

**MINUTES OF CITY COUNCIL WORKSESSION
SHEFFIELD LAKE, OHIO
November 17, 2009**

The regular meeting of the City Council Worksession was held Tuesday, November 17, 2009. Council President Edward Podmanik called the meeting to order at 7:22 PM.

ROLL CALL OF MEMBERS:

- Present: Podmanik, Rosso, Huska, Diebold, Smith, Kovach, Bring, Elliott, Mayor Piskura, Law Director Graves, Safety/Service Director Arendt
- Absent: Treasurer E Hoenig, Finance Director Smith (excused)
- Attending: Concerned Citizens, Members of the Media

PRESENTATIONS: None.

*******COMMITTEES*******

ROADS & DRAINS: None./SAFETY: President Podmanik stated a couple of ladies were concerned about a street light? Service/Safety Director Arendt answered yes that is going to go to Roads and Drains the next time we have it. I have already got a letter prepared to Ohio Edison, if it is approved and we do have the money to put the lights in. President Podmanik asked is the process still they put the light up and we just pay for the electricity or do we actually buy the light now? At one time if I am not mistaken they put it up and we just paid the electricity. Service/Safety Director Arendt concurred they will put it up and we pay the electricity./**BUILDINGS, LANDS, VEHICLES & EQUIPMENT: None./ORDINANCE:** Chairman Elliott stated I had 2 things but I already talked to the Law Director and he is going to cover those under his report./**FINANCE:** Chairman Rosso advised I have no report but I will mention to the Mayor and yourself Ed that during Finance we set up a special Finance meeting on December 29th and Ed if you agree a special Council meeting immediately following to handle any yearend budget. Also Ed I ran it by David who said it was okay and everyone, instead of having special Finance meetings from now on. If we need anything Tammy will just bring it up during the Council meeting under Finance and then we will just accept it and add it to the agenda instead of scheduling an extra meeting as you pointed out. That way we don't have to worry about trying to fit them, we will just handle it. Just so you and the Mayor knew that those were the 2 topics that we talked about./**PARK BOARD:** Member Kovach advised we met last night and I will have a full report at the next Council meeting. I would just have one question for Joe, are we still on for potential paving of the path this week? Service Director Arendt answered yes. Member Kovach advised nothing will come on jurisdiction of bike trail by Park Board until we get equipment for like the skate boarders and that type of thing, that is what that is there for. Mr. McCullough asked Steve I am sorry I missed last nights meeting, at the end of Allen Avenue on Ferndale – is that the bike path? Member Kovach advised the bike path goes up there and then it is going to tie into the property that the Lorain County Metro Parks ac-

quired. Mr. McCullough asked so what is the pavement on the end of Allen Avenue, just north of Ferndale? There is an area paved back there. Service Director Arendt advised that is the bike trail. Member Kovach advised it is now running Ferndale to Lake Road. Mr. McCullough advised is something going to go up so vehicles can't get in there? I can see people driving back there and getting stuck. Service Director Arendt answered it will be in my report.

*******ADMINISTRATIVE*******

MAYOR: Mayor Piskura advised the only thing that I have to report is that the developers that are working on Shoreway are close to retaining a broker, I think they interviewed like 13 of them and I can't remember the name of the particular broker but as soon as they cement up their deal I will make sure that you know about it. We did have a couple of perspective additional investors come and look at the property this week. Although I can't tell you who they were as soon as they decide to get involved I will make sure that you are aware of it immediately. So things seem to be moving along down there./**FINANCE DIRECTOR:** **None.**/**SAFETY/SERVICE DIRECTOR:** Service/Safety Director Arendt advised I gave each member of Council a copy of a report indicating the stage of the equipment for the snow plowing. President Podmanik advised members it is in your mailbox downstairs. Service Director Arendt continued we have 2 up and running and we are working on the 3rd, so we will have at least 3 out of the 6 prepared for this winter. Salt won't be a problem we are in the group where we got the contract to be like \$44.00 a ton. Other people have been given and sending me prices and looks like we did pretty good because they are up to a little over \$80.00 per ton right now. Going to the bike trail as you asked earlier and Kerry was asking, we do plan on putting up posts that will go there but they will be a collapsible posts in case the police ever have to go down there or anything for any emergencies or anything like that. It will be collapsible and it will come up but it will be noticed so cars won't be able to get down in there. The bike path is scheduled to be finished Thursday and Friday providing the weather and it will be completed all the way from Lake Road to Ferndale. I had a meeting with the Metro Board and they were out here looking at the bike trail and they thought it was very impressive. They are going to help Mr. Gardner get some grants to actually finish it from where we finish it all the way to their property and Dan Martin is going to write a letter with the grant to try to speed that process along. So hopefully by next year we will actually be able to start that portion of it./**LAW DIRECTOR:** Law Director Graves advised the 2 items that Councilman Elliott referred to was we are going to be looking at some legislation clarifying the accessory uses in R1 zoning districts, specifically what kind of home based businesses. The current ordinance dates back to the 50's and I think it needs to be a little more detailed and look at what is on the books in some other communities and got a good idea of the way that ours should read. I will be bringing it to Council for a first reading. The other item is the wind turbine project, we will be at some point in the future bringing some legislation to Council describing how the city would permit large wind turbines, the proposal right now would be to operate them under conditional use which would be issued by the

Zoning Board of Appeals. We are still working on the parameters of that legislation. Tuesday night there is going to be a combined Zoning and Planning meeting, after that the Council meeting there should be a resolution authorizing the Mayor to enter into the non-binding letter of intent to allow the Nex Gen company to begin their testing. That is assuming the Zoning Board of Appeals grants the city an area variance waving the height requirements that they can actually measure the wind speed at the altitude. So that is moving along and will keep you posted on that and that should be an interesting meeting on Tuesday night. We had a productive meeting today with Allied Waste, the Service Director and myself and those negotiations are on-going in regard to what kind of proposal that we can bring to Council not only potentially for the recycle container program with also possibly with a recycle bank component where the residents could get credit on their recyclables to use at the Apples Grocery Store and all that in conjunction with another amendment to our contract which currently would expire in May. There are 2 pieces of legislation already on the agenda for second readings and in addition I would anticipate as I said the resolution the Nex Gen letter of intent and also a resolution authorizing the Mayor to enter into a program agreement for the HUD monies that we received and put in the community development block grant. Working on a number of projects that you are familiar with. Councilman Rosso stated I know one of the things that we talked about on the wind turbine was the height and the fall radius and there are still some questions and things on that. I guess in the spirit of your hey we should be very well convinced that we are going to move forward if we give this non-binding so they don't spend their money and then us come back and say well we are really not comfortable with that fall thing. I mean is that going to be enough time to, I mean you are going to meet right before Council then you are going to bring it to Council. Law Director Graves answered again this is just to start the testing, we still have to work out all of the details of the final agreement and any final agreement is still going to require a use various or the passage of the legislation which would still have to go to Zoning Board of Appeals for the conditional use permit. There is a lot of processes. Also in regard to fall radius, there is a lot of debate on the extent of the fall radius. There are those that would say it is 1 to 2 or 1 to 1.5 and then there are those that say it is not even that big of a deal it can be a lot closer. If you look at the wind turbine downtown next to the Science Center there is not much of a fall radius around that and it has been up for 10 years. In Cleveland there is a large one that they just put up right in the middle of a junkyard, right in the middle of a business. There is certainly a debate going on about the extent of the fall radius would have to be but there is a lot of questions and that is why we are still working on the ultimate legislation. Councilman Rosso stated I can see your point, be sensitive to the fact that I don't want to mislead them and let them spend money if something comes up. If you are comfortable with it then that is fine with me. Law Director Graves stated at this point the issue would be that we are entering into the agreement in good faith and so long as everyone is saying we are willing to entertain the idea and we are going to talk about

it. It is not as if everybody saying right now absolutely not, I wouldn't want this up there then I think there would be an issue there.

/COMMUNICATIONS: None./OLD BUSINESS: Councilman Smith stated I forgot to have Joe, Walker Road could you kind of explain where we are at and what we are doing? Service Director Arendt answered they actually opened the full Walker Road for cars to use. They did a small section last Friday and they opened up the rest today. They will be done with all the piping and everything by tomorrow. Then depending on if they can get to work a little bit faster, I still don't think that the way they are going that they will actually tear the road up and do the repaving but it is still a possibility. But it is open and the catch basins are in, the drainage is in, the taps are there and everything is ready to go. They just got to cover it up now. Councilman Diebold stated the company that is putting in the piping now, they are not going to be doing the paving or setting up that part of the construction, are they? Service Director Arendt answered it is all under one contractor. Councilman Diebold asked do you know if those same guys are going to be doing that? Service Director Arendt answered I hope not because of their speed. But it is still under the same contractor.

/NEW BUSINESS: None.

ORDINANCES FOR COUNCILS AGENDA:

- 1.) Council#062 – SECOND 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.
- 2.) Council#062 – SECOND READING – an ordinance of the Council of the City of Sheffield Lake amending section 969.06 of the codified ordinance regarding rental rates. and the declaring of an emergency.
- 3.) Council#065 – 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.

MEETING ADJOURNED: With no further business before this council, Motion by Kovach/Second by Bring to adjourn at 7:40 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/COMMITTEES

Kay Fantauzzi

COUNCIL PRESIDENT

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 WORKSESSION of November 17, 2009.

COUNCIL PRO TEM

Richard Rosso

MAYOR

John J Piskura