

**Minutes of the City Council**  
Sheffield Lake, Ohio  
January 8, 2008

The regular meeting of the City Council was held Tuesday, January 8, 2008. Council President Edward Podmanik called the meeting to order at 7 PM.

**THE INVOCATION WAS GIVEN BY: Clerk of Council, Kay Fantauzzi**, who, then led in the Pledge of Allegiance.

\*\*\*\*\***ROLL CALL OF MEMBERS**\*\*\*\*\*

Present: Podmanik, Rosso, Bring, Kovach, Huska, Mayor Piskura, Treasurer E Hoenig, Finance Director Smith, Service Director Gardner, Law Director Graves

Absent: Smith, Elliott (excused)

Attending: Concerned Citizens, Videographer Ruth Podmanik, Fire Chief Conrad, Building Inspector Wiblin, Zoning Board of Appeals; Chairperson Diana Jancura, Ebenschweller, McClelland, Planning Commission; Chairman Scott Jancura, Bontempo, Members of the Press: Avon Lake Press

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\*Motion by Bring to approve the minutes of the City Council meeting of December 27, 2007 with any corrections. Yeas All.

**CORRESPONDENCE/COMMUNICATIONS:**

Monthly report of court receipts for month of December - \$3213.20 – receive and file.

President Podmanik advised I have also received a petition from 20 residents of the city with regards to the gypsy moth infestation and I am going to refer that to Worksession.

**PRESENTATIONS:**

**Mayor Piskura** swore in the following for his Administration; Mr. David M Graves for Law Director and Prosecutor, Mrs. Tamara L Smith for Finance Director and Income Tax Administrator and William Gardner for Service Director. **Peter Pluto, Kozak Consultants** explained this is the presentation that we had about a month ago. To the people that showed up this is the final public meeting of a two-year project to come up with a plan and approach for the shopping center area. It has all been presented to NOACA, the next step is to come to you and to the Planning and Zoning Commissions for your approval and support of the plan. He explained I think the best way we should do this is I will go through the physical/site plan which was developed kind of in conjunction with the people of

Sheffield Lake plus NOACA had a lot to say about the design. Of course, Bill has a lot of the background and the future in mind of where we are going to go with this. The area of concern goes from Lake Breeze over to Sheffield Road and then from the lake down to Ferndale. There are some residents existing along Lake Breeze on the east side of Lake Breeze. Those are not going to be touched and the residents on Sheffield or on Community – those will stay in tack also. He explained the video presentation, this shows the existing buildings and the ones that are outlined are to be removed – the stronger ones are going to stay and that would be the library, Giant Eagle, the bowling alley and the gas station. The gas station is pretty much for reference but the rest of them are in the property. The first step is to remove some buildings. The strip comes out and then all the buildings north of Lake Road up against the lake, as well as the post office and the Minotti's building. Conceptually, the first step is to remove those buildings. Secondly, build a new park north of Lake Road, the idea being to give people access to the lake both visually as you are driving down the road or walking or cycling or whatever. Then a park where people can walk to the lake. This is a really – an amazing resource/asset that Sheffield Lake has which has access to the lake. Even though the lake is right here, the next place really where you can see the lake is probably Huntington Beach if you go east then if you can get to Bay Street Landing and essentially for the public between there and Cleveland that is it. Coming west, you can get to the lake somewhat around Lorain but this is really an amazing resource that the city has which can act as the focus for any kind of design for the shopping center. So the first thing is to build the lake north of Lake Road which again entails taking out the buildings that are there. The next step, now this is the bike trail and not necessarily the next thing in sequence either but it is easier to show without the other buildings. He showed on video presentation, so this is the bike trail which comes off the existing bike trail runs its way down here and runs along Ferndale to pick the existing bike trail that is going to come down along the creek. New buildings, starting up at the lake we have got 2 - 2 story buildings (now this is all conceptual, a developer of course will have his own ideas) with offices on the first floor and then apartments above. This is a 3 – story or so building with the same idea with the stores or offices on the bottom and 2-stories of residence and this has the same with retail at the bottom and then maybe 4-stories in total with residence at the bottom. Here is the parking for the boat launch and gave the directions for departing boats onto Lake Breeze. Over here we have got the bowling alley and then a new post office, here are 3 rings of playground that attach to the bike trail and here is the new city hall. The city hall that we have in mind would include the council chambers and the offices. The things like the police department would stay here. The idea is to have more or less the public service area where people could come in and pay their water bills and so forth. These can change – this shows some houses or cluster homes and some retail. This could end up being all retail or could be all residential. It is not so much tied into

the complete design up here. The next step are new streets to serve them. So here we go with Marion Street being extended through, coming to a traffic circle which NOACA is promoting as a real important feature for the future and then it goes out here to meet Lake Road at a 90 degree angle. Then also Ivanhoe comes through pretty much like it does now, a little bit of change in here to line this intersection up better because right now it is offset down this way. So inside the center of here is kind of a park like place where you could have benches, kids can play – put a feature in the center. You will notice that there isn't a whole lot of parking, there is enough for the Giant Eagle, enough for the boat ramp and enough for the bowling alley. But these buildings don't have any parking to speak of so NOACA pretty much felt that we ought to put the parking underground. The design is a huge underground parking lot, something like 11 acres underground – cars can come in here and this is very preliminary. He showed other options of travel. He continued here is a view from atop the tallest building and there will be gardens on top of the roofs where people can grow things or just hang out and look at the lake or look back around the city and such. Service Director Gardner advised you will notice that there is a bus stop on the west side of the shopping center that is to incorporate intermodal transportation from bus to walking. The trails are designed to encourage a campus type environment within the shopping area where people can go from their homes which would be those buildings in the front or in the back to the various stores that they need to frequent; stores and offices that would be located within walking distance. Again the emphasis that the NOACA study on is to create transportation hubs that allow the boating for example from the north to the bus's and the underground parking so that you can walk across the top and the connection to the US6 trail with our southern trail that will be going down Stoney Ridge and Colorado Avenue into Lorain so that will also be a bike trail so there will be an ability to connect all that which also goes south to Day Park trail which will ultimately connect to the trail that goes all the way through Oberlin. The bowling alley remains because that was a fixture of the area. Giant Eagle will remain, although it may have different views whether they open to the side and whether they have drug store capability and things like that. The city park that we envisioned might include a skate board park. Again, some of the features that we would be requiring really in the plan would be the use of cameras to keep the whole area visual. Also, the use of all underground electric, water & sewer in a pit type trenching that will allow easy access to service and because there is an underground garage there – service from within without having to deal with digging and disruption of service from above. The idea of the center meeting place whether we have some symbol of; when we talked about wind energy kind of - again the emphasis is on green growing, green building development and as a result of that the costs of that is significant. The zoning because this is almost a monolithic zoning if you will, we would probably treat this zoning as just a modification to the zoning that we have for the big shopping center zoning and

create the whole thing based on that. Some of the things that would have to change that are not in the zoning now are the mixed use in the area and that appears to be the only way that these kind of investments can become profitable for development. Also the advantage of that is you bring your clients to the center by living there and creating a reason to be there. Again by moving the city water department there and things like that, the water department has over a 1000 people visit it every month so you have in affect brought a 1000 people to the shopping center that wouldn't necessarily have to be there. So it is an enticement if you will, it is an opportunity for the city to be part of a growing thing. Whether this spreads beyond the shopping center or not would be depend on the residents that live around there and what happens. We don't know what is happening on Lake Road with the purchasing of older houses and newer houses being built there, more substantial this could mushroom to the same kind of fashion around it as residents decide to leave or retire or whatever they are going to do – that can change the demography around this as well. The idea of a free standing post office which is what they want, our post office is I think disgusting, I think we have talked about the post office and I think that perhaps the government will be interested in putting a better free standing building here and that could help in the development of this property. **Resident** asked are we going to have a drug store/retail? Service Director Gardner answered again the package development will be done by whomever does the actual development of the shopping center but it would seem logical. When the city creates this zoning, we are going to have a little bit of a hands off in that we are telling him what we want to see in a practical sense, the things we want to see. What the Planning Commission and the Zoning Board of Appeals is going to have to come up with are what we have said we want to do – the campus environment, the green thing. But exactly how it is put there is really going to have to be the creation of whomever develops it because they are the ones that are going to have to make a profit out of it and so there will be some modifications to it but in general concept it is going to look like this. **Chairperson Huska** asked I am really interested why you put the 5 large buildings up first instead of more like a town square and moving them back a little? Service Director Gardner answered we have had a discussion with NOACA about this, originally the plan was to put the buildings in the back. NOACA and they are planners have assured us that the new approach to communities is to bring those buildings close to the street including putting in that street right of way, not only where there be a green space down the middle of Lake Road, there will also be parallel parking on the south side and then the bike trail will be in front of the parallel parking and then like a 20-foot sidewalk café' style green developed area and then those buildings – it is a little bit hard to see. Law Director Graves interjected Diane you understand that those tall buildings are designed to have retail on the ground floor and then residential on the top and so one of the major selling points of that is going to be the lake view. So that the residential element has to be toward the front to maximize the lake view

and the marketability of those units. Service Director Gardner advised they will be bay window similar to what you see at San Francisco with the outer bay window design for the floors above so they actually have a view plus common balcony green-roof for common access to view the lake and every one of those buildings will have a direct view of the lake. **Planning Commission Chairperson Jancura** asked what will this do to Community Days and other city based events, where will they be held? Service Director Gardner answered they won't be here. We have talked about this, the current ownership – there was some discussion whether this was going to occur even last year. So we have to consider alternatives/places for this and I can say from having been in Ridgeville that we used to put it on a street and closed the road down for Ridgeville's festival and it is one of the biggest in northern Ohio. So it can be done, it is going to take some creative thinking and it may still be in this area, I don't know. **Resident** asked when is this going to start? Mr. Pluto answered the process is yet that we have to get somebody's interest in doing this, somebody with the bucks to do it. Service Director Gardner advised we now have to sale this concept to developers as well. The city has no developers sitting in the side lines although the Mayor has talked to many people about it. But conceptually this is what has to be there and this is the kind of scope of what it is going to have to have in order to have enough mass to support the costs. **Resident** asked when you talk about retail, are you looking at retail like they have at Crocker Park where it is outdoor access? How if you have the parking underground, how will they access the retail shops and seeing how this is Ohio with the weather how do you think that will fair for people who are going to have to go out doors to get to the shops in a congested area like that? Service Director Gardner answered there obviously is going to be parallel parking in front and on the streets, so all the streets will have parallel parking coming in to the circle and on Lake Road on the south side. But in answer to your question the access to the building will be through the garage so those 5 buildings in front will have access from the garage. **Resident** asked how many retail stores in each building and are they facing the front, are there 3 on each side/1 in the middle? Service Director Gardner answered to some extent will be the function of the ownership, the ones in the front will face Lake Road. The ones in the back may face the circle depending on how they arrange the thing again. The sidewalks are going to have a cover over the sidewalk for walking. We have talked about themes, clearly a theme is essential for this, we talked the wind and lake theme and to try to make covers that approximate what a sail would look like and that they be light colored plastic bubble kind of thing that would give you a feeling of being the wind. We talked about wind generation for a center piece in the center of this bit again that is a function that we as planners for the city have to be willing to listen to what the developer has for his plan. But clearly with the green emphasis we are trying to get conservation of energy and conservation of fuel by parking, by having a lot of walking, a lot of encouragement of the interface of boats and buses and car's. **Planning Commission Bontempo**

stated it seems like NOACA driving a lot of this decision making so what happens if Lorain County pulls out of NOACA? Mayor Piskura answered we still get our money. This is all a grant, I don't know if everybody is aware of exactly what we are doing here and why we are even talking about this. This is at least one of the deliverables in our TLCI grant which is Transportation Livable Community Initiative – it is the first 4 steps of a 14-step process where after you complete the 14-step process you are illegible for large, large funding or illegible to make applications to extremely large funding pools for transportation projects. Part of our grant proposal to NOACA for this TLCI grant was to come up with a urban renewal plan. We got I think about \$120,000.00 that we were to spend and \$75,000.00 of it was reimbursed by NOACA so to answer your question what happens if Lorain County pulls out of NOACA – as far as this plan is concerned – nothing, we are still going to get our money, we still have our urban renewal plan, we will still have the first 4 steps of the 14 step process in the transportation study done. This may or may not become a reality but it will help us by using it as a tool to go for redevelopment. You are all asking very, very good questions but they are very detailed and this is still pretty conceptual. **Planning Commission Chairman Jancura** asked as it sits now does any of this require eminent domain proceedings as of yet? Mr. Pluto answered in order to get the land north of Lake Road, something has to be done to take that and the same as the shopping center too. **Zoning Chairman Jancura** asked are the owners willing to sale or is it going to be an eminent domain taking? Law Director Graves answered that has yet to be determined. Obviously, I think history shows that the current ownership is not going to be willing to put the kind of money into the project that this would take. We are going to end of having to work with outside developers, the question of whether or not this property could be sold – we just have to wait and see. In the event that good faith bargaining process is exhausted and they don't sell then that would always be an option. I know at least in terms of the apartment buildings I believe there is a lot of discussion of creating some incentives to move into the new residential component of the center. So there will be some incentives in any program to encourage a sale. But eminent domain would be the last option but always available and this plan would be a necessary component of that. Mayor Piskura stated Diana, we have already committed to not, the city has already committed to not doing eminent domain on private residential properties. However one of the reasons that we chose to go with the urban renewal plan as part of our grant package is because in future, you know as well as I do that the urban renewal plan is one of the only ways to after eminent domain action against a commercial developer. This would be the first step in that action if that were to be the way it goes. **Planning Chairman Jancura** asked specifically what would you be asking the Planning Commission to do, just basically come up with the proper designations and make a zoning recommendation? Law Director Graves answered ultimately there will be a lot of work to do, right now what NOACA requires is a

resolution of support of the concept from Planning Commission, Zoning Board and City Council. This conceptual plan again was arrived at after a whole series of community involvement meetings. **Zoning Ebenschweller** asked is it understood that the present owners have no inclination or desire to partner up with any other entities in a development like this, the only option is they want to sale it? Law Director Graves answered I wouldn't say that at this point. All we can do is look at what they have done in the past, who knows they might be willing to sit down and take a good long look at this. We don't know. **Councilman Bring** asked projected monies for something like that, for that project approximately? Service Director Gardner answered \$1,050,000.00, mostly because of the garage. It could be more but again that is one of the reasons why you have to have high density. Again some of the things are going to have to be changed, our density requirements – there is quite a few things that would have to change but those are going to be essential if we are going to try to get that kind of investment. **President Podmanik** asked when do we actually start looking for a developer if we don't have one in mind, if we don't have anybody knocking at our door? Mr. Pluto answered I think we already have started talking to people, that is the key to the whole thing is someone has to come up with the money. That is the whole step is to get the resolutions and he will send to NOACA supporting the concept like this, the idea. What is important about it is the mixed use which is not permitted under zoning now so that has to be changed and then NOACA being essentially a transportation agency, you can work with them about bringing Marion through for example, the roads and redoing the intersection of Ivanhoe and Sheffield and other adjustments. There will have to be improvements made to Lake Road, we will need a traffic signal at some point when this new road comes out into Lake Road. Some adjustments to the existing traffic signal. Also we are showing that the Library parking lot goes into the boat ramp parking lot and goes out, that is conceptual – that is the kind of thing that needs to be worked out to see if it is really feasible. Those are the kind of detailed transportation studies that come along down the road with assistance from NOACA. The first step is to get that and then simultaneously you can find somebody who is willing to get into this and work with the city and with the present owner to develop it. **Treasurer E Hoenig** asked was it NOACA who was suggesting this underground parking? Mr. Pluto answered yes. Mr. Hoenig stated for some reason that really doesn't sit too well with me. I am thinking about the costs of putting that in plus the safety of a family down below going to the cars and so forth. Service Director Gardner advised that is another thing that we have in our plan that I forgot to mention is that every 300-feet down the road there will be a telephone. Again it is emergency telephone for direct contact – police department. The camera-ing of the entire area for security reasons mostly and by creating a park it would patrol where the playing if you will is going to be and yet it encourages the walking also. We originally or 2 designs before this, had a parking garage where the third building was and no underground. He explained large

islands of asphalt for parking concepts which is back in the 50's was for maximum parking. The new concept is minimum parking. There was a brief discussion on concept and added costs and advantages. **Planning Chairman Jancura** asked at this time do you foresee any bond issues from the city for anything involving this or tax abatements as incentives for developers or anything along those lines. Service Director Gardner answered we have looked at TIF's, we have talked to Toledo Port Authority, we have looked at various ways and undoubtedly there will be some form of financing coming out of this. But again that is far down the line. **Planning Commission Bontempo** asked will someone write up a resolution that Planning and Zoning could vote upon rather than us come up with something. I would like it to vague enough that we are not giving approval to this particular plan, the concept – fine but not to that particular plan. I have got some serious questions about that. Law Director Graves answered yes we will have a resolution prepared for you. **Resident** asked the Marion that dead ends to Forestlawn, is that what it is going to do? Right now there is woods right there before Ferndale, you are going to extend that and then the Marion that is there – there is no extension because where Marion is now it goes into Forestlawn? Service Director Gardner answered south of Ferndale is not part of this project. Resident asked won't that bring more traffic? Service Director Gardner answered you will have more traffic on Ferndale but you have access now through Forestlawn, so you don't have to go to Ferndale – you have options as far as what the residents on that street have. **President Podmanik** asked do we anticipate Marion seeing much more traffic flow south of Ferndale? Service Director Gardner answered I don't see why, people will be using Ferndale to go east and west. If you are going to go south then you are going to use Lake Breeze.

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

**Roads, Drains, Water, Sewer, Refuse: None./Safety:** Chairperson Huska reviewed the minutes of the January 2, 2008 meeting. \*Motion by Bring to accept the report. Yeas All./**Buildings, Lands, Vehicles & Equipment:** Chairman Kovach reviewed the minutes of the January 3, 2008 meeting. \*Motion by Huska to accept the report. Yeas All./**Ordinance:** Member Rosso reviewed the minutes of the January 3, 2008 meeting. Mr. Rosso reported during Ordinance, apparently there is a disconnect between our signs which say it is a \$250.00 fine and our ordinance which says it is a \$150.00 fine so I believe the way we are going with that is we are replacing the signs. Law Director Graves advised actually the \$150.00 that pertains to a minor misdemeanor offense of littering. General littering we make a 1<sup>st</sup> degree misdemeanor punishable up to \$1000.00 fine so we are going to get a new anti-littering signs that say it will be punishable by up to a \$1000.00 fine. \*Motion by Huska to accept the report. Yeas All. \*Motion by Huska to accept the report. Yeas All./**Finance & Claims:** Chairman Rosso reviewed the minutes of the Special Finance meeting of December 27, 2007. \*Motion by Huska to accept the report. Yeas All./**Investment: None./Council Representative to the Community Center:**

**None./Council Representative to the Zoning Board of Appeals: None./Council Representative to the Planning Commission: None./Council Representative to the Park Board: None.**

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

**MAYORS REPORT:** Mayor Piskura advised with the new term we are going to be looking for some people to sit on some Boards and Committees. The vacancies that we have are the Civic Center Advisory Board, the Zoning Board and SUAB Board and the Planning Commission. There could be a few vacancies in the term as people move on or resign but those are the Boards that are looking for help. In addition to that, we had a few people sitting on Boards with expired terms that I would like to re-appoint and I would like you to consider confirming them and they are for the Park Board; Don Fugate and Jason Kempton, for the Civic Center Advisory Board; Bob Nicola and for the Zoning Board; Bob Ebenschweller. Other than that, in reference to Councilman Kovach's comments about the covered bridge; I did have the opportunity for a brief meeting with Mr. Martin where he had indicated that he is willing to take a look at some more plans so that might be something that we might be able to partner on in the future. \*Motion by Huska to accept the report. Yeas All./**FINANCE DIRECTOR REPORT: None.**

**/TREASURER REPORT: None./SERVICE DIRECTOR REPORT:** Service Director Gardner advised at your request the Ohio Department of Agriculture came to the city for the gypsy moths and did a survey of the whole city on approximately 220 acres of it that could be sprayed. That is a manageable number that I would like to bring forth to report and everything at your next meeting. President Podmanik asked at the Worksession? Service Director Gardner answered yes. He continued secondly the water tower at Ferndale over the last three years, we have had it on the agenda to be painted and we now have enough money to paint it. I would like to go out and bid to have it painted probably in early spring. It is already in the budget but I would like to advise you that we may have to come back for your approval on the contract. Lastly, the boat launch, I would like to bring everybody up to date. Clearly the weather has been great and the last 2 days we have poured approximately 100 yards of concrete, serrated it and it is safely in the ground so if nothing else we could drive into the water if we had to. It is moving along much faster than we thought. If you have gone over to the Library and looked, you will see that it is a pretty massive structure and it is coming along pretty well. \*Motion by Huska to accept the report. Yeas All./**SAFETY**

**DIRECTOR REPORT: None./LAW DIRECTOR REPORT:** Law Director Graves advised everyone and Council, as to the process which I think we are going to be looking at under New Business tonight in regard to the Ward 1 seat due to the unfortunate passing of Mrs. Hanks. Council will need to officially declare the Ward 1 Council seat vacant and once that happens City Council will have 60 days in which to fill that spot from Ward 1. So they will be looking into that. In the event that that seat is not filled within 60 days then that appointment would be

turned over to the Mayor. He continued looking at the legislation for tonight, Council#094 – third reading on the decorative fences, Council#098 – second reading on the negotiating committee, the next one is the one that was eluded to out of the Ordinance Committee regarding unconfined vicious dogs – the reason this is up for revision is because under the new Ohio Supreme Court case the city no longer needs to include an administrative hearing component for this and it gives the city a little more leeway in citing owners of vicious dogs, especially pit bulls that might be unconfined. Under previous case law the owners had to be provided with an administrative hearing prior to being criminally charged so this is up for three readings and it basically just takes away that administrative hearing component. Some other legislation which Council could add to the agenda tonight is Council#002 which is also out of Ordinance Committee – this is regarding all terrain vehicles. Section 375 of our codified ordinances includes 2 provisions, one which seems to allow all terrain vehicles and then .09 which does not allow all terrain vehicles at all. The question arose as to whether or not all terrain vehicles should be allowed on private property and whether or not they should be allowed for recreational use – this legislation repeals .09 which would then permit the use of all terrain vehicles on private property. It does not delineate whether or not you want to limit it as far as recreational use, that might be something that Council would want to consider adding to the legislation – that is up for a first reading tonight. The next one is Council#003, this is clarifying that the funds allocated in the budget for other legal. Council intent that some of those funds be utilized for outside labor negotiators, while we have concluded the bargaining with the Fire Department and the Service Department we have yet to begin our negotiations with the Police Department. I believe we have a tentative date to start those talks on January 16<sup>th</sup>. Council#004 is an adoption of a public records policy for the City of Sheffield Lake under the new state law, we as a municipality are required to pass a public records procedures. These are taken straight from the model rules which were promulgated from the Ohio Attorney General. We are basically adopting those as our own rules for complying with Ohio's public record laws and we are required to do that and also post a poster and we have got them around city hall and the service building and throughout the city buildings outlining our policy in regard to responding to public records request. That would conclude the legislation. In addition under the new public records laws all elected officials are going to have to engage at least one time during their term in some public records training and the option of naming a designee to do that and I think that we will be looking at that some time in the future. \*Motion by Huska to accept the report. Yeas All. \*Motion by Huska to amend the agenda to include Council numbers 002, 003 and 004. ROLL CALL TO AMEND THE AGENDA: Yeas All – Rosso, Huska, Kovach, Bring.

***CITIZENS COMMENTARY:***

**Debbie Belaska, 4014 E Lake Road** stated I would like to invite anybody that is watching along with everybody here to the Neighborhood Watch, it is scheduled for January 14<sup>th</sup> at 7 pm and it is here at city hall. I also want to thank Councilman Rosso, Ms. Fantauzzi, Councilman Bring, Councilman Kovach and also Councilman Elliott who attends, we appreciate it and we know you all have busy schedules and your families and everything else and to come down is appreciated. So thank you very much. I want to invite everybody down for Neighborhood Watch at 7 pm January 14<sup>th</sup> here.

**/UNFINISHED BUSINESS: None.**

**NEW BUSINESS:** \*Motion by Bring to accept the appointments of the Mayors for Bob Nicola for Civic Center, Bob Ebenschweller for Zoning, Don Fugate and Jason Kempton for Park Board enmass. **ROLL CALL TO ACCEPT THE SO NOTED APPOINTMENTS ENMASS:** Yeas All – Huska, Bring, Rosso, Kovach.

\*Motion by Bring to accept the so noted appointments. **ROLL CALL TO ACCEPT THE SO NOTED APPOINTMENTS:** Yeas All – Rosso, Kovach, Bring, Huska.

\*Motion by Huska to declare Ward 1 seat vacated. Yeas All. President Podmanik advised I believe that would leave us until March 8<sup>th</sup> as the 60<sup>th</sup> day. Council would accept applications Monday through Friday for anyone interested. Mr. Edwards asked are you going to set a deadline prior to March 8<sup>th</sup> so that you have time.

After a brief discussion amongst the body, President Podmanik advised the interview process will be February 19<sup>th</sup> at Worksession so the 19<sup>th</sup> will be the deadline for accepting the applications and at that time we will also hold interviews if necessary. Law Director Graves advised obviously they are going to have to live in Ward 1 and have been a resident of Sheffield Lake for at least 2 years and a resident of Ward 1 for at least 1 year and a qualified elector for 2 years. President Podmanik advised then on February 26<sup>th</sup> we will actually fill the vacancy.

Law Director Graves advised one last thing prior to ordinances and resolutions in regard to the emergency legislation, in regard to suspension of rules and emergency – it requires a 2/3 vote of the members of Council and the members of Council are now 6 so we have 4 here tonight for suspension of rules and emergency would have to be a unanimous vote of all 4 of you and that would constitute 2/3.

### **ORDINANCES AND RESOLUTIONS:**

- 1) Council#094 – THIRD READING – an ordinance amending section 1352.07 of the codified ordinances of the City of Sheffield Lake regarding decorative fences.

\*Motion by Huska for ADOPTION: Yeas All – Huska, Bring, Rosso, Kovach.

#### **Ordinance Passes#1-08**

- 2) Council#098 – SECOND READING – an ordinance repealing section

169.26 of the codified ordinances of the City of Sheffield Lake regarding negotiating committee.

- 3) Council#001 – FIRST READING – an ordinance amending section 505.18 of the codified ordinances of Sheffield Lake regarding owning, harboring and caring for vicious dogs.
- 4) Council#002 – FIRST READING – an ordinance repealing section 375.09 of the codified ordinances of the City of Sheffield Lake regarding all-terrain vehicles prohibited.
- 5) Council#003 – EMERGENCY – an ordinance authorizing the use of certain funds allocated for other legal for the payment of outside labor negotiations and outside counsel and the declaring of an emergency.

\*Motion by Huska for SUSPENSION OF RULES:

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

\*Motion by Huska for ADOPTION:

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

**Ordinance Passes#2-08**

- 6) Council#004 – EMERGENCY – an ordinance adopting a public records policy for the City of Sheffield Lake and declaring an emergency.

\*Motion by Huska for SUSPENSION OF RULES:

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

\*Motion by Huska for ADOPTION:

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

**Ordinance Passes#3-08**

**PRESIDENT OF COUNCIL:** President Podmanik advised at this time I have some committee assignments pending the filling of the vacancy of Ward 1 seat and copies of these will be downstairs and will go into affect February 1st. For Safety Committee will be Eric Elliott, Dennis Bring and Rick Rosso. Ordinance Committee will be Alan Smith, Eric Elliott and Dennis Bring. Buildings and Lands will be Steve Kovach, Dennis Bring and Eric Elliott. Civic Center will be Diana Huska. Zoning will be Steve Kovach as well as Park Board and Planning will be Diana Huska.

**MEETING ADJOURNED:** With no further business before this council, Motion by Kovach to adjourn at 8:25 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 January 8, 2008.

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**COUNCIL PRO TEM**

*Richard Rosso*

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**MAYOR**

*John J Piskura*