCullough asked one more question, I could find in any of my minutes and I don't have all the minutes from back then – I can't find where Council approved putting in utilities at the boat launch? I can't find it in any minutes and I was told at the last Council meeting that they were put in, who appropriated the money? I can't find that in any Council minutes?

UNFINISHED BUSINESS: None./NEW BUSINESS: *Motion by Huska/Second by Bring to amend the agenda to include Council#010 and Council#011. ROLL CALL TO AMEND THE AGENDA: Yeas All – Huska, Bring, Rosso, Kovach, Elliott, Stark. *Motion by Huska/Second by Kovach to approve the Mayors appointment of Tim Card for Fire Chief. ROLL CALL FOR APPROVAL OF TIM CARD FOR FIRE CHIEF: Yeas All –Bring, Kovach, Rosso, Huska, Elliott, Stark. Mayor Piskura swore in Tim Card for Fire Chief. CONGRAULATIONS TIM!!!

ORDINANCES AND RESOLUTIONS:

Council#002 – THIRD READING – an ordinance amending section 1111.04(35)c of the codified ordinances of Sheffield Lake regarding the definition of private garage.

*Motion by Huska/Second by Bring for ADOPTION:

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

Ordinance Passes#8-11

Council#004 – SECOND READING – an ordinance establishing section 1395.24 of the codified ordinances of the City of Sheffield Lake, regarding permitting public nuisance.

Council#010 – EMERGENCY – a resolution of the Sheffield Lake City Council authorizing the Mayor and Finance Director to enter into a contract for the lease/purchase of three police cars through the Dollar Leasing Corporation and the declaring of an emergency.

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

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

*Motion by Huska/Second by Bring for ADOPTION:

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

Resolution Passes#9-11

Council#011 – 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 – Elliott, Rosso, Huska, Stark, Bring, Kovach.

*Motion by Huska/Second by Bring for ADOPTION:

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

Ordinance Passes#10-11

*Motion by Rosso/Second by Kovach to go into executive session for the discussion of current litigation.

ROLL CALL TO GO INTO EXECUTIVE SESSION: Yeas All – Bring, Stark, Rosso, Kovach, Elliott, Huska.

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

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

Law Director Graves advised let the record reflect the City Council of Sheffield Lake did adjourn into executive session for the discussion of current litigation pursuant to the Ohio Sunshine Laws.

COUNCIL PRESIDENT: Council President Podmanik advised Councilwoman Stark to seat on Buildings and Lands Committee.

MEETING ADJOURNED: With no further business before this council, Motion by Kovach/Second by Bring to adjourn at 7:55 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 8, 2011.

COUNCIL PRO TEM

Richard Rosso

MAYOR

John J Piskura