

Minutes of the City Council
Sheffield Lake, Ohio
December 9, 2008

The regular meeting of the City Council was held Tuesday, December 9, 2008. President of Council Edward Podmanik called the meeting to order at 7:05 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, Diebold, Huska, Smith, Kovach, Elliott,
Treasurer E Hoenig, Finance Director Smith
- Absent: Mayor Piskura, Law Director Graves, Service/Safety Director Arendt
(excused)
- Attending: Concerned Citizens, Fire Chief Conrad, Zoning: Ebenschweller,
Planning: Belaska, Members of the Media: Avon Lake Press

*Motion by Bring to approve the minutes of the City Council meeting of November 25, 2008 with any corrections. Yeas All.

CORRESPONDENCE/COMMUNICATIONS:

A) Monthly report of court receipts for month of November - \$14,174.25.

PRESENTATIONS: None.

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

Roads, Drains, Water, Sewer, Refuse: None./Stormwater Utility: None./Safety:

Chairman Bring reviewed the minutes of the December 3, 2008 meeting. Fire Chief Conrad explained federal grant the city received for \$55,562.00 to be used for a hydraulic cutter/hydraulic tool better known as jaws to the public and it comes with the power unit, the cutter, the ram, the spreader and the mini cutter. There will be money for what is called the excel/pexcel bail-out system. It consist of harnesses and ropes and carabineers – it is for Fire Fighters to use to exit a building in an emergency situation. They can latch onto a window seal and basically jump out the window. There is money for a thermal imager, that will give our department a second thermal imager so we will have one on both fire trucks. The old thermal imager so recently in for repairs, so it is getting in its age where it is more of a maintenance problem. Now we will have a new one and we will have at least one operating at all times. We also got the heavy duty washing machine so that we can wash our turn-out gear that we received in last years grant. Now along with that also, we got training that I requested for that bail-out system and we got also got the training to bring everybody in on the Fire Department up to rope rescue awareness and rope rescue operations. Because of the size of our department and how we run the classes, there

will be several openings so we will be able to open that training up to neighboring departments free of charge – they will just have to pay the personnel costs. The government will pick up all the training costs involved with that. *Motion by Huska to accept the report. Yeas All./**Buildings, Lands, Vehicles & Equipment:** Chairman Kovach reviewed the minutes of the December 4, 2008 meeting. *Motion by Huska to accept the report. Yeas All. Mr. Bring advised at the Service Department we will be having an Auction this Saturday for those vehicles over there at 10 am./**Ordinance:** Chairman Elliott reviewed the minutes of the December 4, 2008 meeting. *Motion by Huska to accept the report. Yeas All./**Finance & Claims: None./Investment: None./Council Representative to the Community Center: None./Council Representative to the Zoning Board of Appeals: None./Council Representative to the Planning Commission: None./Council Representative to the Park Board:** Member Kovach advised I do have an announcement, I don't know how many people get the Lorain Journal but in Sunday's edition on People in the Move – I see and I assuming that the Mayor was going to make noise about this tonight but he is not here so I guess I will get to do it. He read the article as follows; The City of Sheffield Lake has won a 2008 Boat US Recreational Boating Access Award for bringing together the land owners and the state of transform a under utilized park into a free boat launch. Vice President of Government Affairs for the Boat Owners Association Margaret Podlich told Mayor John Piskura, in a letter, the city overcame challenges including a difficult property owner and funding issues in the accomplishment. Boat U.S. is the nation's largest organization of recreational boaters.

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

MAYORS REPORT: None./FINANCE DIRECTOR REPORT: Finance Director Smith reported I would be happy to go the ordinances that are before you for consideration for this evening if you would like me to now. I don't if that is good now, do you want me to go over those now? President Podmanik answered yes. Finance Director Smith advised I will go over the easiest one first which doesn't seem to be but I have requested us to appropriate 3.5 million dollars for the purchase of the Shoreway Shopping Center. I bring this before you now because we are sure we are getting it and now we can freely appropriate for the purchase which actually I believe we are signing the papers on Friday and the property is supposed to transfer on Monday. President Podmanik asked we actually get the money now, we have the money now? Finance Director Smith answered well no we will have it on Thursday but we can appropriate for it now. I ask that you pass that as an emergency this evening. She continued you also have 2 other ordinances in front of you and I believe we brought this in Finance. We contacted Centurytel Telephone a few months ago, our current phone system throughout the city is extremely antiquated, it is an old centrex line which doesn't accommodate anything digital. It can't really be upgraded and most of the phones are discontinued. If we buy phones now we have to actually used phone to try to

replace the ones that are broken that we have. Centurytel put together a package for us that is actually just phenomenal. It is state pricing so we don't have to worry about bidding on this, it is a zero percent interest loan through Key Finance. Cisco systems is the ones that are making the phones in the system. Normally there would be an installation cost from Centurytel - they have waived that because this is a learning process for all their techs. So we will be a huge schooling for all their techs and they are bringing in people from all over to learn the system. We will be the guinea pigs but we will have the best that Centurytel will have to offer in installing all of our equipment. I don't think we could ask for anything better than that. They will also be installing, the once contract you see here is for special circuit services and that really replaces the phone line that comes into the city buildings - it is a new digital circuit and that normally is \$1700.00 to install that but they are waiving that \$1700.00. All they are asking for is the monthly fee of \$860.00 which really replaces a huge portion of what we are paying now. So that actually is offset totally, we are actually saving money on that end too. That will save money in the long run. The other ordinance that I have before you is for the actual purchase of the equipment and the extended service of that equipment for the 5-year term. It is a 5-year, 0% interest loan and we figured out a rough estimate - it is going to cost us about a little over a hundred dollars more a month while we have the contract the 0% interest loan but it saves us within the time we pay off the phones it will pay for itself after about 10 months once the contract is paid off. It is a phenomenal opportunity and I would hate to let this go another group because Centurytel needs us as much as we need them at this point. So it is a joint collaboration which is a win-win for the city. Councilman Elliott asked what departments does this affect, I mean who is getting new phones? Finance Director Smith answered it is going to affect all the departments, it is going to give new phones to Police and Fire. However it is also going to allow 2 hard lines in, one for the Police and one for the Fire in the event of an emergency that we have absolutely no power then we still have phones to our emergency services. The only place that it is really not going to give us new phones is the Community Center - that will still be a hard line because that is a separate building/complex and the park building. That is okay, those can stay with the older phones at this time until in the future I am sure Centurytel will be wiring everything digital. Councilman Diebold asked will that supply, let's say the Service crew on the road that are doing maintenance - would they have a phone that they could be contacted on on the road? Finance Director Smith answered we already have that in place. This will be in house phones. Councilman Elliott asked will that affect our caller ID at all? Finance Director Smith answered actually that will improve the caller ID. We went through all that too and it will be a better system. That is the other problem, the current caller ID system is pretty antiquated - it is trying to save it on a CD and this will save everything digitally. Councilman Elliott asked so it is compatible with the computers that we have now in the Police Department and Fire

Department? Finance Director Smith answered yes. Councilman Rosso asked this is voice-over IP right? Finance Director Smith answered in an effect, not directly and I don't know how to explain that. It is kind of but it isn't, it is all digital and it is via that same idea, actually it is a little better I believe. It is also clearer, we will have the ability drop a lot of actual lines because we will have one system, it is like a system that comes in and then it goes out to all the separate phones. President Podmanik stated it looks like we are doing this without a router system by the schedule A on the second piece of legislation. Finance Director Smith answered Ed, you probably have more knowledge about how this stuff works than I do. President Podmanik asked how is this stuff going to affect our internet? Finance Director Smith answered not at all. President Podmanik asked nothing changes there for any department for internet access? Finance Director Smith answered actually it is a little faster, security is actually better. Councilman Rosso advised we are going to state of the art that every business is going to because of all the advantages. Finance Director Smith advised we can't beat it though because we are going to have the advantage no installation costs, 0% financing – I was so excited when this came through. It is much better than I thought we could get honestly. President Podmanik asked are we looking at wireless on some of these installations? Finance Director Smith answered we can, yes. President Podmanik asked are we looking at wireless with this? Finance Director Smith answered yes, actually this room will be wireless so we will be able to do presentations on power point, via the internet even it will be wireless. We actually asked for that especially in this room, so we won't have to run wires and trying to get internet in here – it will all be covered. Councilman Smith asked this is the actual purchase for \$43,000.00 and this is monthly service for 36 months? Finance Director Smith answered right and the reason for that is we could go out longer but Centurytel actually thinks it is going to get cheaper after that. Councilman Smith stated so after 36 months this will go down? Finance Director Smith answered we will re-negotiate that – that is like having your phone service. Councilman Smith asked the \$860.00 is what we are going to be billed monthly? Finance Director Smith concurred. Councilman Smith asked so it is roughly \$100.00 more than what we are paying right now. Finance Director Smith answered yes, there is a couple of other incidentals like some fax lines that get added to that costs. The hard lines going into the Police and Fire. Councilman Smith asked so realistically we got \$43,000 plus \$3600 for \$100 a month right? Finance Director Smith answered right. President Podmanik asked what is 5 years smart net, total equipment 5 years smart net, installation and programming? Finance Director Smith answered that is the 0% 5 year loan. President Podmanik stated so then basically all fax lines, all telephones, all internet is moving to digital with some wireless access. Finance Director Smith answered yes. Councilman Kovach stated I can see them not doing the park building at this time but why wouldn't they be doing the Civic Center? Finance Director Smith answered we would have to put another one of these

digital, it is like a hub. Councilman Rosso advised you probably need another Cisco router in there. President Podmanik advised you would need another system for another building off premises. Councilman Diebold asked how much would that be to take up the Civic Center? Finance Director Smith reviewed data and advised of existing system versus proposed system. The only time we would get jammed up is when 23 people were on 23 phones all at once and trust me that would never happen – I can guarantee it because we went over this. I actually was concerned about that, I thought it is not many and then I started thinking of how people are actually here on one shift of a day and if you had every single person even the parks people here on a phone because what it does is when you are on a line and a call comes in or a call goes out, it just picks up the next line that is out there in cyberspace. We have the ability to expand that with this system if we ever felt the need, that we needed more then 23 at a time but even Centurytel guarantees us we won't ever use that and that is what I am saying about the Civic Center. At this time it is just not costs effective to run that special circuit into that building. Councilman Kovach stated okay, I just would think that it would be cheaper to do it now with everything else as opposed to a single shot down the road. Finance Director Smith advised no it is a lot for the 2 phones that are there. Councilman Kovach advised I am thinking that and I am going to assume that somewhere in the future we are going to be forced to put it in digitally just like they are doing with the televisions and at the point it is going to be more expensive. Of course, volume wise it may be down by that time. Finance Director Smith advised I think they will have smaller systems by that time. This is also going to give us voice mail – free; for departments and/or individuals who need it, it is going to make an auto attendant where if we are not available – it will ring like 4 times here at city hall and if nobody can get to the phone it will go to an auto attendant and allow them to ring a special extension, ring back to the operator again so we won't miss any calls and/or take a message. Anybody that calls here would know that I go crazy when the phone rings more then twice because I hate a ringing phone. We can make a lot of the changes ourselves. A lot of these things will be controlled over our PC's, you can put a phone book in the phone and change it on the PC and it will update to the phone. This is really neat – it is hard to even scratch the surface of how it is going to be like rolling the stone type thing. She reviewed the many options that come with the system. President Podmanik asked you may not have the answer to this question, Council has 3 lines downstairs; 1 phone, 1 dedicated fax and 1 dedicated internet. However, we are DSL downstairs on that dedicated line. Are we going to combine our phone and internet digitally through 1 line? Finance Director Smith answered yes but the neat thing is we will have the ability to have mail boxes off of those lines. There was a brief discussion. *Motion by Huska to accept the report. Yeas All. /**TREASURER REPORT:** Treasurer E Hoenig advised you have the November Treasury report attached./**SAFETY/SERVICE DIRECTOR:** Safety/Service Director Arendt **LAW DIRECTOR REPORT: None.**

CITIZENS COMMENTARY:

Debbie Belaska, 4014 E Lake Road stated I want to thank Tammy and the rest of you for doing a good job and securing that loan, I applaud you immensely. I am glad to see the city is moving forward on that. I had a question to Councilman at Large Steve Kovach, can I have a copy of that because ever since this all began I have been archiving the library about that boat article that we can put in the archives down at the library there. So that everybody knows there is an archive down there with everything that has been going on in this city since we started this new turn around. Also, Mr. Litton – Councilman Elliott came to my house Saturday and I didn't know who he was. He was talking to my husband and I could see my husbands head kind of bobbing up and down and I came out in the middle of a blizzard and he wanted to discuss the golf cart issue. So I kind of pointed him your way Rick Rosso because I don't know where he was from but he wanted to discuss that and he was kind of heated and I said well really right now, it is the middle of a blizzard and I am not going to worry about a golf cart. Then I stated too that the city really has more bigger things to worry about and I stated about the grocery store but I said I would be open to sit down with him and tell him that there is a protocol I said because I have been down your road being the way you are but I said there is steps to be done. So I kind of told him you could speak to Rick Rosso. Councilman Elliott advised just to bring you up on speed on that, that is an issue we have discussed for really the last 5 or 6 months. I brought it to city council as a whole twice and it was shot down twice. I explained that to them and he wants to come and discuss it to Council as a Whole which he is more then free to do and if Council directs me to so we will further discuss it. Mrs. Belaska stated I guess he was thinking that once you close an ordinance up, like say we would have a discussion about something. Once it is shut down, is it always completely shut down or is it ever open again for discussion. Councilman Elliott answered anytime that either a citizen or a city council directs/asks us to do so we will.

Mark J Erdei, 4015 Tennyson Avenue stated with the purchase of this complex, I was curious as to the city having the proper insurance/liability insurance for the complex and if there was any open bids for this insurance and has the city appropriated any funds to cover the insurance? If this is too early but usually you look into that before you purchase the property. Finance Director Smith answered our insurance – Custis Insurance is well aware of what we are going to be doing. Until we were positive, I wasn't going to make anybody walk through any hoops at that point. It is just that we will be getting with that and that will be all in place when the property transfers I guarantee you. Mr. Erdei stated so the city deals with Custis? Finance Director Smith answered yes and they cover us on everything. Mr. Erdei continued the next question is how is our search coming along for a new Fire Chief? Finance Director Smith stated it is tough to replace the one we have I am telling you. Councilman Bring joked he keeps showing up so we are not going to do anything. Councilman Rosso explained Civil Service has to meet and issue a

test and then once they make their test then they will make a recommendation and then the Mayor and the Safety Director will make their selection. Mr. Erdei asked do we have anybody that is good enough in house that we could have? Councilman Rosso explained Civil Service rules dictate the replacement, so there will be a test and then based on scores on the test – I think they select from the top 5 or something like that. Mr. Erdei asked service points aren't included in that? Councilman Rosso answered I cannot tell you anything about the Civil Service tests. Councilman Elliott advised we have an Acting Fire Chief right now and that is Bill Langin.

Debbie Belaska, 4014 E Lake Road asked how soon can we start putting up bids for the demolition now we pretty much going to own it, will they start getting a package together soon and do they do that publicly – make a statement where you have got a package here, when does that bid start or when does it become an open bid and how do people who want to put a bid on it do it to demolish the shopping center? Councilman Bring advised there is some paperwork that actually Joe is going to write up first and then when Joe presents that it will go from there. Finance Director Smith advised we have to see what we have to abate as far as any hazardous waste, asbestos or anything like that. They have to get all those ducks in a roll first but I know we have got people lined up to do it. There is a lot of people who would be happy to do it.

Mark Erdei, 4015 Tennyson stated I was just curious, I don't know if you can answer it or not but I just curious have we had anybody interested in coming into the remaining complex that is empty? I mean is there anybody that has shown any interest? Finance Director Smith answered the remaining end of the shopping center really needs to be demolished, I mean it is falling in on itself. Mr. Erdei stated no I am talking about the buildings that we are going to keep? Finance Director Smith answered we have had a lot of people call, a lot of interest but we can't even talk to them even at this point until that property transfers. You would be surprised how much interest there is already.

Debbie Belaska, 4014 E Lake Road asked the property, we will take control on Friday then, on December 15th? Finance Director Smith answered it is supposed to transfer on Monday, we are going to sign papers on Friday.

Mark Erdei, 4015 Tennyson asked did you guys appropriate funds for that insurance to cover this complex? Finance Director Smith answered it is all included in the 3.5 million that we are going to pass tonight, all the initial fees I think are in there.

Councilman Kovach advised I do see that the light was installed on the island, I don't know if it is up and functioning yet but they did move that one post. Finance Director Smith concurred they moved the post – they might have moved the light today. Councilperson Huska asked did anybody notice that the sign wasn't on when you turned on Harris Road for the Sheffield Lake sign? Councilman Elliott answered I don't think that has been on in a while.

UNFINISHED BUSINESS: None./NEW BUSINESS: *Motion by Huska to add Council#097, 098 and 099 to tonight's agenda. ROLL CALL TO AMEND THE AGENDA TO INCLUDE COUNCIL NUMBERS 097, 098 AND 099: Yeas All – Kovach, Bring, Smith, Rosso, Huska, Elliott, Diebold.

ORDINANCES AND RESOLUTIONS:

- 1.) Council#093 – SECOND READING – an ordinance amending section 351.03(a) of the codified ordinances of Sheffield Lake regarding prohibited standing or parking places.
- 2.) Council#094 – SECOND READING – an ordinance amending section 111.03(b) of the codified ordinances of Sheffield Lake regarding bids and contracts.
- 3.) Council#097 – 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 – Diebold, Huska, Elliott, Rosso, Kovach, Smith, Bring.

*Motion by Huska for ADOPTION:

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

Ordinance Passes#92-08

- 4.) Council#098 – EMERGENCY – an ordinance authorizing the Mayor to enter into a special circuit services contract with Centurytel for telephone services, and the declaring of an emergency.

*Motion by Huska for SUSPENSION OF RULES:

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

*Motion by Huska for ADOPTION:

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

Ordinance Passes#93-08

- 5.) Council#099 – EMERGENCY – an ordinance authorizing the Mayor to enter into a contract with Centurytel for the purchase and installation of telephones and equipment, and the declaring of an emergency.

*Motion by Huska for SUSPENSION OF RULES:

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

*Motion by Huska for ADOPTION:

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

Ordinance Passes#94-08

COUNCIL PRESIDENT: President Podmanik advised before we adjourn, at this time I would like to make everyone aware at the end of this month our second meeting of the month is December 30th. We will have a special Finance meeting prior to that at 6:45 and Council following at 7 pm.

MEETING ADJOURNED: With no further business before this council, Motion by Kovach to adjourn at 7:52 PM. Yeas All.

CLERK OF COUNCIL AFFIRMATION: This Meeting Of The City Council Of The City Of Sheffield Lake, Ohio Was Held And Conducted Under All Rules And Regulations Governing The Sunshine Laws Of The State Of Ohio As They May Apply. All meetings are recorded and available in council offices.

CLERK OF COUNCIL
Kay Fantauzzi

PRESIDENT OF COUNCIL
Edward R Podmanik

and/or

I, Kay Fantauzzi, duly appointed Clerk of Council of Sheffield Lake DO HEREBY CERTIFY that this is a true and exact copy of the Minutes of Council of December 9, 2008.

COUNCIL PRO TEM
Richard Rosso

MAYOR
John J Piskura