

Minutes of the City Council
Sheffield Lake, Ohio
June 24, 2008

The regular meeting of the City Council was held Tuesday, June 24, 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, Bring, Kovach, Elliott, Diebold, Huska, Smith, Treasurer E Hoenig, Finance Director Smith, Service Director Gardner
Absent: Rosso, Mayor Piskura, Law Director Graves (excused)
Attending: Concerned Citizens, Zoning: Mr. Ebenschweller, Civic Center: Mr. Nicola, Members of the Media: Avon Lake Press

- *Motion by Bring to approve the minutes of the City Council meeting of June 10, 2008 with any corrections. Yeas All.
- *Motion by Bring to approve the minutes of the Special City Council meeting of June 17, 2008 with any corrections. Yeas All.
- *Motion by Bring to approve the minutes of the City Council Worksession meeting of June 17, 2008 with any corrections. Yeas All.

CORRESPONDENCE/COMMUNICATIONS: None.
PRESENTATIONS: None.

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

Roads, Drains, Water, Sewer, Refuse: Chairman Smith reviewed the minutes of the June 2, 2008 meeting. *Motion by Huska to accept the report. Yeas All./**Safety: None./Buildings, Lands, Vehicles & Equipment: None./Ordinance:** Chairman Elliott advised we will change the Ordinance meeting to July 24th at 7 pm./**Finance & Claims: None./Investment: None./Council Representative to the Community Center:** Mrs. Huska advised I actually went to the Community Center on Monday and everything seems to be running very smoothly and Pat Hastings has been doing a good job making sure everything is in order there./**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 16, 2008 meeting.

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

MAYORS REPORT: None./FINANCE DIRECTOR REPORT: None.

/TREASURER REPORT: None./SERVICE DIRECTOR REPORT: Service Director Gardner reported at the last meeting we discussed the fire hydrant on the corner of Lake and Harris Roads as being out. I am pleased to report that that has been replaced and also that the gentleman that hit it – we received a check today for the full amount of money that the hydrant costs the city. So that is replaced and has been placed back in the treasury for the costs of it. Also, this month in a separate report you will receive your water report from the city which talks about the hardness and the quality of water in the city. It is a blue pamphlet and you will receive that in the mail this month. The dock we talked about, I have physically touched it and it is under construction. The railing was put in today so that the handicap railing is now in. All the fencing will be going down tomorrow, we put yellow flood lights on the poles to light up the area and I am going to meet with Ohio Edison to see if a clear light is better or not. There is pros and cons to both of them. These are flood lights and they are on the 2 poles. Perhaps we can use the other 2 poles in the center to light without having to put any poles up ourselves which would be a significant savings to the city. I am going to look at how to do that and try to balance the light out but it looks like it is possible. One of the problems that we have had with the boat launch so far is we have had some juveniles go down to the boat launch and pick up hundred pound rocks and throw them in the water. I have worked on writing on set of rules for the park and of course, the Police Chief and the Mayor and everybody is going to get involved with it but we can't have you throwing rocks in the water where the boats are going to launch or they are going to end up hitting props and causing problems. So those are going to become significant and we may come back to you and ask you to pass a set of rules which will include misdemeanor type actions against people for doing mischief at the boat launch. I have got a list of 20 of them already and I haven't even talked to anybody yet really. What is left to be done at the boat launch, we still have to finish the landscaping which we have been doing. We are still going to put a rope across, nautical theme rope through the post that are down there. We are eventually going to put a railing on the bottom tier and of course we need the dock and that will pretty much allow it to open. The south side is under construction, Pat is on vacation so we are not doing anything this week on that. We did cut the curb down, we have the slag in that was part of the grant that came from the county and that is already in place. I expect that we could be ready to be paved at the end of next week. So depending on Griffith's timing, we might be able to have that done quickly as well. It is a relatively simple paving job I think. One other thing, the Water Department is doing the spring clean-up from all the hydrants and breaks and valve's so they are actually doing landscaping on that, so please have patience if you don't get your yard landscaped per where worked on it. Please give us a call at the Service Department and we will get you on the list if you are not. *Motion by Huska to accept the report. Yeas All./ **SAFETY DIRECTOR REPORT: None./LAW DIRECTOR REPORT:** President Podmanik

reviewed legislation Council#29 through Council#49, we have discussed those at Worksession. If you notice there are some additions to the agenda if Council so chooses to amend the agenda which he reviewed; Council#050 – purchase of floating dock. Service Director Gardner explained they were the lowest and best bid for the dock. Especially that could come in on time to get it finished. They are anticipating passing this and have actually got the dock frame built and to the galvanizer already. So hopefully you are going to pass this, this is required not because you haven't already approved the dock as part of the boat launch but because it exceeds the \$25,000 number that is in the Charter. President Podmanik advised Council#051 – authorize Fire Chief to advertise for bids for 1977 Ward LaFrance Fire Engine to get rid of the old fire truck. Mr. Kovach made a correction of a typo which read 1997 Ward LaFrance in the body of the ordinance. President Podmanik continued Council#052 – for obsolete and unfit equipment for the Fire Department, authorized the Fire Chief to dispose of it. President Podmanik continued Council#053 – contracting with Cross Roads for street repair which includes a map of the proposed streets. President Podmanik continued Council#054 – adoption of a records retention schedule. *Motion by Huska to amend the agenda to include Council#050 through Council#054 to tonight's agenda. ROLL CALL TO AMEND THE AGENDA: Yeas All – Kovach, Huska, Bring, Elliott, Smith, Diebold.

CITIZENS COMMENTARY:

Betty Miller, 395 Parkview Drive stated I was going to ask Bill about that tar and chip, I noticed you have got some paperwork in there where you may have a contract coming in for that. How soon do you think that might get signed? Service Director Gardner answered assuming approval tonight the contractor was supposed to come out and visit me tomorrow and conceivably could start next week. We are going to start on Belle Avenue first because we are going to grind that off and use the grindings to fill in on some of the streets that we are tar and chipping so we are saving some money there. So that is where we will start first and in answer to your question it will be the other end of town probably that starts before yours. Mrs. Miller asked do you think they will get to our street this year then? Service Director Gardner answered I guess.

Robert Ebenschweller, 362 Cove Beach advised I have had conversations with both the Mayor and Bill about Walker Road project, Phase I and II. It has been said that it is finished but I disagree because of the condition of the north side of Walker as you enter Sheffield Lake – a big ditch full of water. I want to recommend, they are talking about striping the road. I would recommend that go ahead and stripe the center lines but do not put any bicycle lanes in as yet because what you are doing when you come into this city that way, you have to take a little jog to the north into the widened area of Walker Road and you come dangerously close to the head wall where that box culvert comes under and you can drop down about a foot and a half into that ditch and wind up bashing your head against some

concrete pipes in there. I don't look forward to that thing being corrected any time soon when you consider that the minutes talk about lowering a manhole cover last September and it was only just done a couple of weeks ago. I don't know whether there is no money to do the project, Mr. Gardner told me that \$24,000.00 to build a fault around that and if there is some temporary solution that could be made like a large steel plate or something in the meantime, if we are not going to be able to do it right now. I think that should be center lined striped and used as a multi-use lane or mixed use; bicycles and cars as they do in other cities and it can be signs up there that show bicycles and cars. Bicycles just use common sense and keep to the right side of the roadway as per law. I am really concerned about it, I don't know what the solution to it is but we have to do something, we can't grieve that because it is a dangerous situation. And also I had inquired about getting the water tested in that ditch and last Tuesday Mr. Gardner informed me that he sent the water for testing and I wonder if any results have come back yet? Service Director Gardner answered the results came back on the hardness at 285 versus our city which is 128 which is considered hard water – 300 is where it becomes very hard. So the hardness is relatively normal. Mr. Ebenschweller asked did you run a drinking water tests on that? Service Director Gardner answered no. Mr. Ebenschweller stated because that is ditch water. Service Director Gardner advised that is right, I ran the same tests we run on all our ditches and we tests for the sulfates, the hardness and the ph which was 8.6 which is slightly alkaline. Mr. Ebenschweller asked what about measuring for carcinogenic such as herbicides and pesticides, that is what we talked about for chemicals if from manufacturing. Service Director Gardner answered yes, that would come in the sulfates and the sulfate number was 175 I believe which is consistent with what we have in other areas in the city. Mr. Ebenschweller asked they didn't run a specific tests for herbicides or pesticides? Service Director Gardner answered no, we ran it for sulfates, hardness and ph. Mr. Ebenschweller stated well see that was the point. Service Director Gardner answered no the point was to run it for a ditch and we did. If one of those was out of balance enough we would then tests it to see if there was something else but those tests are very expensive and they don't warrant it based on those numbers. Mr. Ebenschweller stated if you remember the conversations about what is in that area and the fact that kids are playing in that ditch, why I wanted it tests specifically for – I can't understand why you sent it to Avon Lake for testing. You think that you would have got a fair assessment if they would have found that it was one of their leading builders or one of their largest manufacturers responsible for putting stuff in there. Service Director Gardner answered they have no idea of where the sample came from. Mr. Ebenschweller asked you are sure of that? Service Director Gardner answered the sample was bottled that we gave them, they tests our stuff all the time for this. Mr. Ebenschweller stated I had thought that you would have sent it to the EPA to tell you the truth and specifically say tests it for herbicides and pesticides. President Podmanik asked Mr. Gardner what is our

standard procedure for testing water, do we send it to Avon Lake for testing? Service Director Gardner answered initially I tested for just exactly what he said on all our system in 2005 I believe. The tests were extremely expensive, like \$300.00 a piece. I tested all our out-falls, we found nothing out of the norm. Last year and the year before, I tested through them with these tests and they were consistent all the way through. This is relatively consistent data, they found nothing out of norm to what you would find in run-off water in this area. I understand what you are saying Bob and I am sure we will look into it but as far as those tests, they were not conclusive to determining there is. Mr. Ebenschweller stated you are talking about 4 years ago, 4 years ago there was not an activity going on there that could be putting those things down. Now because of the herbicides and pesticides necessary to keep the grounds looking good – that wasn't there 4 years ago. This is something new. Service Director Gardner advised but the sulfates, the hardness and the PH are consistent with all the other streams that we have in the city. They are not out of line. Mr. Ebenschweller stated I am not worried about sulfates. Service Director Gardner stated well but those are what you are going to get. Mr. Ebenschweller stated I am going to do a little more research online on that. President Podmanik asked Mr. Gardner who determines what is to be tested? Service Director Gardner answered there is no tests per-say from the stormwater that tells you what you have to tests for – never been determined yet. We tested, the first year I tested for everything – I got leads, I got uranium, I got all kinds of things and the EPA told me that that was wonderful but they didn't have those as standards. So there is no standard, there will probably be under phase 2 – we will end up with a standard but we don't have one right now. Mr. Ebenschweller asked can you recognize the danger that I expressed here, will you acknowledge that is a dangerous situation. When you are that close to the highway and there is a danger of an accident. The head wall is almost part of the road and it drops straight down, will you acknowledge that it is dangerous? Service Director Gardner answered no. Mr. Ebenschweller asked do you plan on doing anything about it? Service Director Gardner answered yes. Mr. Ebenschweller asked when, not soon, when? Service Director Gardner answered I didn't say soon and I wish you wouldn't say that because I haven't said that since I was told not to so you won't hear it from my mouth. Mr. Ebenschweller apologized. Service Director Gardner continued the issue is what we are doing now and we are working on the other end of town and that is where we are working now. When we get to that end of town we will do that, that is when we will do it. President Podmanik asked you have discussed this with the Mayor? Service Director Gardner answered we have discussed this with the Mayor, yes. President Podmanik stated Bob I think if you need anymore information, you might as well contact the Mayor. Service Director Gardner advised he has been to the Mayor, we have talked and I told him we will do this and we will but this is not what we are doing right now. Mr. Ebenschweller stated my concerns are with priorities. Service Director Gardner advised Betty has an

issue with stuff on the side of her road. She has talked to me as well, that is one of the things we will do and we will do it in course. President Podmanik stated Bob I am sure you will keep an eye on it. Mr. Ebenschweller stated can I go down there and physically watch it, watch it – there is a drop off right here, I can't be there. My neighbors and my neighbors kids go down to Dairy Queen and they are coming home. President Podmanik stated the man just told you that it is going to be addressed, when he gets to it is an issue for him and the Mayor to determine. Mr. Ebenschweller stated my conscious is clear now, I did what I could. President Podmanik stated I would recommend that you continue to monitor it. I understand how you feel about it and I am glad you pay attention.

Barb Minge, 790 Harris stated unfortunately the Mayor is not here and the Law Director is not here. Most of my questions are going to be directed to the Mayor but Council can maybe answer some and if you don't know the answer I wanted it to be on the record. I am pleased to see that the dog warden is coming back, Mr. Bring is that correct? Mr. Bring acknowledged yes. Mrs. Minge stated so when he comes off of medical leave, he will be back. That is very good news and I sincerely appreciate that. Do we still have a recreation director? Clerk of Council answered it is per event. Service Director Gardner answered contract – per event. Mrs. Minge asked has the Mayor taken over the Safety Director's job? President Podmanik answered currently he is Acting Safety Director. Mrs. Minge continued I talked to Mr. Podmanik about this, he knows full well what is going to come out of my mouth – most of it. That was about 3 weeks ago. President Podmanik stated please keep it civil. Mrs. Minge stated I will, I am a civil person. I did quite a number of public records request. I think it happened the night it struck me when we were talking about a leaf truck and I am think we don't have money for a leaf truck which I don't think we need anyway but that is what got me going real bad. All the money going into the boat dock and everything else has me very concerned and I started doing some public record requests and Tammy was very efficient at getting me back what I needed and asked for. I want Council to know and the proof is all in this notebook and I am going to hand it to Kay so that you can all see what I am talking about is very kosher. We paid for his swearing-in ceremony at Amber Oaks to a tune of \$904.00. We pay David Graves due to Cuyahoga County Bar Association for \$50.00, why I don't know we are in Lorain County. We paid \$125.00 to the Lorain County Bar Association and we paid for his Supreme Court Registration for \$350.00. This is what he needs to do in order to remain a lawyer in the State of Ohio. We paid for Lexus Nexus, do you know what Lexus Nexus is or do I have to explain. It is on an online service for attorneys, it is very pricey. They can go on line and ask questions, whatever and there is forms and all kinds of things for lawyers to look at. We never did this for any other law director that was in this city. Lexus Nexus totaled \$9256.00 since its conception in 2005 to March of 2008 and that is a lot of money. That brings the total costs of the law director, for Lexus Nexus and his salary to \$86,000.00. I can't justify the fact that our last law

director even though it was quite a long time ago, the law director and the prosecutor only made \$74,000.00. I checked with Avon Lake, that is a bigger city than ours and they have a part-time law director – his name is Jeff Smith. He got paid \$45,000.00 per year for part-time. I also saw ski trips and bus trips for youth at Brookside High School. Mayor Piskura's 2 sons were on the list to go to these ski loges – Brandy Wine, Peak and Peak, bus trips and it totaled \$19,464.00 from the years 2005 to 2008. I called the School Treasurer Mr. Breon, he said that the city picked up the tab because the schools were broke. I asked him if the students paid any money and he said no, they did not. He said they helped us out because the school system was in bad shape. The biggest nerve I hit was when I asked for the figures for the balance of the road levy which was passed in 2003. The letter went to Mr. Gardner because that is his department, it went from Mr. Gardner to Mayor Piskura the next day. I got a letter from Mayor Piskura, it is all in here, about 5 days later asking/telling me he didn't understand what I wanted. I told him in the plain and simple English, I want to know the balance in the road levy and the disbursements of that road levy that was passed by the people of this city in that year specifically for the roads in this city. Then I got a call from the Law Director and he wasn't very nice and I told him that I didn't wish to speak with him anymore. He in other words was telling me to mind my own business but it is the city's business and we have a right to know where the tax dollars in this city are going especially for the road levy. I never did get an answer so I went searching on Mary Taylor's website, she is the auditor in the State of Ohio. On that website, you can look at the auditor's findings from like 2006 all the way back. I looked at 2006 and he showed a deficit in the road levy fund, that is in here I printed it off. Tammy was gracious enough to give me a balance and I believe it is way off, I think it was \$800 and some thousand dollars as a balance in the road levy as of now. That can't be right. The Mayor also goes to TEAM Lorain County, TEAM Lorain County is for economic development in the city. That costs the city in the year of only 2007 \$6996.00 – that is a lot of money. He also went to Leadership Lorain County, there was a seminar that he and Mr. Graves both attended in 2007 and in 2008 to the tune of \$4140.00 – why did they both have to go, why did they go at all? I am also asking publicly for a copy of the lease for the shopping center. I wanted to see what the lease says. I am very concerned because it is very apparent throughout this city that our police are suffering, our safety forces are suffering – I am very concerned about that. In life, you meet up with people that you don't like but when you are in a position in a city you have to put those aside and deal with what you need to deal with to protect our community. Our police are hurting, yet all this money is going into this boat dock and I am very concerned that the city is going to go into default. I don't where all this money with bonds, you have to pay them eventually and somebody said in a council meeting and I read the minutes and I printed it off, where is all this money going to come from - we don't have money for this, for roads – we don't have money for this. Now if you take money

from a road levy fund and you put it in a boat dock, that is misappropriation of funds and that is a felony. You can't do that when the people have voted on it, you can't take it and put it from one to the other, you can't do that and I believe that is what has been done. I firmly believe that. So I am worried, I am concerned about our police officers running around, he wants to put them down to little cars. I agree with the fact that he said no more city cars home – that was good and that saves gas but I can't agree with what they are going through, they are still in arbitration – why? They shouldn't be, they do a good job and we have had a lot more happen and I believe and I think you will all agree with me that a lot is going to happen once that boat dock is there, it already is. So I am very concerned about our safety forces, I back them 200% and I am very worried about what is going to happen. So I am asking Council to look into this, I am giving you all this. I expect an answer back, I have already been in touch with Mary Taylor a long time ago when I saw the discrepancies. Mary Taylor put a red flag on the audit this year and she said to get back with her with anything that I found. The fact that my question never got answered about the road levy and everybody got so angry, that is a big red flag to me. Somebody on Council, I don't know who is responsible had better find out where that money went and I expect an answer back within a week. Do you have any questions for me? (No voices were heard) She continued I have this as proof (book of concerns) which was presented to Clerk Kay Fantauzzi. President Podmanik directed Clerk Fantauzzi to give Mrs. Mingee a receipt for it. Mr. Bring stated I don't think we should be in a time restraint with anybody and I don't agree with a one week time frame. President Podmanik stated she asked for it, whether she gets or not. Mr. Bring stated no, she demanded it. Mrs. Mingee stated no, I asked for it. President Podmanik stated she asked for it, whether it happens in a week or not Mr. Bring is not our control. Mr. Bring stated I just don't like anybody telling us when. President Podmanik stated this will be best left to the Mayor and the Law Director to address. Mrs. Mingee asked I am sorry, who would have a copy of the lease for the shopping center? President Podmanik answered I believe we are going to refer that one to Mr. Graves and he should be able to get that for you in a timely manner. Mrs. Mingee stated thank you, I appreciate it. President Podmanik advised Mrs. Mingee don't leave this evening until our Clerk gives you a receipt for this (book of concerns). Mr. Smith stated there were quite a few and several accusations of unlawful things done in her comments and when they all come to light that there is nothing going on, we need to get some sort of a public apology or something to straighten it out because I for one am not going to sit here and be accused of stuff like that. So when we do go through her whole book, I would like something public to be made for that – just for the record. Mrs. Mingee stated I have no problem with that. President Podmanik stated as I said it would be best left to the Mayor and to the Law Director, there will be a copy for the minutes after they are approved at the next meeting.

/UNFINISHED BUSINESS: None./NEW BUSINESS: Mr. Smith advised I had one of our residents call on the corner of Harris and Ferndale, evidently her house has been hit a couple of times with a car driving in through her driveway or through her yard into her house. She contacted me and wants to know if there is anything the city can do to help that situation out and I talked to her and advised we would refer that to Safety if we could, maybe to see if they can come up with some sort of or at least talk about it – maybe there is something we can do or maybe there is something we can't but I did tell her I would try to refer it to Safety if that is possible. President Podmanik asked Mr. Bring, do you have a problem with that coming to you? Mr. Bring answered no, actually if you can get her phone number and have her contact me. Mr. Bring advised Clerk to add this to his agenda.

ORDINANCES AND RESOLUTIONS:

- 1.) Council#029 – THIRD READING – a resolution by the Council of the City of Sheffield Lake setting the proposed rezoning of the property on the west side of Abbe Road from Walker Road south to the city limits for public hearing.
*Motion by Huska for ADOPTION:
ROLL CALL FOR ADOPTION: Yeas All – Smith, Huska, Kovach, Bring, Elliott, Diebold.
Resolution Passes#29-08
- 2.) Council#030 – THIRD READING – a resolution by the Council of the City of Sheffield Lake setting the proposed rezoning of the property on the west side of Abbe Road from Lake Road south to the apartments for public hearing.
*Motion by Huska for ADOPTION:
ROLL CALL FOR ADOPTION: Yeas All – Diebold, Elliott, Bring, Kovach, Huska, Smith.
Resolution Passes#30-08
- 3.) Council#031 – THIRD READING – a resolution by the Council of the City of Sheffield Lake setting the proposed rezoning of the property on the west side of Abbe Road from the apartments south to Walker Road for public hearing.
*Motion by Huska for ADOPTION:
ROLL CALL FOR ADOPTION: Yeas All –Kovach, Bring, Elliott, Diebold, Smith, Huska.
Resolution Passes#31-08
- 4.) Council#032 – THIRD READING – a resolution by the Council of the City of Sheffield Lake setting the proposed rezoning of the property on the west side of the apartments on Abbe Road between Lake Road and Walker Road for public hearing.

*Motion by Huska for ADOPTION:

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

Resolution Passes#32-08

- 5.) Council#033 – THIRD READING – a resolution by the Council of the City of Sheffield Lake setting the proposed rezoning of the Speedway property on the south side of Lake Road for public hearing.

*Motion by Huska for ADOPTION:

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

Resolution Passes#33-08

- 6.) Council#034 – THIRD READING – a resolution by the Council of the City of Sheffield Lake setting the proposed rezoning of the property on the south side of Lake Road between Lynne Drive, Cove Beach Avenue, and Hawthorne Avenue for public hearing.

*Motion by Huska for ADOPTION:

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

Resolution Passes#34-08

- 7.) Council#035 – THIRD READING – a resolution by the Council of the City of Sheffield Lake setting the proposed rezoning of the property on the south side of Lake Road from Cove Beach Avenue west up to, but not including, the apartments west of Abbe Road, including all land to the north side of Hawthorne Avenue for public hearing.

*Motion by Huska for ADOPTION:

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

Resolution Passes#35-08

- 8.) Council#036 – THIRD READING – a resolution by the Council of the City of Sheffield Lake setting the proposed rezoning of the property on the east side of Pleasantview Avenue from Hawthorne Avenue south to Walker Road for public hearing.

*Motion by Huska for ADOPTION:

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

Resolution Passes#36-08

- 9.) Council#037 – THIRD READING – a resolution by the Council of the City of Sheffield Lake referring the matter of rezoning the property located on the west side of Abbe Road from Walker Road south to the city limits to the Planning Commission of the City of Sheffield Lake for its consideration.

*Motion by Huska for ADOPTION:

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

Resolution Passes#37-08

- 10.) Council#038 – THIRD READING – a resolution by the Council of the City of Sheffield Lake referring the matter of rezoning the property located on the west side of Abbe Road from Lake Road south to the apartments to the Planning Commission of the City of Sheffield Lake for its consideration.

*Motion by Huska for ADOPTION:

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

Resolution Passes#38-08

- 11.) Council#039 – THIRD READING – a resolution by the Council of the City of Sheffield Lake referring the matter of rezoning the property located on the west side of Abbe Road from the apartments south to Walker Road to the Planning Commission of the City of Sheffield Lake for its consideration.

*Motion by Huska for ADOPTION:

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

Resolution Passes#39-08

- 12.) Council#040 – THIRD READING – a resolution by the Council of the City of Sheffield Lake referring the matter of rezoning the property located on the west side of the apartments on Abbe Road between Lake Road and Walker Road to the Planning Commission of the City of Sheffield Lake for its consideration.

*Motion by Huska for ADOPTION:

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

Resolution Passes#40-08

- 13.) Council#041 – THIRD READING – a resolution by the Council of the City of Sheffield Lake referring the matter of rezoning the Speedway property located on the south side of Lake Road to the Planning Commission of the City of Sheffield for its consideration.

*Motion by Huska for ADOPTION:

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

Resolution Passes#41-08

- 14.) Council#042 – THIRD READING – a resolution by the Council of the City of Sheffield Lake referring the matter of rezoning the property located on the south side of Lake Road between Lynne Drive, Cove Beach

Avenue, and Hawthorne Avenue to the Planning Commission of the City of Sheffield Lake for its consideration.

*Motion by Huska for ADOPTION:

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

Resolution Passes#42-08

- 15.) Council#043 – THIRD READING – a resolution by the Council of the City of Sheffield Lake referring the matter of rezoning the property located on the south side of Lake from Cove Beach east up to, by not including, the apartments west of Abbe Road, including all land to the north side of Hawthorne Avenue to the Planning Commission of the City of Sheffield Lake for its consideration.

*Motion by Huska for ADOPTION:

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

Resolution Passes#43-08

- 16.) Council#044 – SECOND READING – an ordinance repealing Chapter 784 of the codified ordinances of the City of Sheffield Lake regarding taxicabs.

- 17.) Council#045 – SECOND READING – an ordinance amending Chapter 375 of the codified ordinances of the City of Sheffield Lake regarding snowmobiles, off-highway motorcycles and all purpose vehicles.

- 18.) Council#049 – 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 for SUSPENSION OF RULES:

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

*Motion by Huska for ADOPTION:

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

Ordinance Passes#44-08

- 19.) Council#050 – EMERGENCY – an ordinance authorizing the Mayor to enter into a contract with S&B Manufacturing Inc., D.B.A. O’Neil Marine Products for the purchase of a floating dock for the municipal boat launch, and the declaring of an emergency.

*Motion by Huska for SUSPENSION OF RULES:

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

*Motion by Huska for ADOPTION:

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

Ordinance Passes#45-08

- 20.) Council#051 – EMERGENCY – an ordinance authorizing the Fire Chief to advertise for bids for the sale of the 1977 Ward LaFrance fire engine, and the declaring of an emergency.

*Motion by Huska for SUSPENSION OF RULES:

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

*Motion by Huska for ADOPTION:

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

Ordinance Passes#46-08

- 21.) Council#052 – EMERGENCY – an ordinance determining that municipal personal property of the Fire Department is not needed for public use, is obsolete and unfit for the use for which it was acquired, that the property has no value and authorizing the Fire Chief to appropriately dispose of the property and the declaring of an emergency.

*Motion by Huska for SUSPENSION OF RULES:

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

*Motion by Huska for ADOPTION:

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

Ordinance Passes#47-08

- 22.) Council#053 – EMERGENCY – an ordinance authorizing the Mayor to enter into a contract with Cross-Roads asphalt recycling, Inc. for street repair, and the declaring of an emergency.

*Motion by Huska for SUSPENSION OF RULES:

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

*Motion by Huska for ADOPTION:

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

Ordinance Passes#48-08

- 23.) Council#054 – EMERGENCY – an ordinance adopting a records retention schedule, and the declaring of an emergency.

*Motion by Huska for SUSPENSION OF RULES:

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

*Motion by Huska for ADOPTION:

ROLL CALL FOR ADOPTION: Yeas All – Smith, Kovach, Elliott,
Huska, Bring, Diebold.
Ordinance Passes#49-08

President Podmanik advised of committee change; Edward Diebold to replace Eric Elliott on Buildings and Lands.

COUNCIL PRESIDENT: None.

MEETING ADJOURNED: With no further business before this council, Motion by Kovach to adjourn at 8:14 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 June 24, 2008.

COUNCIL PRO TEM

Richard Rosso

MAYOR

John J Piskura