

**Minutes of the City Council**  
Sheffield Lake, Ohio  
June 23, 2009

The regular meeting of the City Council was held Tuesday, June 23, 2009. Council President Edward Podmanik called the meeting to order at 7:06 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, Kovach, Elliott, Diebold, Smith, Mayor Piskura, Treasurer E Hoenig, Finance Director Smith, Law Director Graves, Safety/Service Director Arendt

Attending: Concerned Citizens, Zoning; Ebenschweller, Members of the Media; Avon Lake Press

\*Motion by Bring/Second by Elliott to approve the minutes of the City Council of June 9, 2009 with any corrections. Yeas All.

\*Motion by Bring/Second by Elliott to approve the minutes of the City Council Worksession of June 16, 2009 with any corrections. Yeas All.

**CORRESPONDENCE/COMMUNICATIONS:**

A – Mayor John Piskura submitted objections to Council Ordinance#29 for the prohibition of golf carts in the City of Sheffield Lake. Council Clerk Kay Fantauzzi read the objections in their entirety into the record.

B – The 2008 Annual Report from the Lorain County Community Development – available in Council’s Office. Receive and file.

**PRESENTATIONS: None.**

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

**Roads, Drains, Water, Sewer, Refuse: None./Stormwater Utility:** Representative Smith reviewed the minutes of the June 11, 2009 meeting. \*Motion by Huska/Second by Bring to accept the report. Yeas All./**Safety: None./Buildings, Lands, Vehicles & Equipment: None./Ordinance: None./Finance & Claims:** Chairman Rosso reviewed the minutes of the June 16, 2009 meeting. \*Motion by Huska/Second by Bring to accept the report. Yeas All./**Investment:** Mayor Piskura advised the next meeting is scheduled for July 1<sup>st</sup> at 10 am here at city hall./**Council Representative to the Community Center:** Mr. Diebold reported Joe took care of the problem with the yard on the northeast corner by Community Center./**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 June 15, 2009.

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

**MAYORS REPORT:** Mayor Piskura advised I only have a couple of things tonight. First of all with regards to the veto, I hope I haven't inflamed anybody but I got to be honest with you I am a little disappointed if you didn't know what my opinion on the legislation was. I am clearly on the record in the past and I would direct you to minutes where we had discussions where I said I was 100% for golf carts and that I questioned the legitimacy and safety concern and I also said what regulations I would impose. So perhaps it was my fault in not being a little bit more aggressive to make my position painfully evident but I have argued for it in the past. I believe that it is in keeping with what we are trying to do, not only at the shopping center but overall with the numerous grant applications that we have submitted for energy efficiency and the whole green movement and drawing the community close together and quite frankly I would rather somebody hop on their golf cart because then their range is limited to spending money within the city limits. All I would ask simply is that if it does come to pass that they do become legalized in some manner, it is not going to happen over night. They remain illegal right now until there are administrative rules, if you remember the reason that we even began talking about is because we wanted a local ordinance to come from Council to specifically allow golf carts and Council's answer after discussion was to specifically prohibit them instead. So they will remain illegal, you have a lot of time to think about it prior to having to take action if you choose to disagree with my actions. So I would just ask that you rather than hastily, to sleep on it. We are not going to do anything too quickly. The second thing is that I am very happy that we pushed very hard and we are still not done with all the data and we won't be done until probably tomorrow and I won't be done with the actual presentation until Friday but we did schedule public consensus meetings that will be held at Forestlawn gym at 7 pm on Tuesday next week and Thursday next week which are June 30<sup>th</sup> and July 2<sup>nd</sup>. Generally Council has seen all the plans, seen all the costs, you have everything that I have – if you so desire, prior to the consensus meetings next week, I am more than happy meet with Council prior or any of you individually prior and show you what else we have to present. Again I am not even going to have it together until Friday. All we are really doing is refining what you have all already seen in a little bit more detail. I would think it would be very good if everybody attended that. Lots of projects going on, lots and lots of things to discuss if we wanted to but I will stop there and just answer any questions if you have them. Mr. Diebold thanked Mayor Piskura for submitting information about the golf carts that gives us a better view on what all is involved. \*Motion by Huska/Second by Kovach to accept the report. Yeas All./

**FINANCE DIRECTOR REPORT:** Finance Director Smith advised you should have all received a copy of our tentative tax budget for 2010. As I have said every year in the past this is antiquated procedure that is required by the State of Ohio and enforced by our County Auditor that we have to prepare this tax budget which will easily put you to

sleep if you have any problems with that. I encourage you to look it over and if you have any questions or you want to make any comments we will have a public hearing. Clerk Fantauzzi has scheduled something at 6:45 pm on Tuesday July 14<sup>th</sup>. It needs to be passed and to the county by the 20<sup>th</sup> so we have to pass that evening unless you would like to have a special Council meeting later in the week but I didn't think anybody would want to do that. Mr. Rosso questioned date and it was clarified. Finance Director Smith reiterated if you have any questions feel free to call me and I don't foresee any changes to what you have in your hand and if there are I will bring them to your attention probably prior to that I will try to get a hold of everybody. Like I say this is such a preliminary thing, everybody in the state realizes this is very antiquated procedure and I think somebody is working towards changing it but for now we do what we have to do. \*Motion by Huska/Second by Bring to accept the report. Yeas All./**TREASURER REPORT: None.**/SAFETY/SERVICE DIRECTOR: Safety/Service Director Arendt reported I do have some reports this evening; first of all I would like to start off by saying when I first started here one of my goals was to combat drugs. Within surrounding cities, certain cities are known for heroin, cocaine and certain cities are known for some other types of drugs. With the guidance of the Mayor and the Law Director Mr. Graves I went to Chief Shepherd and Detective Campo and explained my position and in that time as you know when things are going down for drug buys they take a long time. Well things are finally starting to happen and within the past 2-1/2 weeks we have had 3 drug bust with the help of the Lorain County Drug Task Force and the Lorain County DEA – the 3 drug bust; 2 of them major and 1 of them somewhat minor with marijuana and we also had someone trying to get prescriptions in somebody else's name. So there will be a press release that will be in Avon Press to let the people know in the city that the Police Department is going to be very active in pushing any types of drugs out of this city. We currently have some other potential leads, actually some buys that have been in and there will be more drug bust in the area and it is getting known out there that even though this is a small city that doesn't have a drug task force – we will be very hard. As I said Mr. Graves in fact had one for \$50,000.00 bond, a felony 4 I believe, I am not sure. Law Director Graves advised actually that one made an F3. Safety/Service Director Arendt advised I thank the Mayor and Attorney Graves and Chief Shepherd and Campo for allowing me to pursue this action. But I wanted you to know before it got out in the press. The second item on my list is at one of our previous meetings we had a concern citizen concerning our Fire Department and their training, I received a letter from Acting Chief Langin and it says “Joe, as you know with the limited funding available and the recently required fire training mandated by the State of Ohio along with different staffing working together due to recent shift changes and some part time members with limited fire experiences, we need to try to take advantage of every training opportunity made available to us. In all areas of fire related duties including pump operations and hose

evaluations to continue to provide the best possible level of service to the residents of the City of Sheffield Lake.” Safety/Service Director Arendt advised I wanted to read that because the concerned citizen was upset and Chief Langin wrote that letter for me the next day. So they are pretty good with the training, they are pretty happy with it. He continued the next item that I would like to go over is we recently submitted for bids, the ad was in the paper for many types of items; grading, cold patch material, asphalt, chip and seal. We did have a bid opening there were 2 bids; Cross Roads and Cook Paving. What we did and in is part of the vouchers that are attached to your things tonight – what we did was Mr. Gardner and I sat around and gone over each bid. Now each company was asked to provide a price per square yard, more per square foot. To give an example or to give you the reason why there is 2 vouchers this evening and I will turn it over to Attorney Graves after this – Cross Roads came in at \$1.20 per square yard for chip and seal/Cook Paving was a \$1.40 per yard for chip and seal. Cook Paving has Gilsonite and Cross Roads does not. If we are allowed by law to have Cross Roads do the chip and seal and Cook do the Gilsonite we will save about \$2000.00 on the 2 streets that I would like to attempt to do. Now the reason for the 2 vouchers only is because from my understanding in the past there was a problem with dust and if we utilize the system of the Gilsonite we believe that will resolve the dust problem. So instead of putting on the agenda the full street package that we want to chip and seal and do some asphaltting on I only suggested that we put on the 2 streets or the Mayor suggested we put the 2 streets on to make sure that we do not have a repeat of the dust problem that previously occurred. Now before I continue with my report Mr. Graves may have something to say. Law Director Graves advised basically this was the annual bid that the city does where they bid out all of the materials for the city and Cross Roads came in cheaper for the chip and seal material, they also bid a product that is not equivalent or as good as gilsonite. So if the city was to use tar and chip, that contract should be awarded to Cross Roads as the lowest and best bid. Cook having bid Gilsonite, the legislation that we would probably bring to Council would seek to use Cook for Gilsonite material as the best bid; maybe not the lowest but the best. That product is slightly more expensive then what Cross Roads bid but what they bid was not an adequate product, it is not even a black material – it is a whitish material which would not look good on the roads. Safety/Service Director Arendt asked do we have to prepare legislation to bring back to Council to do the 2 roads. Law Director Graves answered I will take a look at the way the other legislation was drafted but I would imagine we would. Safety/Service Director Arendt continued the next report that I have to go over is the mowing that the city does for vacant land and people who haven’t been able to mow for one reason or the other. So far this year citizens owe \$3000.00, there is a grand total owed to the city throughout the years of \$13,050.00 for mowing. The next report that I have is water bills, Council asked me at a Worksession to see if I could separate between commercial and residential. Currently the city is owed

\$103,846.60 in unpaid water bills. Commercial is \$25,264.76 and residential is \$78,581.84, out of the commercial \$17,000.00 is owed by one place. So it is not necessarily the commercial properties that are hurting the water collections. The next item that I want to go is the Building Department has been extremely busy giving out warnings, not necessarily citations but warnings to people about certain things that aren't being done such as their grass being mowed, garbage out too early, and vehicles not on hard surface. So far this month Wendy the Building Inspector has given out 169 warnings, previously last month I think there was 257. But after the people are getting the warnings we have not had to pursue it any further. They are acting and taking responsibility and doing what they need to do to get it done. The next item on the agenda that I have for this evening is Allied Waste; I will meet with Allied Waste Friday. They have come and they have agreed to tentative streets that were proposed to them and we can have a public hearing as soon as Council chooses to do so. Next on the agenda the current information I call them ditches, the current information that Attorney Graves and I are attempting to work on and see where we are going to go further on drainage corridors. We have all the letters and material prepared and it will be up to the Mayor and Attorney Graves on the next step to see if we want to go sue the state, I don't know about that. Mayor Piskura advised just real quickly he is talking about the ditches up in your ward and we are going to make 2 calls next, one to the ODNR and one to the Attorney General. Attorney General will ask who has got to pay for it because it is clearly a state owned thing and we really, really want them to fix it and hopefully they are going to tell us the ODNR. That is what I have been told off the record by some of the state people, so we can hopefully expedite the process by making a couple of calls. So that is where we are at next. The next report I have is on vehicle maintenance and the reason I bring this to your attention today is because people have been asking about the roads being swept. Currently out of the fleet that we have, we have 4 vehicles that are out; the street sweeper-we are waiting for parts and we have been waiting for parts for about a week and a half to two weeks now and once we get the parts it will take approximately two days to put completely back together, flat bed trailer is out-the kamatzu is out which we need for the bike trail and that will take 2 to 3 hours once we get the parts and we have waiting since last Wednesday for the parts for that, the 1-ton dump truck that we have needs some work. The only item that I have left which I am sure you are glad my report is over. Mr. Rosso asked on your quotes from Cross Roads and Cook, have you talked to them about you are going to split it up? Service Director Arendt answered they are perfectly happy and willing to do so. Mr. Rosso stated my concern was they quoted as a package and then bumped up one side and cut the other. Service Director Arendt advised they have both been very cooperative and it has to be coordinated if this goes through and we do utilize Cross Roads to do the chip and seal, it has to be coordinated where Cook is going to come in the very next day and do the gilsonite because what the Mayors concern

is obviously with the dust and we are only doing these 2 streets because they say it will take care of the dust but we need to make sure that it is going to take care of it. Mr. Rosso advised I just was concerned you know we go to them and say well we are not going to let you cherry pick each item but you have already addressed that. Does Cross Roads not know you are the Service Director out here since they keep sending their bids to Bill? Service Director Arendt advised well there is a lot of people that don't I am. Mr. Diebold asked Joe I was going to ask you have you seen a gritnite versus seal and chip yet, have you witnessed the finished product? Service Director Arendt answered only on film, only on pictures and film. Mr. Diebold stated evidently the difference is the chemical. Service Director Arendt answered on film and please don't take this to the bank but on film after the chip and seal is done then they put the gilsonite on it looks like a brand new tarred road but again our concern is because I know and I received a call yesterday from a citizen that lives on East Drive that was done last year – you know they really want to make sure that it really doesn't happen again. He continued I suppose that all of you wonder why you each have a brick. Since we were all part of Shoreway or at least I was lucky enough to be a part of Shoreway. But for Council and some other members for your concern, I want to let you know that I purchased and I have receipt for it for any Council members that have concern or any citizens that have concern I have receipt for – I personally purchased 3 of the pillars that were out on Shoreway and that is what the bricks are for and what I would like to do is give out some little plaques that I had made for you to attach to the bricks and that way you can keep it. The date on there is the date that the Mayor happened to be on the machine. Mr. Elliott stated I have said this to Joe before but I think he is doing an excellent job and I just want to say keep up the good work – you are probably one of the best things the city has done so far. President Podmanik advised excellent report by the way, I haven't heard one so thoroughly detailed in a long time.

\*Motion by Huska/Second by Smith to accept the report. Yeas All./**LAW**

**DIRECTOR REPORT:** Law Director Graves advised - **/Demolition Board** – is going to meet tomorrow night and the one property that was scheduled actually for an appeal hearing, that appeal has been withdrawn and the house is actually down. Demolition Board will continue to review other nuisance properties throughout the city and compile a list of properties for potential abatement by the city. **/Civil Service** – met last week and the primary topic was reissuing of letters of intent for the Chief's test. As some of you may or may not know, we had to open that test up to the Lieutenants and only one of our 3 Lieutenants expressed a desire to compete for the position. By law and by our own civil service rules must have at least 2 people willing to compete for the position and the next step is to open that up to the Fire Fighters who have at least 24 months of service and there are 8 of them. If that doesn't produce another individual willing to compete for the Chief's position, we will open it up to the final Fire Fighter who has less than 24 months of service. If that individual at that point doesn't want to proceed we would have to open the test

up to outside the department, so I will keep you posted on that. The Commission did elect to use the Ohio Retired Chief's Association to conduct the exam, it will be a written exam and by our rules it will require at least 70% score to pass the test. So I will keep you apprized as we proceed with the process of hiring a new Fire Chief. **Records Commission** – we are in the process of getting that together. We have our records retention schedule approved and the Finance Director, Clerk of Council and myself will work together. **Legislation** – reviewed the legislation on the agenda. He explained also for your potential consideration, the following could be added to the agenda; Council#037 – we finally got started on some of these recommendations out of Planning Commission: these were the more general amendments to the Zoning Code, real simple amending B2 districts to include taverns, dance halls and theaters and then amending B4 districts to remove those and also include animal boarding kennels and gas service stations. This is something that has been kind of on the back burner for a long time, we are going to start working with the Planning Commission and try and get some at least up in front of Council for readings. Council#039 this is the ordinance that we have discussed allowing the city to accept any and all miscellaneous donations which come in from businesses, from individuals, from Community Civic Counsel for all associated costs of the community days festival including the city fireworks display. So we ask that you consider that so we can accept those donations and use that for community days and the fireworks. Council#040 would authorize the hiring of the law firm Wickens, Herzer, Panza, Cook and Batista on an as-needed basis for assistance with the creation of our community improvement corporation including the transfer, ownership, development and management of Shoreway Shopping Center on behalf of the city. We are looking into between them and myself brain storming various ways that the non-profit entity could handle the development and management of that property while at the same time the city retaining some degree of control over the future of the center. We are brain storming a number of different ways that that could be accomplished. Council#041 would authorize the disposal/donation of some antiquated phones that the city has. They are really kind of just taking up space and have no significant monetary value whatsoever and we would like to either donate them or dispose of them appropriately. As the Mayor pointed out we continue to work on a number of projects, I will be happy to answer any questions. Mr. Rosso asked Council#039 the donations, I can understand Community Days is still 4 weeks away and obviously it is an on-going every day but after Community Days is done will we get a list back of who donated what? Mayor Piskura answered absolutely. Finance Director Smith advised we will be sending thank you letters and we will make sure you get a list of everything that was donated. Law Director Graves advised it is going to be real difficult to pin down a specific dollar amount as these things kind of trickle in here or there, they are going to be designated for that and be able to

use them for that purpose. \*Motion by Huska/Second by Bring to accept the report. Yeas All.

**CITIZENS COMMENTARY:**

**Ann Marie Woltman, 649 Sheffield Road** asked I wondered and I could have missed it, how are you publicizing the community meetings regarding the shopping center? Mayor Piskura answered I put it out on the e-news, I am talking about it now, I am hoping that John got it in the paper maybe the press points or something for this week? Avon Lake Press John Edwards answered didn't know about it til tonight. Mayor Piskura advised I sent you an email. Mr. Edwards asked when? Mayor Piskura answered on Thursday or Friday. Mr. Edwards answered apparently I didn't get it. Mayor Piskura stated so it is not going to be in the Avon Lake Press. Law Director Graves advised well it would be in next Wednesdays for Thursday. Mrs. Woltman stated that's it because just like we didn't get very many people to come to the rallies as we anticipated because of publicity and then the next question is why are you having it at the school and not the community center. Mayor Piskura answered the last time that we did this, we advertised it the same way with the addition of some yard signs and we had probably close to 350 or 400 people there and the Community Center isn't big enough. So I mean this a subject that people have been asking about that people are eager to listen to and it is a point well taken we should probably do a little bit more to advertise the meetings but I expect them to fairly well attended. They have been in the past. Mrs. Woltman asked can you post that on the sign in the front of the Community Center that they are going to be held and where they are going to be held? Mayor Piskura answered yes absolutely. The Journal and the Chronicle also have that information and possibly we can get them to put something in the paper. Mr. Kovach asked do we have the letters for the sign at the shopping center where we could utilize that sign for that? Mayor Piskura answered obviously it is our sign, we can use but I am not sure if we have letters or anything to use it with.

**Bob Ebenschweller, 362 Cove Beach** stated I am wondering, going through Avon Lake we see Hydro Ditch and Powdermaker Ditch are now Hydro Creek and Powdermaker Creek but we are still talking about Day Ditch and Shoemaker Ditch, is it possible that maybe we could get some kind of action to change it to Creek or Brook or something else like that less harsh then Ditch. Ditch sounds so crude and behind the times. Originally they were all ditches, the farmers to the south of us cut these ditches through and they were allowed to just start the meander and they became natural water ways – they became creeks.

**Richard Krebs, 280 Lynne Drive** stated Joe you are doing an excellent job, the only thing that I would like to know how is it going with 260 Lynne? Service Director Arendt answered the information has been sent to the bank and I believe may have put something on your desk, I am not sure about that. But we have contacted the bank and we are not getting too far with them. Mr. Krebs asked is it a local bank or out of state? Service Director Arendt answered no it is out of state.

Mr. Krebs stated normally I had one south of me 2 doors and it was an out of state bank and they took care of everything. Service Director Arendt answered no I do remember it now and it is in the process and I will follow up on it tomorrow. But I am not sure if I did give the letter from Wendy to Mr. Graves.

**Dorothy Wisnieski, 543 Lakeview Avenue** stated since our Service Director brought up our war on drugs I was wondering, do the city employees of Sheffield Lake get drug tested and if tested for employment, are they randomly tested afterwards? Also are city employees civil servants? Law Director Graves answered our ordinances spell out which are considered classified and unclassified members of civil service. Mrs. Wisnieski stated most of them are because I know Cleveland has been having a problem? Law Director Graves asked from our Roads Department. Mrs. Wisnieski answered yes. Law Director Graves advised they are unclassified civil servants. Mrs. Wisnieski stated I was just wondering I didn't know that – you were talking about Mr. Huffman being a civil service commission person and I was wondering if this the Fire Department or if everybody is civil service. Law Director Graves answered the Police and Fire are members of the classified civil service and the Roads Department is unclassified so they wouldn't be tested. Mrs. Wisnieski asked and do the city employees get drug tested? Mayor Piskura answered as required to maintain their state CDL licenses and if there are any accidents, following the accident they get immediately tested but as far as the Police and Fire that does not have a CDL it is a contractual issue and while we still do it after an accident, they are not required to keep their licenses to get random testing. Mrs. Wisnieski stated so Sheffield Lake doesn't do like that companies do and say drug tested for employment? Mayor Piskura answered prior to employment everybody is given a very comprehensive physical and I believe that that is a part of it.

**Mark J Erdei, 4015 Tennyson** stated I never heard anything about mosquitoes spraying or anything, is our city going to be doing any of that? Mayor Piskura answered we don't do it anyway, the County does it. Mr. Erdei asked have you guys been talking to them since it is going to be a good season for them? Mayor Piskura answered no we haven't talked to them at all, we can though. Mr. Erdei stated it would be nice, we have done it before because I have heard trucks going through the city at night. Mr. Kovach stated normally they just have a schedule that they do that with. Mr. Erdei asked you got to notify them before they come in? Mayor Piskura answered we don't have our own Health Department here, we utilize the County's and the County does a lot of things autonomously for the city that we don't even have to pick up the phone for, I believe mosquito spraying is one of them. Now if there is a problem area, I know in the past we have picked up the phone and called them and asked them to come out for problem areas where they treat standing water or spray where they seems to be a good hatch but other than those problem areas I think they just take care of it. But we can call them. Finance Director Smith advised actually the County Health Department does come

out and trap mosquitoes to find the concentration – my yard being one of the trapping sites and they haven't been out yet this year, so I will give them a call. President Podmanik advised in the past as far as spraying went, they generally let us know about a week to 10 days in advance. For those that are concerned, windows closed, pets inside on the specific night and that has been in the past. I don't know if they have changed their method of operation. Finance Director Smith advised well they claim that this spray won't affect your pets or yourself. Mr. Erdei continued now that we own the shopping center, is that festival or rides and everything is that going to be compressed into one corner or are we going to spread it out a little bit more. Mayor Piskura advised Mr. Kovach is the one to ask that to. Mr. Kovach answered that will be actually an almost last minute decision made by the actual carnival operator because that is laid out in such a way. You got to realize we have power grid that we have to spread and everything and there is room to move it around as the Mayor professed, we can do some things with it but we only have so much ability to expand. He probably will enjoy spreading it out if that is in his forte but like I said that will be done in like about a week and a half before the lay out Sunday. Mr. Erdei stated I would just like to make my own comment I am glad the Mayor vetoed that because I travel and work all over, especially Sandusky, Vermilion I am all over with my trade and I have yet to see anybody on a golf cart probably 40 years or younger. Although I haven't stopped them and checked them for an ID but the majority of them especially Sandusky – I mean it is all, I mean retirees or 50/60 years old the good age. But I have never really seen a kid especially Vermilion, I was at the Fish Festival helping out over there and I didn't see no kids – I seen parents or grandparents scooting in but I never seen kids yet. Now I got a new phone I could take a picture and have proof if you guys want proof but I just want to say I think that was a smart move because it isn't like we are going to have a town full of golf carts flying around here just be tough on the rules. Hey the first pop you get a ticket then the next one impound it and then they will learn their lesson – it is as easy as that. I would also like to comment – Joe you are doing a good job, all of you are.

***/UNFINISHED BUSINESS: None.***

***NEW BUSINESS:*** \*Motion by Huska/Second by Kovach to amend the agenda to add to tonight's agenda Council#037, Council#038, Council#039, Council#040 and Council#041. **ROLL CALL TO AMEND THE AGENDA:** Yeas All – Diebold, Kovach, Elliott, Smith, Huska, Rosso, Bring.

***ORDINANCES AND RESOLUTIONS:***

Council#032 – **SECOND READING** – an ordinance amending section 935.16 of the codified ordinances of the City of Sheffield Lake regarding payment date; surcharge; remedies for nonpayment, and the declaring of an emergency.

Council#036 – **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 – Bring, Kovach, Smith, Rosso, Elliott, Huska, Diebold.

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

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

**Ordinance Passes#36-09**

Council#037 – FIRST READING – an ordinance by the Council of the City of Sheffield Lake amending section 1141.02(b) of the codified ordinances regarding B-2 business districts other permitted uses.

Council#038 – FIRST READING – an ordinance by the Council of the City of Sheffield Lake amending section 1145.03(b)(1) of the codified ordinances regarding B-4 business district other permitted uses.

Council#039 – EMERGENCY – an ordinance authorizing the City of Sheffield Lake to accept and approve any and all tangible and intangible donations to the City of Sheffield Lake which have been designated for miscellaneous costs associated with the 2009 Community Days Festival including but not limited to a city fireworks display, and the declaring of an emergency.

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

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

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

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

**Ordinance Passes#37-09**

Council#040 – EMERGENCY – an ordinance authorizing the hiring of Wickens, Herzer, Panza, Cook and Batista, Co. to assist the Director of Law on an as-needed basis, with the creation of a community improvement corporation for 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 – Kovach, Rosso, Diebold, Bring, Elliott, Huska, Smith.

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

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

**Ordinance Passes#38-09**

Council#041 – EMERGENCY – an ordinance determining that certain municipal property of the City of Sheffield Lake is not needed for public use, is obsolete and unfit for the purpose which it was acquired, that the property has no value and authorizing the proper disposal and/or donation of this 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 – Rosso, Huska, Kovach, Elliott, Bring, Smith, Diebold.

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

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

**Ordinance Passes#39-09**

**COUNCIL PRESIDENT:** President Podmanik advised at this time I only have a few things – Mayor, I hear plenty good things especially with regards to our wind turbines. To the Mayor and Mr. Arendt – thank you, I love to see the lines in the parking lot. It can have some holes, I don't care – at least now we know where we can park. Council – you have been doing an excellent job thus far and keep up the good work. I will ask only that if you will not be able to attend any meeting, please make notification to the clerk as soon as humanly possible so that we know you won't be attending whatever meeting it might be. Mayor Piskura advised just for the record because I said it on the record, I need to apologize to John I checked my emails and I neglected to attach the consensus meetings on the email that I sent you over the weekend. So that is entirely my fault so if everybody could help me try to publicize this a little better, if you have any ideas. I am still not worried about the attendance but obviously the more people that know about it the better.

**MEETING ADJOURNED:** With no further business before this council, Motion by Kovach to adjourn at 8:20 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.

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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 June 23 2009.

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COUNCIL PRO TEM

*Richard Rosso*

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MAYOR

*John J Piskura*