

Minutes of the City Council
Sheffield Lake, Ohio
February 24, 2009

The regular meeting of the City Council was held Tuesday, February 24, 2009. Council President Edward 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, Bring, Huska, Smith, Kovach, Diebold, Elliott, Mayor Piskura, Finance Director Smith, Law Director Graves, Safety/Service Director Arendt
Absent: Treasurer E Hoenig, (excused)
Attending: Concerned Citizens, Zoning; Ebenschweller, Planning; Belaska, Civic Center: Nicola, Members of the Media

*Motion by Bring to approve the minutes of the City Council meeting of February 10, 2009 with any corrections. Yeas All.
*Motion by Bring to approve the minutes of the City Council Worksession of February 17, 2009 with any corrections. Yeas All.

CORRESPONDENCE/COMMUNICATIONS: None.

PRESENTATIONS: None.

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

Roads, Drains, Water, Sewer, Refuse: None./Stormwater Utility: Representative Smith reviewed the minutes of the February 12, 2009 meeting.
Safety: None./Buildings, Lands, Vehicles & Equipment: None./Ordinance: None./Finance & Claims: None./Investment: None./Council Representative to the Community Center: Representative Huska reported we had a really short meeting and Pat Hastings is making sure everything is getting fixed at the Community Center and doing the rentals and also there is a lot more people coming for aid.
Council Representative to the Zoning Board of Appeals: Representative Kovach reported the meeting of the Zoning Board of Appeals was held February 18, 2009. There was one issue before the Board presented by Abbe Road Lumber, they represent zoning variance to operate a retail facility within their previous showroom. After discussion and testimony, the variance was granted and the meeting adjourned about 7:30 pm.
Council Representative to the Planning Commission: Representative Huska reported we had a very short meeting. Law Director Graves wasn't able to be there and so we went over the half of the ordinances that we have been going over and it was mostly show and tell. We have 2 new members and we got talk with

them./**Council Representative to the Park Board:** Member Kovach reviewed the minutes of the February 16, 2009 meeting.

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

MAYORS REPORT: Mayor Piskura reported first, I think you are aware we are preparing to run some civil service tests and we are looking for another member of the Civil Service Commission but we do have an operating commission now. However, we don't have a secretary, our Civil Service Secretary resigned a little while ago and I would like to appoint a new Civil Service Secretary, she is the Assistant Clerk of Courts in Sheffield Village and her name is Lynne Jones and she is here tonight. I would look for your confirmation tonight on that appointment. Also I wanted to let you know that our grocery store – Apples, has its dates worked out and they are going to start with 7 in the morning to 11 at night every day of the week. They are going to open their doors on Friday and Saturday to try to make sure they have all the bugs worked out and their grand opening that they are advertising is Sunday. We are going to have ribbon cutting at noon and you are all invited and I hope to see you there. I just went in it again today and everyday now its changing, it is beautiful on the inside. You are going to be pleasantly surprised. There are obviously a number of projects going on and I would be more than happy to answer anybody's questions if they have any but I would also like to request an executive session to discuss litigation and some personal matters/compensation of public employees. *Motion by Huska to accept the report. Yeas All./

FINANCE DIRECTOR REPORT: None./TREASURER REPORT: None./SAFETY/SERVICE DIRECTOR: Safety/Service Director Arendt reported shoreway project is moving in the timely fashion that we thought it would. The city's responsibility on the relocation of the Barber Shop will be completed tomorrow, so she will be able to open up any day after that. We will be ready to start tearing it down in another week or so. *Motion by Huska to accept the report. Yeas All./**LAW DIRECTOR REPORT:** Law Director Graves reviewed legislation on the agenda and legislation to be added to the agenda – Council!013 for underground utilities for the reconstruction of Lor-Ferndale; Phase II. *Motion by Huska to accept the report. Yeas All.

Demolition Board – Law Director Graves reviewed the minutes of the February 11, 2009 meeting.

Civil Service – None.

Legislation – addressed above.

CITIZENS COMMENTARY:

Debbie Belaska, 4014 East Lake Road stated alright Mayor, you did it – applause. I mean with everybody else up here but you are the man, along with Joe and Mr. Graves. I wanted to thank you, I appreciate it. Safety Director Arendt I wanted to thank you for taking care of some personal issues and also Councilman at Large Dennis Bring and Councilwoman Diana Huska and to Law Director David Graves on some issues and hopefully it is being taken care of and I thank you very much

for your input and everything else. I appreciate that Dennis, for both of you doing it.

Mark J Erdei, 4015 Tennyson Avenue stated I just had a question, did the State of Ohio make their final payment for the Phase I for the boat ramp? Mayor Piskura answered they have agreed to make their payment, I am not sure if it has actually deposited yet. Finance Director Smith reported we have not seen it, they released it for payment on January 27th and they said it can take up to a month. So I am holding my breath to the end of the week, I haven't seen the check yet but they promised me that it is on its way. Mr. Erdei asked once that comes in, that will help out on Phase II over there? Mayor Piskura answered no, that just completes the plan for the Phase I and Phase II won't start until next year if we get our grant application approved that we are going to submit for in April. Mr. Erdei asked about this stimulus funds that Ohio is getting now, are we? Mayor Piskura answered I think we up to about 17 or 18 requests/proposals that we have already submitted. We are way out in front on this one.

Bob Nicola, 218 Mariners Way stated I will try to get through this. You set back there and look and you got a group of people here that is never arguing, they pull together and it certainly shows around town. Our town is starting to look like a town. I don't know if you guys have looked but we got a gold mine in Lake Erie out there and up until the last couple of years, you couldn't park your cars so you couldn't get in to swim. We got a boat ramp, we got a shopping center starting to come in. Outside of a couple of people, we got a good bunch here. You can only do so much and our Mayor has bent over backwards and grabbed his ankles to help. He has gone everywhere and did everything going, these people and there is always a couple looking for trouble – if they would just use a little bit that energy, if they ain't got nothing else to do send them down and put them on Meals on Wheels. But keep them out of my road and keep up the good work. Applause. Councilwoman Huska stated for those of you that don't know Mr. Nicola and his wife, they single-handed do a lot – they do Meals on Wheels, they do a lot for the Community Center and they make sure that people are taken care of. They also should be applauded for those of you that don't know him.

Mark J Erdei, 4015 Tennyson asked what do we have about 3 remaining empty units in what we are not going to demolish. Service Director Arendt answered there is about 5 or 6 left. Mr. Erdei asked do we have anybody coming in? Service Director Arendt answered I actually am showing it, I hadn't had a chance to talk to the Mayor but I am actually showing 1 unit tomorrow morning at 8:45. Mr. Erdei asked how about that corner restaurant, I always ask about that? Service Director Arendt answered that would be up to the Mayor to answer. Mayor Piskura answered we are showing it but I don't want to sign any leases until we are done going through our plan and process to know whether or not if even that building is going to stand. I would rather just not rent it out and then have to bare the expense of moving somebody if we did rent it out, I would rather just not rent it out until

we know exactly what is going to happen. I am figuring it will probably be another month and then we will know. How many times have you shown it now? Service Director Arendt answered 4. Mayor Piskura stated so there is some interest but I am the one that is holding that one off. Service Director Arendt stated there is interest there, the city could lease it. Mr. Erdei stated yes like 6 months or a year. Service Director Arendt stated the problem is that any lease we initiated at this time we would have to put a relocation clause in and if the plan in the stimulus package out of the 17 or – no we did 3 more today, so out of 20 that we submitted comes in then we would have to relocate. So it is better to wait another 30 to 45 days before the Mayor decides. Mrs. Chapman asked is that one in Lorain still interested in it? Mayor Piskura answered I have heard from him lately, he did get to go in and see it though.

Debbie Belaska, 4014 East Lake stated Kay I am glad to see you are feeling better and I am so impressed that you are standing up right.

Mark J Erdei, 4015 Tennyson asked on the Phase II project for the boat ramp, you guys got a game plan on – I know you were talking about the restrooms. Mayor Piskura answered I am going to do what the Park Board tells me to do and Steve is the representative to the Park Board. Councilman Kovach advised we got a lot of things that we are interested in doing, it is a matter of some planning and grant applications but restrooms would be a real plus up there. Mr. Erdei asked is there any room in that Phase where you could put up like a little concession area, where like the city could lease it out for people going out? Councilman Kovach answered like I said it would require some planning and I think it would have to have some plans in regards to that as far as any structures we would be putting in before. We would have to have a sound plan before we go in for any kind of an application on any future money because if you don't you just get turned away time and time again. Mr. Erdei asked you got any date where you would like to get that whole thing planned out and working, I mean I know you are waiting grants and that. Is there like a time table, like you figure a year or 2 years. Councilman Kovach answered at this time there is not a set time table on it.

UNFINISHED BUSINESS: None./NEW BUSINESS: Councilman Diebold advised I have received numerous calls about high electric bills including mine, probably 40% higher then last year. After spending roughly an hour and a half trying to get a hold of a voice, at Ohio Edison I finally got a hold of a Supervisor and she guaranteed me that the rate increase is only 2% and the people that have contacted me the rates are 35 to 40% higher and I don't know if anybody else is experiencing that but if you are, I am having these people contact this Supervisor and I have her number and it took me an hour and a half to get it and some of these doesn't seem right to me, so I am trying to look into it. So if you experience the same thing I would appreciate you calling me and I will then the number. Service Director Arendt asked could you give me the name and number so that I can give it to our staff in case somebody calls complaining? Councilman Diebold advised the

name is Monica and her number is 330-384-5043. She normally answers the phone between 9 and 2 then she will quit answering it and you will get a voicemail. My bill went from \$136 last year to \$276 this year and they are trying to give you the line well, might have something wrong, miss read the meter and it is a long story.

*Motion by Huska to amend the agenda to include Council#013. ROLL CALL TO AMEND THE AGENDA: Yeas All – Smith, Huska, Bring, Rosso, Kovach, Elliott, Diebold. *Motion by Bring to accept the Mayors nomination for Lynne Jones as the Civil Service Secretary. ROLL CALL TO ACCEPT THE NOMINATION: Yeas All – Diebold, Elliott, Bring, Kovach, Huska, Rosso, Smith. Mayor Piskura swore in Lynne Jones for Civil Service Secretary.

ORDINANCES AND RESOLUTIONS:

- 1.) Council#007 – SECOND READING – an ordinance amending section 351.99(d) of the codified ordinances increasing the penalty for parking violations.
- 2.) Council#012 – EMERGENCY – an ordinance amending section 549.12(d) of the codified ordinances of the City of Sheffield Lake regarding sale, transfer and display regulations of firearms, and the declaring of an emergency.

*Motion by Huska for SUSPENSION OF RULES:

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

*Motion by Huska for APPROVAL:

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

Ordinance Passes#12-09

- 3.) Council#013 – EMERGENCY – an ordinance authorizing the Mayor to enter into a contract with Underground Utilities for the reconstruction of Lor-Ferndale Avenue, Phase II and the declaring of an emergency.

*Motion by Huska for SUSPENSION OF RULES:

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

*Motion by Huska for APPROVAL:

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

Ordinance Passes#13-09

*Motion by Rosso to go into executive session for the discussion of compensation of a public employee and litigation. ROLL CALL TO GO INTO EXECUTIVE SESSION: Yeas All – Rosso, Huska, Elliott, Diebold, Bring, Smith, Kovach.

*Motion by Bring to return to regular session. ROLL CALL TO RETURN TO REGULAR SESSION: Yeas All – Kovach, Smith, Bring, Rosso, Huska, Elliott, Diebold.

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

COUNCIL PRESIDENT: None.

MEETING ADJOURNED: With no further business before this council, Motion by Kovach to adjourn at 8:12 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 24, 2009.

COUNCIL PRO TEM
Richard Rosso

MAYOR
John J Piskura