

Minutes of the City Council
Sheffield Lake, Ohio
September 13, 2011

The regular meeting of the City Council was held Tuesday, September 13, 2011. Council Pro Tem Rosso called the meeting to order at 7:02 PM.

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

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

Present: Rosso, Huska, Stark, Bring, Kovach, Smith, Elliott,
Finance Director Smith, Service Director Smith

Absent: Mayor Piskura, President Podmanik, Treasurer E Hoenig (excused)

Attending: Concerned Citizens, Planning: Belaska, Members of the Media

*Motion by Bring/Second by Elliott to accept the minutes of the August 23, 2011 Council meeting with any corrections. Yeas All.

CORRESPONDENCE/COMMUNICATIONS:

Monthly report of court receipts for month of August 2011 - \$6096.00. Receive and file.

PRESENTATIONS: None.

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

Roads, Drains, Water, Sewer, and Refuse: Chairman Bring reviewed the minutes of the September 6, 2011 meeting. Service Director Smith advised re-enforcing the city's policy on tree lawns and what was on the tree lawns and the responsibility of the homeowner. Chairman Bring advised we had some trees blow down in the storm and the city is not really responsible as it was on the tree lawn, the homeowner is responsible for cleaning up that stuff. I think we had that issue on more than one over there. I went by today and it is still down. Service Director Smith reported as of this morning they are still lying there but that is the homeowner's responsibility. Chairman Bring asked is that something that we are going to allow to lay there for a while or what are we going to do about it? Councilwoman Stark advised that has been there for quite a while. Service Director Smith answered they are refusing to move it, they keep expecting the city and they keep getting mail from us and they keep expecting the city to take care of their problem. Councilman Rosso asked is this a senior citizen? Councilwoman Stark answered I don't believe it is. Chairman Bring advised actually there is 2 because there is one on one side of the road and there is another on the other side of the road. That is on Thelma and I think they are on opposite sides there. Service Director Smith stated 392? Councilwoman Stark advised the same tree and when it came down there is debris on both sides where it hit the car on the other side. I think the one person cleaned it up on their side but the

owner of the tree on their side refused to do it (228 Thelma – homeowner/221 Thelma – car). *Motion by Huska/Second by Stark to accept the report. Yeas All./**Safety: None./Buildings, Lands, Vehicles & Equipment: None./Ordinance: None./Finance & Claims: None./Investment: None./Council Representative to the Community Center: None./Council Representative to the Zoning Board of Appeals:** Representative Kovach reviewed the minutes of the August 30, 2011 special meeting./**Council Representative to the Planning Commission: None./Council Representative to the Park Board: None.**

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

MAYORS REPORT: None./FINANCE DIRECTOR REPORT: Finance Director Smith reported in your packet today I have an ordinance that I would like you to consider as I will be unable to attend next week's Finance and Claims committee meeting. So I have brought it before you today. There is several items, nothing earth-shaking. We have other legal and as we know we are going into conciliation and we will need those funds to continue on with that, possibly not all of that. However with our one finance clerk leaving, we have been relieved of that liability and can transfer to that line as needed. So there is a net 0 for the general fund. 209 is refuse and we have had some increase in some office expenses so just wanted to fill that so we had enough funds through the end of the year there. Bond coupons – this is some funds that have never been recovered on a bond that retired in 2007, we are only required to keep that money for 2 years available. However it was in a separate bank account and I feel more comfortable just keeping a little while longer, just sitting it there and it will remain in that fund in the event that somebody eventually tries to claim those coupons. I have no idea if that will even happen ever. Postage – we are in need of some postage in the water fund as well as office expenses and I have decreased some note fees that we didn't use so that is a net 0 in that. I would like to establish a postage line in sewer as well. I was going to do that in the 2012 budget but I thought what the heck we have to do it in the water anyways. I might as well do it water and sewer and get it over with and then it will be there and you would have seen that line in 2012 anyway. Sewer capital improvements – those are appropriation of funds that are available in that fund. We have had some major problems with pumps going out and we have had a lot of capital costs in sewer this year. We wanted to and I spoke with our Service Director and we wanted to assure that we had enough funds available in the event that we had a pump go out which could be in the neighborhood of \$15,000 or \$16,000 if that were the case. We just wanted to have a buffer through the end of the year. Obviously won't use it if we don't need to but I feel I would rather be safe than sorry, the funds are there and all that needs to be done is appropriate them. *Motion by Huska/Second by Bring to accept the report. Yeas All.
/TREASURER REPORT: report attached – receive and file./**SAFETY DIRECTOR: None./SERVICE DIRECTOR:** Service Director Smith reported I

have got a few things today. As Dennis had talked about since we had the summer break. I would like to just refer everybody to the minutes of the Roads, Drains, Water & Refuse, I think I discussed 10 topics for that meeting. The bid closing and opening for the Shoreway Shopping Center repaving was done today at 11 am with 6 bids received before the deadline of 11 am. Informal bid amounts range from \$181,977 to a high of \$248,506. This process is currently being formally evaluated by K&S city engineers. Over the weekend on Saturday the 10th we had another major rain event. Very, very large amounts of water, in excess of 2 inches in a short period of time and I had today that even Avon Lake had some isolated areas that had 3 plus within a little over an hour. As you know whenever that happens we have some problems, all 3 pump stations – SSO conditions and we reported several basements flooded with sewage. We think we may have had paper clog on the one but we are currently checking those out but we were inundated with water. Howell and Robinwood worked very well, there was no standing water. Both areas as you know has been a problem every time we get a 2-inch plus rain but they were fine. Some of the isolated areas were the 700 block of Oliver, the 800 block of Roberts and also Maplewood/Ferndale area where for some reason we have a issue of a ditch crossing a street through a pipe and we are going to fix that. The road sections will not be started this week but they will be started next week. The city is in the process of doing our part; the things that we are doing in-house such as the road base around the turn of Pasadena/Hawthorne and the East Drive cut-outs – having them ready for that to be laid. The rain has continued to cause delay and halted patches and concrete repairs that we have had to do. We have several aprons, sidewalks and then asphalt cut-outs, let's just say it is really hard keeping up. For instance last week alone we had 5 reported water line breaks on service lines and we have been able to fix 2 so far. As one was fixed we ended up getting another one, it is like a Russian roulette there what we are going through but we are getting it and tomorrow will be another one. We are down to 8 out of service hydrants as of 10 am this morning in the city to give you an idea. The last thing on my list here, if any of you have been attuned to the cable situation in Avon Lake; a company called WOW which came in and basically rewired their city to be a competitor for their cable company. WOW is currently in the City of Sheffield Lake evaluating whether or not they are going to bring their services to Sheffield Lake or not and I will have more on it. They are going through doing an evaluation and then may make a decision to make a formal approach and they do pay franchise fees to by the way. Councilman Bring asked on Shoreway, it that where we thought? Service Director Smith answered we have the money – yes but we also ended up adding the street once we found out that the road from Sheffield, the access egress from Sheffield across the parking lot, across in front of the Post Office and up to Community is not a road – it is actually part of the parking lot. The road is actually in the parking lot of the Bowling Alley. Since that is the case

we can't use road funds to do that little section so we had to add that in there. Then we have the access across from the Library running straight to Apples added. There is a broken down detail in the bid spec's that will itemize each one and the breakdowns will be done accordingly to each one of those. Law Director Graves advised that section of Ivanhoe that would continue was vacated when they built the Bowling Alley. I would just like to piggy-back on the rain event and really underscore that it is so important if you have any flooding that you call the Service Department and report it. Even if it is not something the city can do anything about, we need to know where that is occurring so that he can focus on those areas and try to figure out what the problem might be. Councilman Bring advised the one thing I didn't see was anything in front of Speedway or Schunenman's there was no water. That has been flooding for 2 years. Service Director Smith advised we are going to re-jet that whole thing from Speedway all the way to Lake Breeze, we are in the process of doing that. We have done half of it already once before. We did put a drain in over there earlier in the spring, at the corner there of Speedway – the northwest corner/south side of Lake Road. ***Motion by Huska/Second by Bring to accept the report. Yeas All./ENGINEER: None./LAW DIRECTORS REPORT:** Law Director Graves reported I would direct you to some of the items at the last meeting. Water Department to work on a number of projects that Council should be familiar with. Two pieces of legislation that you could consider adding to the agenda tonight which he reviewed. ***Motion by Huska/Second by Bring to accept the report. Yeas All./CITIZENS COMMENTARY: None.** **/UNFINISHED BUSINESS: None./NEW BUSINESS:** ***Motion by Huska/Second by Bring to amend the agenda to include Council#045 and Council#046 to tonight's agenda. ROLL CALL TO AMEND THE AGENDA TO INCLUDE SO NOTED: Yeas All – Kovach, Stark, Bring, Elliott, Huska, Rosso, Smith.**

ORDINANCES/RESOLUTIONS:

Council#045 – EMERGENCY – an ordinance amending section 931.03 of the codified ordinances of the City of Sheffield Lake regarding sewer rental rates and the declaring of an emergency.

***Motion by Huska/Second by Bring for SUSPENSION OF RULES:**

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

***Motion by Huska/Second by Bring for ADOPTION:**

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

Ordinance Passes#43-11

Council#046 – 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/Second by Bring for SUSPENSION OF RULES:

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

*Motion by Huska/Second by Stark for ADOPTION:

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

Ordinance Passes#44-11

COUNCIL PRESIDENT: None.

MEETING ADJOURNED: With no further business before this council, Motion by Kovach/Second by Bring to adjourn at 7:29 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 September 13, 2011.

COUNCIL PRO TEM

Richard Rosso

MAYOR

John J Piskura