

Minutes of the City Council
Sheffield Lake, Ohio
October 14, 2008

The regular meeting of the City Council was held Tuesday, October 14, 2008. Council President Edward Podmanik 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, Elliott, Kovach, Huska, Diebold, Smith, Mayor Piskura, Treasurer E Hoenig, Finance Director Smith, Law Director Graves

Attending: Concerned Citizens, Fire Chief Conrad, Zoning: Ebenschweller, Civic Center Advisory Board: Nicola, Members of the Media: Avon Lake Press

*Motion by Bring to approve the minutes of the City Council meeting of September 23, 2008 with any corrections. Yeas All.

CORRESPONDENCE/COMMUNICATIONS:

Monthly report of court receipts for month of September - \$10,520.14 – receive and file.

PRESENTATIONS: *Avery Friedman and Cherie Dimmerling regarding fair housing.* Mr. Avery Friedman and Cherie Dimmerling advised we are with the Fair Housing Counsel of Northeast Ohio. There have been previous discussions with the Administration in a presentation made by Ms. Dimmerling concerning the fair housing systems program. This is an entitlement program that is actually one of the best kept secrets in Washington. It provides grants to state and local government where efforts are now being made to assist citizens in unfair lending and unfair housing practices. Essentially, what communities around America are now doing is taking advantage of the so called FHAP program by enacting legislation which guarantees its citizens fair lending and fair housing. So that when lenders or housing providers come into the community and treat citizens in an unfair manner, they can come to city hall and through this program communities are compensated to provide those services. What I would like to do very briefly is have Ms. Dimmerling explain the nature of the compensation that is the money that comes to the community. Ms. Dimmerling explained the FHAP is the Fair Housing Assistance Program grant as Avery mentioned, to be eligible for the money which is \$120,000.00 a year for 3 years for a total about \$360,000.00; you have to enact legislation that is substantially equivalent to the federal fair housing

guidelines. I had a chance to look over your fair housing legislation that you have on the books right now. It was written in 1968 and it was actually on the federal level updated in 1988 as well which many citizens have the old legislation. But updating it to make it close enough, when they say substantially equivalent they want it to be close enough to be to the federal guidelines; then you are considered to be a substantially equivalent community and that is when you start getting the grant money. They do send you a check for \$120,000.00, one check per year for the first 3 years. After the third year, you are considered to be equivalent and you get \$1200.00 per complaint that comes in and probably just as importantly putting the right laws in your books gives you the ability to levy fines as well which you really don't have right now - up to \$50,000.00 per violation of your fair housing laws. Mr. Friedman advised let me explain specifically, if a lender comes in to the community and he takes advantage of a citizen for example; gets them involved in a loan that results in a balloon. If housing providers for example; do not permit lets say single women with children, housing opportunities or the handicapped. Individuals can call city hall and you take control when citizens are not treated fairly. The structure is that the Mayor appoints a fair housing board, that board is underwritten by the federal government. They are trained by HUD to enforce these laws. Right now you do not have the capacity if let's say a family member has lost a job and facing foreclosure, they don't know what to do; you are not equipped to handle those kinds of cases. Elderly people is another example, when they are solicited about reverse mortgages – they don't know what that is and it sounds good and now they can call city hall. City Hall can also put on seminars for elderly, for handicap people to tell them about their rights, to help them read mortgage documents, to help them in their credit, to help people who are most vulnerable – handicap and elderly to learn about their rights and come to city hall to get those protections. We see it as a win-win; it is a law that is a part of the United States code anyhow. Many cities do not have equivalent laws, some communities that we have been engaged by like the idea of \$360,000.00 coming in. Others have taken a position it is just the right thing to do and it is a service that they want to provide their citizens, so we have had different motivations coming from different legislators. We are now representing cities in Cuyahoga, Lorain and Summit counties. In fact, we will be in Washington on Friday on their behalf. You write the legislation, if it is something you want to do. Well actually we write the legislation and I work with your Law Department and if it is something that a legislative branch wants to do, our job among other things is to get it lobbied through Washington. Ms. Dimmerling advised that is the hard part. Mr. Friedman concurred and that is where the money starts coming back to you. Ms. Dimmerling stated one of the questions that we get quite a bit is what can we do with the money and then what is our responsibilities. The money that you get every year, you can underwrite salaries with. So if you have, I noticed when I was doing some research that you have a part-time grant administrator. You could also make

him your Fair Housing Contact Person because you have to have one; every city has to have 1 Fair Housing Contact Person. When you make him you're Fair Housing Contact Person, then you can underwrite his salary with this grant money. I would strongly suggest you don't take on a lot of additional overhead because you are not going to get; hopefully so many complaints when this \$360,000.00 runs out that it is going to be another influx of cash. Keep your overhead low, use people you already have for this and underwrite their salaries with it. You can use it for administrative costs for salaries; you will probably want to update your computer systems because you will be on line with HUD which is wonderful because you will get real-time updates all the time. So you can use the money for computer updates, any educational programs – community outreach, that sort of thing. Mr. Friedman advised many communities have used this to educate citizens; about mortgages, lending practices, foreclosure, unfair housing practices. So they can come to city hall. Ms. Dimmerling advised seminars are big, educational programs are a big use for the funds. Mr. Friedman stated most citizens don't know the alphabet soup of the federal government, they don't HUD from EEOC or these other agencies but they do know you and what Congress's intent was in enacting this program was to give you the money instead of Washington keeping it and enforcing it. You take control when something happens that is not right in the community and you assist the citizens. Ms. Dimmerling stated with the foreclosure issues specifically, that has been a big one recently is helping people with foreclosure issues. For instance right now, if I owned a house here and I was in a mortgage that I did not realize was an adjustable and the documents didn't reference that and I call HUD and say I have been taken advantage of. They are going to actually send an investigator here in your city to determine what happened, what went wrong and they are going to fine them and they are going to collect the money too. If you are substantially equivalent, you could do those things on your own. What would happen instead is you would get the phone call here from HUD saying somebody just complained about something that is going on in your community. When you were speaking of some people do it for the money which is true and some people because it is the right thing to do. Some communities also do it because it gives them control of what goes on in the community as opposed to having an outsider come into your community and make decisions for you. But seminars regarding foreclosure, credit reporting – those are all really big deals; reading loan documentation. Mr. Friedman stated one thing that you can use the money for is there is a person that comes to city hall where someone has lost a job and they are being foreclosed upon or being threatened. One function may be for that staff person; the Fair Housing Administrator can actually directly negotiate with the mortgage company or lender to try to save the home for that family – it is something that you can not do right now, you do not have the capacity and you don't have the skills and by going through training and by being eligible, by enacting legislation – you can offer that service to the

community. Mayor Piskura asked once that initial \$120,000.00 a year is gone? Mr. Friedman answered after the first \$120,000.00, the second year is also \$120,000.00 and the third year is \$120,000.00 and there after it is \$1200.00 per complaint that comes in and then any fines that you levy as well. Ms. Dimmerling advised the fines that you levy go back into general fund, it doesn't go into your Fair Housing Program – any fine you levy is general fund money. Mr. Friedman advised that discretion rests with you. If you have a lender that is operating improperly or a housing provider; let's say a landlord – you don't have to fine them, you can enter an order stopping their misbehavior. Some communities execute fines but that discretion remains with you under your ordinance. Mr. Bring advised from my understanding, 2 years ago we had a gentleman speak on this and he said 36% of the loans in Sheffield Lake were predator loans. Ms. Dimmerling stated probably he meant sub-prime, it is kind of hard to determine if they were predator. Just because they are sub-prime doesn't mean they are predatory. Mr. Bring asked when these people, elderly or whoever gets these loans – they have to actually come down and file a complaint through the city and that is how it is handled through that way? Mr. Friedman answered yes, although there is power underneath the proposed legislation for the city to self-initiate but ordinarily if someone is pressured or going through some trouble and they call here, you can take their complaint and assist. Mayor Piskura advised we have talked about this a little bit in the past and I specifically have tried to tell you that because of the high number of rental housing that we have, we got the legislation for the rental housing regulations; not only because of the high number of rental housing, the affordability of our housing but the fact that we have the highest foreclosure rate of any other city in the county. Ours is, just the rate is actually just below the city of Cleveland's and we took some bad press for it a little while back. But I intend to have legislation for you to start considering at least for 1st reading at the very next meeting so I would encourage you to ask questions now if you want or you know do some research on your own. Mr. Friedman advised I was unaware of that, we have been hired by one community in Lorain and we are specifically addressing the issues of imbalance between these landlords who will buy property, who are not even living in the community – they take off and all they want is their rent and there are people getting hurt. Right now, you are fairly limited in what you can do about that but where there are unfair housing practices this legislation will assist you in assisting the citizens and be paid for it by the federal government. Ms. Dimmerling advised you can use the money for testing too. If you suspect that there is a particular land board/land holder/mortgage company/lender that you already suspect, you can use the money for testing too; where you send the testers out, you pay and they masquerade as such and such. We actually have all the forms for that as well, so you can be proactive too. There are a multitude of ways of looking at this, as a legislator improving services, as one concerned about the public fiscals – it is a way to bring additional funds in, from a moral perspective

which the Mayor was very strong on; this is the right thing to do, America is committed to fair lending and fair housing. So there is no reason in the world that we shouldn't have the same coming from our community. So no matter where you fit into that, it is a process that more and more communities are looking at and we would ask that you give it serious consideration. Obviously we would entertain any questions that you have. Ms. Dimmerling I know has cards and so if you have questions on an individual basis that you care to maybe put to her or perhaps in the Mayors office, we would be delighted to respond. I must tell you on a personal level; this is a big deal to me. My life has been devoted to this; constitutional rights and statutory human rights and the fact that Congress is now said let's see what local government and state government can do about it. This past year, I spent in Salt Lake City and Oklahoma City and actually it was Cherie saying well why we aren't bringing this money into our community, frankly never thought about it. Ms. Dimmerling advised well I watch him fly all over the country doing this for other cities and it occurred to me that our time would be better spent talking to people here in Northeastern Ohio about it. Mr. Bring asked is it possible to get some of the communities that you have already done this to so that we can contact them and find out how that works. Mr. Friedman answered yes, we would invite that. Mr. Bring stated I just want to see how it works and how they have it. Mr. Friedman advised let me give you an example of the hundreds and thousands of cities in Ohio, the total number of equivalent cities that are getting this money is 5. Ms. Dimmerling advised we are flying to Washington on Friday for 2 other cities to get their legislation through and we have 3 others that have hired us that we haven't written the legislation for. Mr. Friedman advised we did the first in Ohio and that was the City of Shaker Heights and we also did Dallas, Texas and I am very proud of how that program is working but that is on a much larger scale. The thought of a smaller community – by the way, there is no distinction; whether you are Dallas, Texas or anyone else, it is the same money. Again, it is something that the Congress and HUD should have made you aware of because it is your money. Ms. Dimmerling advised this isn't a new program; it has been out since the Reagan administration by the way. Mr. Friedman advised actually I testified for the US Senate banking, housing and urban affairs committee on this. I never thought that my local communities were protected by enacting this. Mr. Kovach asked what the time frame on getting this program established is. Once say we get started in 30 days, when would it happen. Ms. Dimmerling advised a lot of it depends on the city; some of the cities we have been working with were lightning fast as far as getting the legislation done and enacted, we got right down to Washington and others have been very slow. We do say in our proposal 1 year and the reason we say that of a city recently took 5 months just to get the legislation through Council. Mr. Friedman advised we are not going to disclose the name; we can give the initial of city. Ms. Dimmerling advised typically this is how it would work, if you have this done in 30 days we would have the legislation written in the next 30 and

you guys would vote it in, as soon as you are done with it we would fly down to Washington within the following month and lobby it through and it is 2 to 3 months from then. Mr. Friedman advised I would rather be conservative Mr. President and Mr. Kovach because I don't want to create a false expectation, to get it done in less then that would make you all that much more happier. Ms. Dimmerling advised Avery is a number one Attorney in the United States for lowering expectations, so there is nobody better and he will tell you for sure 12 months. Mr. Friedman advised while we can't guarantee you results, there is no community that has been turned down yet. For example, we were hired by Youngstown which is a community that has tremendous problems but they have taken an eternity to get the legislation through. On the other hand, some of the small towns such as Reminderville, they rocketed it right through. Ms. Dimmerling added it was like a month. Mr. Friedman stated so we are meeting with HUD on Friday to deal with their legislation. So maybe the smaller the community the faster you all get it done, I don't know. But of the larger ones are taking time. Mr. Friedman advised you can go to fairhousingtraining.com but that is not going to help you. Ms. Dimmerling advised get me your information and I will send you the federal register part 115 and I will email it right to you and that is the part of the federal register that discusses the FHAP program.

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

Roads, Drains, Water, Sewer, Refuse: Chairman Smith reviewed the minutes of the October 6, 2008 meeting. *Motion by Smith to approve the sewer credit of \$378.95 for 4459 Tennyson Avenue. Yeas All. *Motion by Smith to approve the sewer credit of \$94.08 for 829 West Drive. Yeas All. *Motion by Smith to approve the sewer credit of \$92.75 for 709 East Drive. Yeas All. *Motion by Huska to accept the report. Yeas All./***Stormwater Utility: None.***/***Safety:*** Chairman Bring reviewed the minutes of the October 1, 2008 meeting. *Motion by Huska to accept the report. Yeas All./***Buildings, Lands, Vehicles & Equipment:*** Chairman Kovach reviewed the minutes of the October 2, 2008 meeting. *Motion by Huska to accept the report. Yeas All./***Ordinance:*** Chairman Elliott reviewed the minutes of the October 2, 2008 meeting. Yeas All./***Finance & Claims: None.***/***Investment:*** Mayor Piskura reported our next meeting is Thursday, the 23rd at 10 am here at city hall./***Council Representative to the Community Center: None.***/***Council Representative to the Zoning Board of Appeals: None.***/***Council Representative to the Planning Commission:*** Representative Huska advised need members./***Council Representative to the Park Board:*** Member Kovach advised need members and this past weekend the boat launch was totally packed including the overflow parking and the boats were in and out of there all day long. We have received our latest donation from the Lorain County Commissioners which are 3 park benches and 3 picnic tables which are in the grassy area between the parking lot and the walkway.

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

MAYORS REPORT: Mayor Piskura reported first of all I would like to report that our Law Director and I went to Pittsburgh and had a rather lengthy conversation with both the President of the Company and Vice President of real estate. In a nut shell, we presented them our petitions and had a conversation about them staying in one form or another and they said that they would be willing to be a part of a redevelopment with us if we had a plan and we came to them that they could build a new store, put in their signature store – the 80,000 or 90,000 square foot. The impression that I got from them though is that signature store isn't work here; they are not sold on that business model in our community with this demographic period. They do have a couple of wholesalers and a couple of stores that they underwrite but run under a different name and if they are going to be part of any redevelopment, they would most likely bring in one of those other stores that they are operating under a different name. So in the sense that we wanted to keep Giant Eagle to stay, we were unsuccessful. They are not going to stay, however the number one obstacle to getting a new grocery store in here without building a new building is retaining the fixtures that are there now. You know, all the shelves, all the freezers, all the coolers, all the counters, all of the check-out lines. Basically Giant Eagle could gut the entire store if they wanted to when they left and they have in the past auctioned off all of that equipment or sold off that equipment either to the municipality that they were working in or the potential new owner/new grocery that was coming in. Where that meeting was a huge success for the city is that, I believe in part because of the petitions and some of the public relations that we were able to do leading up to the meeting – they elected to just leave the store as it sits and just take some of their proprietary stuff and some minor equipment to open up a new store but that will open the door for us to attract a new grocery hopefully very quickly. So that is where we are at with Giant Eagle, maybe David will have something to add in a minute. As far as anything to report on the service part of it, we have had 5 complaints that I know of about rust spots or brown spots on cars and the residents complaining said that there was some kind of residue or water spot kind of looking thing on their cars or boats left in the driveway where this rust looking spot actually etched into the paint or etched into the gel coat and the concern was that was done by us with the road project; with the chip and seals. We looked into that and we looked into the aggregate, we pulled all the MSDS sheets from the aggregate, we talked to the supplier and there is absolutely nothing with the aggregate. It was just simple number 8 limestone, we couldn't find anything wrong with that. We talked to the manufacturer of the emulsion, you know the oil stuff and it is a CRS emulsion. There was no known problems with that, we did sweep the streets and there was the thought that possibly that they used as a wetting agent something other than water. We verified that it was nothing but water in the street sweeper itself, so we haven't been able to identify where these spots have come from in case you are getting complaints. Like I said I am only aware of 5 and actually there are 3 of them that are on asphalt

streets and 2 of them that are on chip and seal streets. So we have calls into our industrial neighbors to find out who is blowing what out of what stack if anything. So we are trying to get to the bottom of that just in case you hear any complaints. Some time ago, the Roads and Drains Committee had asked us to look into a street light for Mariners Watch and there was more than one discussion about it. If you recall Mariners Watch have the fancy street lights. We can get the light, we do have the costs and it will cost \$960.00 for purchase and installation and then Mariners Watch will then take care of the maintenance there after. I talked with the Chairman of Roads and Drains earlier, I am not real sure how we handled this but I wanted to let you know that I do have the estimate and we do have the capability of doing it should you direct us to. I think that traditionally it has come out of Roads and Drains as a motion. I would like to request an executive session for the purposes of consideration of public employment. *Motion by Huska to accept the report. Yeas All./**FINANCE DIRECTOR REPORT:** Finance Director Smith corrected date of next Finance and Claims is October 21 at 7 pm./**TREASURER REPORT: None.**/**Service/Safety Director:** Fire Chief Conrad advised we are doing hydrants and we are up to Harris Road at this point, still working eastward. So that is about 2/3 of the fire hydrants./**LAW DIRECTOR REPORT:** Law Director Graves reported on the meeting with Giant Eagle, I think it was the best outcome that we could have hoped for given their decision that they are not interested in continuing to operate a store in that building here in Sheffield Lake. As the Mayor pointed out there are other Giant Eagle entities that they would like to see here but they don't fit in that building. They are interested in being part of future development but in the interim I think we have gotten them to leave the building in such a condition for another to come in. Law Director Graves reported as follows; **Demolition Board:** we are still trying to work out the nuisance property on Mapleview.

Civil Service: as I have said in the last several meetings, we are going to have to convene Civil Service Commission. We are going to have to be conducting some tests for the Fire Department in the near future and we need some people to sit on that commission. If you are interested, please talk to the Mayor about it. We do need 2 people to sit on Civil Service Commission; it is a very important role.

Records Commission: none.

Legislation: we have 2 of them up for 3rd readings. In addition to those, there is a number of pieces of legislation that could be added to Councils agenda if they so choose. We have the annual resolution for the Budget Commission; we have an ordinance approving all of the items donated to the city during our party in the park. Then we have 2 pieces of legislation, 2 borrowings that the city is going to be engaging in and I would direct any questions on that to our Finance Director. Then the last piece of legislation in front of you would be approving the purchase agreement as negotiated for the purchase of the Shoreway Shopping Center and authorizing the Mayor to enter into that contract along with all the accompanying

documents necessary to effectuate the sale. I would ask for an executive session prior to ordinances and resolutions for the discussion of purchase of property by the city and also the discussion and consideration of hiring of a public official.

*Motion by Huska to accept the report. Yeas All.

CITIZENS COMMENTARY:

Richard Krebs, 280 Lynne Drive stated what the Mayor was talking about has ruined one of my automobiles real bad and it actually I would have to say the fall-out came somewhere between the 21st to the 26th and then after that it rained. I washed my car 4 times and it will not come off, so Monday morning I called the EPA and talked to a gentleman and he said he would get back to me. I also called security over at Ford because quote/unquote that is the person that is supposed to handle claims for fall-out and talked a lady named Joyce. No complaints, no nothing and really wasn't interested. So then Jon the Building Inspector come past my house and the wife stopped him and he recommended that I should make a police report out about it and also he said that he had one other complaint. So I called my ward Ed Diebold and he said he would pass the word on and he said it really wasn't too much that he could do about it but that he would report it to the Mayor and stuff. Basically, so then we emailed the Mayor on the internet and then I went down Saturday and filed a police report. As I was talking to the gentleman outside, Tom Schmidt we happened to look at all the city cars and believe it or not we have a bunch of city cars that are full of this same garbage and brand new police cars and he did notice it. Then today I got a call back from the EPA and the gentleman Mr. Frank Chester I believe it is, is coming out to my house Thursday roughly around 11 o'clock and he is going to take samples of everything. Of course, he can't get any on my car because I have washed it 4 times and it is just stained so you are not going to get anything out of the paint. But my neighbor said that they would, haven't washed their cars and they would have samples. I did go get estimates from my insurance company and between my car and my truck we are looking at basically around \$1200+ if it needs complete repainted. I just kind of thought it was kind of important to bring it up because I know it has to be one of two, either Ford or Geon but I would have to say it is Ford. That is just my opinion because I don't know what else would come out in the air that eats into the paint and the glass. Mr. Bring advised I don't know if you guys remember about 12 years ago, they had another thing like that and I had a boat out there with the same thing and it was on several cars and boats and stuff like that and I don't even remember where it came from – they gave us like minimal checks to take care of having it buffed out is all they did. Finance Director Smith advised I think that was Geon at the time. Mayor Piskura advised we are following up on that but until we identify who is going to own up to it, there is very little that we can do.

Mark Erdei, 4015 Tennyson advised I was just curious on a lot of boat ramps and that, they charge a little entrance fee or ramp fee – are you considering that down the road once we get this shopping center? Mayor Piskura answered no. Mr. Erdei

continued how about a curfew for closing the ramp or whatever? Mayor Piskura answered no. This has been discussed at length in the Park Board meetings for at least the last 3-1/2 years and the thought is this, very simply the Park Board wants the boat launch open year round/24-7 and our curfew laws for the juveniles will still apply but the launch itself will be open and you know we got a lot of money from the state government for that. We have a very effective silt plan, our dredging costs or maintenance costs should be minimal and we are hoping that serves as one of our economic development tools and having it free to attract people to come is what we are actually after. So we don't want to do anything that is going to be restrictive in anyway and again this has all been discussed in the entity that makes all these decisions is not me, it is the Park Board. Mr. Erdei continued with the next question, I don't know if you can answer that or not but your discussion on how is our stand with the demolition of having our seller handling them costs? Mayor Piskura answered that is not going to happen. That is going to be all our costs. Their selling it to us for a sit amount for their portion and then anything that happens to the center after we get title is our responsibility. Mr. Erdei asked have you guys already started sending out or collecting any bids on demolition? Mayor Piskura answered we are working on an RFP right now and we have been talking with several people about several things so that we can hit the ground running as soon as the title transfers. Law Director Graves advised just to clarify on the boat launch, that floating dock you plan to pull that out in the winter. Mayor Piskura answered yes, the floating part will come out but the ramp itself will stay open if you want to go launch a boat.

UNFINISHED BUSINESS: None./NEW BUSINESS: *Motion by Huska to amend tonight's agenda to include Council numbers 075, 076, 077, 078, 079.

ROLL CALL TO AMEND: Yeas All – Huska, Rosso, Diebold, Bring, Smith, Kovach, Elliott. Law Director Graves requested to amend his request for executive session to include the purchase of property for public purpose and for the sale of public property and for the appointment of public official.

*Motion by Rosso to go into executive session for the discussion of the purchase and sale of public property and the consideration of appointment of a public official. **ROLL CALL TO GO INTO EXECUTIVE SESSSION FOR SO-NOTED REASONS:** Yeas All – Rosso, Kovach, Diebold, Elliott, Bring, Smith, Huska.

*Motion by Bring to return to regular session:

ROLL CALL TO RETURN TO REGULAR SESSION: Yeas All – Rosso, Bring, Huska, Smith, Elliott, Kovach, Diebold.

Law Director Graves advised let the record reflect the City Council of Sheffield Lake did adjourn into executive session for the consideration and appointment of a public official and to consider the purchase of property for public purpose and the sale of municipal property pursuant to the Sunshine Laws.

ORDINANCES AND RESOLUTIONS:

- 1.) Council#061 – THIRD READING – an ordinance by the Sheffield Lake City Council amending Chapter 533.23 of the codified ordinances of Sheffield Lake regarding sexual predators.
*Motion by Huska for ADOPTION:
ROLL CALL FOR ADOPTION: Yeas All – Diebold, Huska, Elliott, Rosso, Kovach, Smith, Bring.
Ordinance Passes#69-08
- 2.) Council#062 – THIRD READING – an ordinance establishing Chapter 177 of the codified ordinances of Sheffield Lake creating the position of part-time grant administrator and the declaring of an emergency.
*Motion by Huska for ADOPTION:
ROLL CALL FOR ADOPTION: Yeas All – Bring, Kovach, Smith, Rosso, Huska, Elliott, Diebold.
Ordinance Passes#70-08
- 3.) Council#073 – SECOND READING – an ordinance establishing the rate of pay for the position of Building Inspector, effective June 1, 2008, and the declaring of an emergency.
- 4.) Council#075 – EMERGENCY – a resolution accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the county auditor and the declaring of an emergency.
*Motion by Huska for SUSPENSION OF RULES:
ROLL CALL FOR SUSPENSION OF RULES: Yeas All – Smith, Rosso, Kovach, Diebold, Huska, Elliott, Bring.
*Motion by Huska for ADOPTION:
ROLL CALL FOR ADOPTION: Yeas All – Rosso, Huska, Bring, Smith, Kovach, Elliott, Diebold.
Resolution Passes#71-08
- 5.) Council#076 – EMERGENCY – a resolution authorizing the City of Sheffield Lake to accept and approve goods and services donated for the 2008 city party in the park and the declaring of an emergency.
*Motion by Huska for SUSPENSION OF RULES: Yeas All – Elliott, Bring, Diebold, Kovach, Rosso, Huska, Smith.
*Motion by Huska for ADOPTION:
ROLL CALL FOR ADOPTION: Yeas All – Rosso, Huska, Bring, Smith, Kovach, Elliott, Diebold.
Resolution Passes#72-08
- 6.) Council#077 – EMERGENCY – an ordinance authorizing the issuance and sale of notes of the city in a maximum principal amount of \$30,000.00, in anticipation of the issuance of bonds, for the purpose of paying costs of public improvements including improving and renovating city buildings; and declaring an emergency.

*Motion by Huska for SUSPENSION OF RULES:

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

*Motion by Huska for ADOPTION:

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

Ordinance Passes#73-08

- 7.) Council#078 – EMERGENCY – an ordinance authorizing the issuance of \$120,000.00 in anticipation of the issuance of bonds, for the purpose of paying costs of improving new parks with the construction of a boat launch; and declaring an emergency.

*Motion by Huska for SUSPENSION OF RULES:

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

*Motion by Huska for ADOPTION:

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

Ordinance Passes#74-08

*Motion by Rosso to amend the agenda to include the amended version of Council#079. Law Director Graves explained the amendment being adding 1 final sentence to page 1, so the actual version that Council would be considering has changed since it was added to the agenda. ROLL CALL TO AMEND THE AGENDA TO INCLUDE THE AMENDED VERSION OF COUNCIL#079: Yeas All – Huska, Elliott, Smith, Kovach, Diebold, Bring, Rosso.

- 8.) Council#079 – EMERGENCY – an ordinance approving and authorizing the Mayor to enter into a purchase agreement and to execute all documents necessary including a promissory note as earnest money between the City of Sheffield Lake and Marc A Levin, Trustee of the Shoreway Shopping Center Trust for the purchase of the Shoreway Shopping Center, and the declaring of an emergency.

*Motion by Huska for SUSPENSION OF RULES:

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

*Motion by Huska for ADOPTION:

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

Ordinance Passes#75-08

Mayor Piskura submitted Bill Gardner for the position of part-time grant administrator with an effective starting date of January 15, 2009. *Motion by Huska to approve the Mayors appointment of Bill Gardner. Law Director Graves reminded Council we have not set the rate of pay for the position yet. There will be a subsequent piece of legislation establishing the rate of pay for that position. Mayor Piskura advised we have already agreed on the salary but that will come with the pay ordinances in the first of the year. ROLL CALL FOR APPROVAL: Yeas – Huska, Bring, Kovach, Smith, Diebold/Nays – Rosso, Elliott.
COUNCIL PRESIDENT: None.

MEETING ADJOURNED: With no further business before this council, Motion by Kovach to adjourn at 9:33 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 October 14, 2008.

COUNCIL PRO TEM
Richard Rosso

MAYOR
John J Piskura