

Minutes of the City Council
Sheffield Lake, Ohio
December 8, 2009

The regular meeting of the City Council was held Tuesday, December 8, 2009. Council Pro Tem Rick Rosso 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, Bring, Kovach, Elliott, Huska, Smith, Mayor Piskura, Treasurer E Hoenig, Finance Director Smith
Absent: Diebold (unexcused), Law Director Graves (excused)
Attending: Concerned Citizens, Zoning Board of Appeals; Ebenschweller, Planning; Belaska, Members of the Media

*Motion by Bring/Second by Elliott to approve the minutes of the City Council meeting of November 24, 2009 with any corrections. Yeas All.

CORRESPONDENCE/COMMUNICATIONS:

Monthly report of court receipts for month of November - \$10,454.20 – receive and file.

PRESENTATIONS: None.

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

Roads, Drains, Water, Sewer, Refuse: Chairman Smith advised meeting held last night and following sewer credits were addressed: *Motion by Smith/Second by Huska to handle enmass: Yeas All – Bring, Kovach, Smith, Rosso, Huska, Elliott. *Motion by Smith/Second by Huska to approve the following credits: 441 Elm St., for the amount of \$42.24, 4427 Lake Road for the amount of \$137.80, 4625 Edgewater Dr., for the amount of \$376.30, 4443 Tennyson Ave., for the amount of \$52.92, 758 Sunset Ave., for the amount of \$79.38, 932 Warwick Ave., for the amount of \$349.86 and 4120 Brockley Ave., for the amount of \$70.56. Yeas All.

/Stormwater Utility: None./Safety: Chairman Bring reviewed the minutes of the December 2, 2009 meeting. Chairman Bring advised the parking over here Joe where everybody is parking and staying off the asphalt, we are using that strictly for city hall. The other day after the rain it filled up with water and it is freezing and somebody is going to slip and fall. If we can maybe put some slag or something over there and address that issue. I know it is supposed to rain again tonight and it is going to freeze. Service Director Arendt advised we attempted to put the slag on, what really should be and Shannon had one idea and Frank had the other and I went with Shannon’s idea and really what we should do is we have another that we can tap it in

but we have to dig it out and tap it in and drain it and that will drain that whole parking facility. I kind of thought it should work and if it doesn't the only way to do that is actually dig it out. You can't even put more on it, it will just create more of a problem. Chairman Bring asked but you are addressing that problem so you are taking care of it? Service Director Arendt answered oh yes. *Motion by Huska/Second by Rosso to accept the report. Yeas All./***Buildings, Lands, Vehicles & Equipment***: Chairman Kovach reviewed the minutes of the December 3, 2009 meeting. Member Bring advised on the animal shelter I did talk to some people about that, we are talking about doing a fund raiser; trying to get plans together and do a little drawing. Just to let you know I did talk to some people on Saturday night and they are willing to help us out. *Motion by Huska/Second by Bring to accept the report. Yeas All./***Ordinance***: Chairman Elliott reviewed the minutes of the December 3, 2009 meeting. *Motion by Huska/Second by Bring to accept the report. Yeas All./***Finance & Claims: None./Investment: None./Council Representative to the Community Center: None./Council Representative to the Zoning Board of Appeals***: Representative Kovach reviewed the minutes of the November 24th joint meeting./***Council Representative to the Planning Commission***: Representative Huska reviewed the minutes of the November 24th joint meeting./***Council Representative to the Park Board: None.***

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

MAYORS REPORT: None./FINANCE DIRECTOR REPORT:

None./TREASURER REPORT: Treasurer E Hoenig advised I don't have a report but I want to take the opportunity to thank the Police Department, several days ago at 3 o'clock they knocked on my door as I left the garage doors open. I thought it was pretty good for them to stop, it was pretty easy to get into my garage then. I would just like to thank them for taking the time to do that./***SAFETY/SERVICE DIRECTOR:*** Safety/Service Director Arendt reported the last couple committee meetings that we have were very informative, very productive. We talked about several things that Mr. Bring went over. The gates will hopefully be up this week, it will be folding gates so that cars go down and be able to protect the bike trail. Ohio Edison did promise me that they will get their night crews out here but they don't know when but they promise it will be up before the end of the year to light that one particular area. Looking into cameras; the cheapest that I found so far that would be the most economical are about \$99.00 a piece. The only problem with those cameras is that the batteries tend to run out fairly quick. I would like to at least purchase 1 camera when they go on sale for about \$50.00 which they did. The camera will do the day/time and date – everything on it infrared. Any activity that goes through any of the areas it will take a picture of and we will be able to put it high enough so nobody will be able to get to it. I would like to at least try one of those cameras. I would like to try one at the bike trail and then if that works out pretty good, I would like to figure out something to do at Ferndale Park. We obviously as you well know we have had 4 incidents within the last 5 weeks at

Ferndale Park. The damage done to Ferndale Park was \$3400.00 by the person who did turf it. So I think that is something that is going to be essential for the protection of the assets of the city. I did talk to Acting Chief Langin, the hose tester that he had talked about he informed me the other night that it won't be even requested for about 6 months. He said they only have to do it every 6 months, we will look into that after. We are following up on 66, 66 should be ready fairly quickly so they can get that back in. The people were out here today for the tank for the fuel and they will install it for free. So all we have to decide on is which type of nozzle. So the Chief wasn't here today, he should be here tomorrow and I think that maybe should be his decision along with Lieutenant Card's decision and they will put the tank in. All we have to do is fill it up and that will save us a lot of time of going out because winter is coming. We are ready and we have got salt in the bin, we are on the consortium with the \$45.50 per ton. Last year we went through a 1045 tons and we still have about 600 ton of **hay die in** case we have to mix that. So we are in good shape there. I am working on the parking drain, hopefully depending on the weather in the next week or so if it breaks we can dig that out because I thought we could get away with it and it is my mistake. We have the 3 big plows are ready to go, well tomorrow because we have tires being put on 1 of them. The smaller plow needs about \$3000.00 worth of work and hopefully we will be able to get that started. So we will be ready for the winter. Mr. Kovach stated in regards to the turfing over at Ferndale, we have had a traveling baseball team that has applied to use that field – do you think it is going to be back in playable shape by this spring season or is that something? Service Director Arendt answered no it will be back to playable, it will be fine. *Motion by Huska/Second by Bring to accept the report. Yeas All./**LAW DIRECTORS REPORT:**

None./Civil Service – None./Demolition Board –None./Records Commission – None./Legislation – None.

CITIZENS COMMENTARY:

Debbie Belaska, 4014 East Lake Road stated I have a question about the audit and how did it come back? Mayor Piskura answered it came back wonderful. The results of the audit on the state auditors website, you know there are a few little dings here and there. We need to update our disaster plan, we don't have a policy for frequent flyer miles but we don't pay for anybody's plane tickets for anywhere anyway. Finance Director Smith stated a lot of the things that they ask to look into are things that they ask everybody to look into. Mayor Piskura continued but the review of our numbers on our accounting was good and policies and procedures are good and they did a fairly in-depth look at everything and it is on the website that you can look at. Mrs. Belaska advised I had spoken to Mr. Kovach, I had gotten a phone call at 9:30 on Saturday and a neighbor wanted to know why we didn't decorate, why the city is not decorating? You know how beautiful Lorain is and I had gotten on the phone with Mr. Kovach from Parks and we were trying – I don't know if you can take up donations. I know at one time they had to come in

front of the Council for donations, if people wanted to donate some lights or whatever if we could decorate the city and maybe get a council separate or a committee I mean separate from Parks. So that maybe next year we could take up donations, maybe people after the holidays get rid of wreaths – you know they go buy new stuff and maybe we can box it up and put it somewhere and maybe we can get a group of us to decorate for next year if that would be something you would consider and if we can go for those donations because I know they have to come through or you could pass something like that. I did go to the different stores at the shopping center, I know Pizza Hut is leaving in mid-January they said. I asked the stores and they were all willing to decorate all their store fronts. So I am hoping that we can light up the city a little bit more so my neighbor will be a little bit more happier. I just wanted to let you know about that. Also I know that I ran into 2 women, Lynette and Kathy and they are from the Service Counsel and they are trying to serve 100 families and I know that we are all blessed to have food on our table for the holidays but there is a lot less fortunate and I hope that we would consider if you have a little bit of money extra set aside and I know things are tight for everybody. They are trying to serve 100 families in the Sheffield/Sheffield Lake area and they need \$600.00 for hams and obviously I know that nobody has \$600.00. They can also use can soup, oatmeal, coco and any vegetables. Mr. Smith stated this is CCC – Community Civic Counsel. Mr. Kovach added this is actually work that Joyce worked on all year long. Finance Director Smith recalled the holiday baskets. Mrs. Belaska stated they would appreciate anything, I do have their phone numbers that were in the newspapers if anybody would be interested even if you spend \$2.00 or \$3.00 and got some cans down at the Dollar General. They take any, whatever you can do they need it and there is a lot of people that really use some food on their tables for the holidays. Mr. John Edwards added they are also collecting toys at the Dollar General and food at the Community Center. **Kerry McCullough, 685 Roberts St.**, stated I am going to make this request after I already sat through budget. I got a problem at Ferndale Park, the Community Center was supposed to be for the community including teenagers. I can remember back when we were in high school the push was for that and for a place for them to go. It happened one night, they closed the center to teenagers and that has been that. I think Council needs to start pushing a little bit more in getting a teen night back in Sheffield Lake and maybe and I know you don't want to hear this – maybe bring the budget back for the recreation department or look for volunteers of people who will go down there and sit with the teens. You guys are going to have to get them off the streets, if they are turfing things and you worried about this stuff we have. It is time rather than attack symptoms of the problems – lets attack the problem and the problem is they need some place to go, they have no where to go. The bowling alley isn't even open every night anymore and I know they used to hang out there and that is not good for them to be hanging anywhere. But the Community Center was built for the community, not for the people to play cards

during the day or the Office on Aging to pass out food and to have a meeting once a month and to have an awards banquet once a year and then to rent it on the weekends. That thing was built for the community, it needs to start being used by the community for the community. I really think that Council needs to step up to the plate on this one and try to figure this out. Parks and Rec – somebody has got to do something, you got to get something for these kids to do – you really do. I watch them ride their bikes, they sit in the park across the street from my house all day long into the evening, into the darkness. I walked out there and the way here tonight, the park closes at dark and there had to be 10 kids sitting there – there is no where for them to go. It is cold and they are sitting in the park, there is nothing for them to do. If we don't give them anything to do, what else are they going to do. They are eventually going to get a little mischievous and mischievous means they are probably going to wreck something. Council is going to have to put 2010 down as start doing something for the kids of this community because there is nothing left and I know how bad business has been for me for the last 3 months, it is not getting any better. I don't know who says this recession is over but folks it is not getting any better and I will tell you right now if you don't do something for these kids then it is going to get way out of control and you are going to have much more problems. It is so much easier to have programs for them up there then to pay for them to be in juvenile hall. I think it is a lot less expensive.

Bob Ebenschweller, 362 Cove Beach stated in regards to what Kerry was talking about. I recall back in the late 70's and early 80's when we did open the Civic Center and I had occasion to volunteer down there and help out the Park Board. The tendency is you have kids showing up there that don't want to be home because there is problems and so they are looking for a place to hang out. They had to set-up rules that once you came in the building you had to stay until you left and then you couldn't come back in again because you had problems with kids going outside and in the back smoking, maybe just cigarettes and maybe something else. There were some accused of drinking. I wasn't comfortable doing it anymore because I didn't want to have the responsibility on me being someone who was supposed to be watching them and have them go out and do something, get hurt or something and have it come back on me. The others felt the same way, that they didn't want that responsibility for somebody else's kids – you know to be sued or something like that. I have always thought that the Civic Center especially at night is no place for people to be going back and forth across the street because it is an ink well over there. A few years ago a group of ladies got together and tried to look at the shopping center – the vacant buildings in there but I don't know if any of you remember that. We went in a took a tour and I know the condition those places were in, they had stuff hanging from the walls, tile all off and we asked about it. Well what would you do to make this able to make a youth center or something and was told oh nothing – you have to do everything. Then everything you put in there, you have to leave and there was just no money to do it and unfortunately I

think the problem with most of the kids in the community – they have nothing to do because they have nothing at home. A lot of the kids are all into the video games and everything now and get together and then there are those that dress in dark clothes and just want to hang out/walk around/look ferocious and scare people. You got to watch what you are going to be getting into when you start doing that because a lot of responsibility you take on when you do that.

Kerry McCullough stated Bob I am going to agree to disagree with you, it takes a community to raise a child and we have crapped on the kids in this community.

Councilman Rosso stated I am not disagreeing with what Kerry had said but just to as a point of clarity, the issues at Ferndale Park; the turfing, the fire – everything else was all adults. They were not kids. I just want it out there, it wasn't the kids causing problems at Ferndale Park – it is adults and David has got them in court.

Debbie Belaska, 4014 East Lake Road stated I know Joyce Hanks has been gone for several years now and I know at one time you were discussing the point of dedicating the Civic Center to her, I wonder whatever happened with that or why it kind of went south on that. I have never heard anymore about dedicating the Civic Center to her in her honor. Her second anniversary is coming up with being gone, she was really dedicated for many, many years to this community. For the short time that I have been in this, I know that she always gave you guys candy. She was always for her people and I mean she was just a very pleasant woman. I mean she always touched and moved people in a way. I was just wondering if we could consider doing something nice for that woman, I think she is looking down on us and maybe we could be inspired to do something.

Councilman Bring stated Joe you got that green space over by Apples, this is just a suggestion but they did something in Sheffield Village over there across the park – they put ice rink in there and that was very inexpensive. I don't know how much that would cost but maybe that would be an idea to put something like that over there for the kids for this winter to give them something to do. Service Director Arendt answered well because of the ground, if you notice back there I have been piling up good top soil because eventually when it gets colder we are going to put the top soil because that ground unfortunately I think we could go out there and do a little bit of grading and pour the water on it and I think it will stay. I will check on it as it gets colder. Councilman Bring joked you can start Thursday probably. Service Director Arendt stated I will test it with the fire truck and we will go out there and pour the water on and see if it holds. If the Mayor approves, we will talk about that to see what our liabilities. I will have to the Mayor and Tammy about our liability. Councilman Rosso stated we used to do that at Ferndale Park, prior to it being driven through - there was a small area. Mr. Erdei stated you could check with Lorain and see how they take care of Lakeview Park – people are always skating over there. Councilman Bring stated we got lights and stuff over there now. Service Director Arendt commented to Mr. Erdei that is because Metro Park has a lot of money. Mr. Erdei stated before that all those years Lorain had that, that was

the hot place to be. Service Director Arendt stated this was brought to my attention last night by Mr. Kovach about the decorations. I did make a call to Lorain today to see if they had any unused decorations that they weren't using or didn't have room to put up and they are supposed to get to me. I wasn't going to say anything but it came up but I did call – we call him Dr. Bobby who is the head of maintenance over there and he is checking into it. If he has a few things I think they will let us take them in and put them up some place but he is going to check and let me know tomorrow.

Mark J Erdei, 4015 Tennyson Avenue stated if you have been negotiating with Allied Waste, is that pretty well getting close to being completed. Mayor Piskura answered yes we have been waiting on them for the most part. Service Director Arendt answered we had a meeting with Dave Kidder the other day, Dave Graves and I for about an hour or so and they made their proposal and we kind of countered it with a couple of suggestions – we want to keep the rates the same and they want to raise the rate I think it was \$2.70 a month to go into this program but they will do with that rate increase is because of the money that would be recycled. People in the community would be getting coupons for stores just as Apples or whatever and it works out to according to Dave Kidder, it would work out to about \$20.00 a month per person in the area of the recycling. So you would getting about \$17.30 but also to protect the city and we don't know what the administration, Council or anybody is eventually going to want. I have 2 companies that are also going to give us quotes, preliminary quotes because it can't go out for any bidding until what is decided on what it would cost the city to have another company pick up all the refuse. We are meeting with 1 company next Monday morning at 10 o'clock. So we are on top of it. Mr. Erdei stated now our current contract with them runs out in May and they were going to quit giving you \$30,000 or \$28,000 for recyclables? Mayor Piskura answered that was the county. Allied Waste, their contract is separate from the county if we participated in the program with the 1 man barrels then we are eligible to continue to receive the money from Solid Waste in addition to a little bump initially but the debate that has been happening is because the resources in that fund are depleting and most likely there is not going to be enough money in there to get grants in the future beyond a couple of years anyway. We are trying to look at kind of the more global big picture of what is the best thing to do in dealing with them in that whole issue. Service Director Arendt added 2 of the companies that are looking at the current contracts that we have and like I say we are meeting with 1 because legally I can't accept something from there that says this – it would be a preliminary thing that would be about 99% of what they would do and what they would charge. The only guarantee from the Solid Waste is the incentive money of the \$30,000.00. The Solid Waste grant money is no longer a guarantee which I think the city received about \$60,000.00 from the last year. Finance Director Smith answered not quite but yea. Service Director Arendt continued whatever but that is no longer guaranteed, that is off the

table. Mr. Erdei stated these companies that you are going to be checking into, are they going to be handling containers like Allied Waste or is it going to be our continual trash pick-up. Service Director Arendt answered continued trash pick-up of what we currently have.

Debbie Belaska, 4014 East Lake Road stated if you need volunteers, I will get my neighbor over there to start helping you with those decorations if we get any. Service Director Arendt stated well if we get any. Like I say Mr. Kovach brought it to my attention last night so I made a call today but they may not have anything. Mr. Erdei asked what happened to the decorations from the park before you made it into a boat ramp – the lights and everything? Service Director Arendt answered Pat Hastings is looking for that particular stuff right now. Councilman Kovach advised I talked to Pat the other day about this also and he says he believes there is 2 or 3 pieces which is what we used to put out at the Community Park. Mrs. Belaska stated there was lights and everything. Finance Director Smith stated Jerry from the Parks, I talked to him not to continue this but he has a few pieces. A lot of the lights are old, the bulbs are gone. We have tried to string them along for a long time now and what we were planning on doing is right after the first of the year is taking just a little bit of money and buying up stuff that is on sale after the season is over and adding it to our collection for next year. You know after Christmas how cheap you can get Christmas decorations so we are going to keep our eyes open for that. Mrs. Belaska stated some citizens say they have stuff to donate, I don't what the process is, are you going to have to discuss that. Are the citizens allowed to bring boxes? My neighbor has some and I probably even have some. You would be surprised when everybody starts giving up a little bit then you could wreaths on all the poles and whatever. Finance Director Smith stated we can start an active collection, we could simply have an ordinance to collect any kind of Christmas decorations and I am sure if we put the word out there I know there is a lot of people especially after they decorate for the holidays they take it down and they don't want to put it away. President Podmanik stated this would probably be best addressed through the Park Board and Mr. Kovach would be the person to speak with. Councilman Kovach advised I have already invited her and told her to bring her neighbor with her and we will take it from there.

Mark Erdei, 4015 Tennyson Avenue stated over by the boat ramp where that hill side is in the grass there. Are you able to put up displays or something up there, is there electrical outlets or whatever that you can connect into that? Service Director Arendt answered there is ability to tap into the power box that we did put up for the windmills and there are extra breakers in there currently. There is actually 1 extra breaker now. Councilman Kovach stated I did actually think about that but I don't know what benefit that would have because that is below street level and I can't picture a lot of people going down. There was a brief discussion on decorations and possibilities.

UNFINISHED BUSINESS: None./NEW BUSINESS: None.

ORDINANCES AND RESOLUTIONS:

Council#062 – THIRD READING – an ordinance amending section 935.15(a)(1) of the codified ordinances of the City of Sheffield Lake establishing the monthly water consumption base rate for the municipality effective January 1, 2010, and the declaring of an emergency.

*Motion by Huska/Second by Bring for ADOPTION:

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

Ordinance Passes#69-09

Council#063 – THIRD READING – an ordinance of the Council of the City of Sheffield Lake amending section 969.06 of the codified ordinances regarding rental rates, and the declaring of an emergency.

*Motion by Huska/Second by Bring for ADOPTION:

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

Ordinance Passes#70-09

Council#066 – SECOND READING – an ordinance repealing and rewriting section 1151.01 of the codified ordinances of the City of Sheffield Lake regarding general provisions, and the declaring of an emergency.

COUNCIL PRESIDENT: None.

MEETING ADJOURNED: With no further business before this council, Motion by Kovach/Second by Bring to adjourn at 8:03 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 December 8, 2009.

COUNCIL PRO TEM

Richard Rosso

MAYOR

John J Piskura