

**MINUTES OF CITY COUNCIL
SHEFFIELD LAKE, OHIO
December 11, 2012**

The regular meeting of the City Council was held Tuesday, December 11, 2012. Council President Richard Rosso called the meeting to order at 7 PM.

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

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

Present: Rosso, Stark, Belaska, Smith, Kovach, McCullough, Elliott, Erdei,
Mayor Bring, Law Director Graves, Finance Director Smith, Service Director Smith,

Absent: Treasurer Woods (excused)

Attending: Concerned Citizens, Members of the Media: Avon Lake Press

READING OF THE MINUTES:

A – Public Hearing; 2013 budget – November 27, 2012 - *Motion by McCullough/Second by Belaska to accept the minutes of the Public Hearing; 2013 Budget of November 27, 2012 . Yeas All.

B – Council - November 27, 2012 - *Motion by Elliott/Second by Belaska to accept the minutes of the Council of November 27, 2012. Yeas All.

CORRESPONDENCE: *Monthly report of court receipts for the month of November 2012 - \$9152.70.*

PRESENTATION: Mayor Bring submitted the name of Greg Pavkovich for Councils consideration for the Zoning Board of Appeals. *Motion by Elliott/Second by Stark to approve the Mayors appointment of Greg Pavkovich for the Zoning Board of Appeals. **ROLL CALL FOR APPROVAL:** Yeas All – Smith, Belaska, McCullough, Kovach, Stark, Elliott, Erdei.

Mayor Bring swore in Mr. Greg Pavkovich for the Zoning Board of Appeals

CITY COUNCIL REPORTS

Roads, Drains, Water, Sewer and Refuse: None./Safety: None./Buildings, Lands, Vehicles & Equipment: Chairman Kovach reviewed the minutes of the December 6, 2012 meeting. *Motion by Elliott/Second by Belaska to accept the report. Yeas All.

/Ordinance: Chairman Smith reviewed the minutes of the December 6, 2012 meeting. *Motion by Stark/Second by Belaska to accept the report. Yeas All./**Finance &**

Audit: None./Council Representative to the Joyce Hanks Community Center: Representative McCullough reported our meeting was held November 19 @ 7 pm, the rentals for next year are going well and there are lots of people in the community still using the center. All of the work from the grant should be done by the end of the year. There was a question brought up about the TV that I had donated, I have found a mount and now all we have to do is find the time to mount that for the ladies to have

their exercise class. Law Director Graves added the work at the Center must be done by the end of the year and all indications are that they are on schedule./**Council Representative to the Zoning Board of Appeals: None./Council Representative to the Planning Commission: None./Council Representative to the Park Board: None.**

ADMINISTRATIVE REPORTS

MAYORS REPORT: Mayor Bring stated I would like to thank Corey Rosso for the lights up on the covered bridge. I don't know if anyone has seen those yet but he did and very nice, neat job and it does make that bridge stand out. I really appreciate that. We have a long time employee that is going to retire December 21st – John McCallie who is our mechanic out there. I want to recognize him for everything that he has done here. He has been here for 35 years and that is a very demanding job out there. He has done such a good job for us and I want to thank him for being such a good employee. We let Erie Outfitters use the Post Office the other day, on Saturday they had a function with a couple hundred people show up for that. I let them use that, his building over there wasn't big enough so I let him use it for the day. I did that for recognition and he was extremely appreciative and that went off without a hitch. Everyone there was pleased with using that building. We didn't turn the heat on, we just turned the water on just for that night and the power on which was on anyway.

*Motion by Elliott/Second by Stark to accept the report. Yeas All./**FINANCE**

DIRECTORS REPORT: Finance Director Smith reviewed the appropriations before Council and explained this is pretty standard at the end of the year we kind of tweak all the funds to just get everything even before the end of the year and I am just doing it ahead of time because I have got payrolls and budgets and it is so much easier if I have a clean slate to look at and I can update everything tomorrow. There may be other little changes before the end of the year, I don't even know if I will have anything to bring to Finance but I don't want to count that out at this point. There is really nothing earth-shaking, there is a federal grant for CHIPS grant – that will close that out and has to be closed out by the end of the year. We haven't done a lot of changes throughout the year, we kind of sailed through pretty decently and I will have maybe more information on how we stand by years end as of next week. *Motion by Belaska/Second by Kovach to accept the report. Yeas All./**TREASURER:** report at-

attached./**SERVICE DIRECTORS REPORT:** Councilman Erdei stated I am getting kind of tired of seeing that mess in front of the Bowling Alley; all that gravel or whatever, can we donate it or have somebody come in with trucks or what are you guys planning on with that. Service Director Smith answered we are going to use that for the parking lots in the Parks Mark. I have said it several times and the thing is we have to get in and cut perimeters like over at Guenther. There is only 3 guys in the Road Department in a city of 10,000 people so I can only move so fast. Councilman Erdei asked maybe by spring? Service Director Smith answered definitely yes. Councilman Erdei stated I just feel for the people that live to the east of it, if the wind blows some of that dust goes. Service Director Smith answered it is not dusty, it is

encapsulated. Councilman Erdei stated ground asphalt – your right, I was wondering if you guys were going to use or not. Service Director Smith answered when we do it will require a lot of equipment for us to move it and it will require more than 1 day. It is not something that we can just jump on in 1 day, it is something that we got take 3, 4 or 5 days and just keep doing it and get it done. The problem is right now we have got little service issues in between getting the salt dome up, such as; fixing a lot of the holes that are still prevalent on many of the streets and using cold mix with them and working against the weather. It is something that we have in the plans and worked it into the schedule and then with the addition of the boom mower we plan on cutting in perimeters and ditching the perimeters with the new V bucket that we have for the mini excavator. All that will come into play here over the course winter going into spring. Councilman Erdei asked are the asphalt companies still open since the weather has changed? Service Director Smith answered no sir, we are into cold mix. Councilwoman Stark stated the lights really do look good on the covered bridge and a lot of people have said that about how pretty it looks and the Community Center. But I read in the one report that there were gnomes/garden gnomes at the shopping center, what did we do with them? Service Director Smith answered they are no longer with us. Councilman McCullough interjected they weren't garden gnomes, they called them gnomes – they are the old plastic lighted figures. They weren't garden gnomes. Councilman Erdei asked are we going to eventually decorate the shopping center down the road maybe, another year or two? Service Director Smith answered down the road we will look at it. I want to clear something up because evidently a lot of issues go onto the internet and create questions. For several years we had a councilperson who is now a council-at-large person who donated her personal time collecting and doing things but because she did that does not create a policy within the city to continue that program. The reason it was a volunteer program and the reason she took the time out of her own life to do that was because the city did not have the money to fund it. There have been several people who seem to think that once a program is done by donation that the city automatically should continue it. Well that is not the case, when the donations stop the program stops and unfortunately with the reduction of monies that are in the account that secure the hours for the Parks Department and the people that put these things up. We don't have it right now. That is something that has to go but that didn't mean that we stopped our displays, we still have the Civic Center, the covered bridge and Shell Cove Park. *Motion by Stark/Second by Elliott to accept the report. Yeas All./**SAFETY DIRECTORS REPORT:** Mayor Bring reported we did receive the money for the 911 and they are in the process of spending that money and taking care of that. That should be done within probably the next month. Also we have a jail inspection tomorrow and hopefully that goes well. We addressed all the situations they requested and got it updated. So I hope that passes because we can't afford any more money. Councilwoman Stark stated schools; when they do dances and stuff like that, is that Sheffield Villages Police force that works with that? Mayor Bring answered yes it is. Councilwoman Stark

shared traffic congestion issue at last dance. Mayor Bring advised I had a gentleman call me when we had Hurricane Sandy come through with power outages, this gentleman is diabetic and lost power in his house. He had no place to go or warmth and he had asked if there were any shelters he could go to and I explained to him that we don't have anything set up for that and has never been brought up before. He made mention that he would like to volunteer for that. So I am going to contact him and sit down and see if we can maybe work something out to have something in place in case there is a crisis. We haven't had a tornado go through in a long time or bad storm to that magnitude but in this case this gentleman had no place to go. Councilman McCullough stated as a suggestion, I want to say it was 1976 where it was cold for all those days and they were talking about shutting off the gas to Sheffield Lake to save gas. I can remember as a boy scout project, we went around and knocked on every single door to see who would take in families; who had electric, who had gas heat, who needed help and who didn't. I think we did that through the boy scouts for somebody's service project and if the guy would head it up, I would bet you the boy scouts would get behind it so they could create a data base. I have always offered, I have always said this if somebody loses power I have 3 generators. Mayor Bring stated like I said we do need to look into that, this gentleman ended up in a motel and he got the last one. In this case, the whole entire area – we were very fortunate in this city, we didn't have it as bad as some of the surrounding cities. So it is worthwhile looking into. *Motion by Elliott/Second by Stark to accept the report. Yeas All.

/LAW DIRECTORS REPORT: Law Director Graves reported the Civil Service Commission will be meeting on Thursday and certifying the promotional eligibility list for Sergeant in the Police Department. They are also about to conduct the Lieutenants tests for the Fire Department. I will keep you apprised of how that process is moving along. Also in regards to the report given at the Ordinance Committee; the status of the state legislation on internet café's, as you all know the state did pass a moratorium on any new internet café's earlier in the year. Any internet café's/sweepstakes café's that were existing and operating prior to the moratorium could remain operational but that they would not permit any new ones. Last week the Ohio House of Representatives did pass legislation that would basically treat internet sweepstakes café's under the same rule as governing amusement games of chance. That is they would be limited to non-cash payouts of under a \$10 value. That would effectively put them out of business in the state. That legislation was then referred to the Ohio Senate and I was made aware today that the Ohio Senate did vote no, they turned it down and it is anticipated that that will be coming back in early 2013 for consideration. So it is still up in the air but the state seems to be definitely moving toward eliminating internet sweepstakes café's here in Ohio. Law Director Graves reviewed legislation on the agenda and also proposed legislation that could be added to the agenda if Council so chooses. Councilwoman Belaska asked have we heard any more about the Dollar General at this point? Law Director Graves answered all the litigation involving the permit to build the new store has been appealed to the Com-

mon Pleas Court and all briefs have been filed and we are waiting for Judge Rothgery to rule on those briefs, he has not yet ruled. Councilwoman Belaska asked have we heard anything about the Abbe Road Lumber, what is going on with that? Law Director Graves answered I have not heard anything new in that matter. Councilman Erdei asked what is going on with the Speedway, update? Law Director Graves answered the only aspect of that that I am currently involved in would be the easements. Thus with the city granting an access easement to Speedway and Speedway granting the sanitary sewer easement to the City of Sheffield Lake; those easement descriptions have been provided to our City Engineer for review. He has provided some comments, I emailed him yesterday asking if there was anything additional and I don't believe there will be. Then we have an agreement that Council would either pass approving those easements. Service Director Smith advised everything is moving along on time, everything is going along. We just received the big prints which are about this thick for review so everything is going along according to the time line. Mayor Bring advised originally I think they stated March or April, I don't anticipate it being before that. Councilwoman Belaska asked do we have any legislation of what we are going to do with the cabinets that we have from the donations? Law Director Graves answered we still need to implement a policy on that. Councilman Erdei asked the negotiations with Lorain we couldn't get more than the 2 year extension? Law Director Graves answered let me just clarify; the rates will continue to be calculated under the same formula and our current contract does provide for the potential for annual adjustments and the rates have been adjusted periodically. If Lorain was to implement an increase it must be a reflection of their increased costs for operation, maintenance and repair and the increase to Sheffield Lake must be proportional. So it is not that we are locked into the same rate, we are locked into the terms and same formula that we have been previously – there could be annual adjustments. I think the 2 years is good with the opportunity for rolling 1 year is Lorain is still considering they're options in regard to sanitary sewer treatment. I am sure you are aware there are some decisions to be made in regard to the future of that. *Motion by Elliott/Second by Belaska to accept the report. Yeas All.

CITIZEN'S COMMENTARY:

Charles Herdendorf advised I am presently Director of the Sheffield Village Historical Society. I was born here in Sheffield Lake on Lake Breeze Road by Forestlawn and have lived in the area most of my life except for college. In coming tonight and I am very pleased to see your seal here that says founded in 1815, all of Sheffield of course was founded at the same time. Actually some of my relatives came over from Massachusetts and founded it then, it didn't even have a name then it was a range in township number and eventually it became known as Sheffield. What I would like to do tonight is just kind of bring up the point that we are going to have a 200th anniversary birthday coming up pretty soon in 2015. Sheffield as a whole will be 200 years old and I would like to invite you folks to join with Sheffield Village and perhaps Sheffield Township in coming up with sort of a joint celebration for that year. Not

just 1 event but a number of things that we might do together to celebrate the founding of our communities. We were all together for many years until about 1920 and that is when Sheffield Lake Village separated from Sheffield Township and eventually Sheffield Village in the 1930's separated from Sheffield Lake Village. I think we all share a common heritage and it will be kind of fun to celebrate it together. I know you got a number of things that I used to participate in up here when I lived here – Community Days and I don't imagine you do the greased pig anymore. Things like that that we might want to remember some of those events that happened in our history and spend the year; I am sure that John Edwards would help us out in publicizing and printing up some interesting stories that we may come up with. I am also pleased to look around the room and see that there is 6 members of the Sheffield Village Historical Society in this room and I know that Sheffield Lake does not have a Historical Society and we try in some ways to fill that gap and do stories and articles and things that cover this part of the original Sheffield also. So I guess what I am just asking is that perhaps you would give some consideration to helping us form an executive committee to do some planning. Mayor Hunter of Sheffield Village has agreed to work in that direction and I am hoping that Mayor Bring will consider that along with the Council members to serve or recommend folks to work in that direction. I guess my mission tonight is just to let you know that it is coming down the road and that would be wonderful to have everybody work together. Finance Director Smith advised I have his contact information if anyone is interested as well, contact me and I can forward to him or get them his email information. Mr. Herdendorf stated we will try to get some more structure soon but I thought the first thing to do is to begin getting people thinking about how we might celebrate. Councilman McCullough stated if we go forward with this and you need a Council representative to attend the meetings for this I would be more than happy to step up and go to the meetings. President Rosso advised now it would just be a non-Council related activity.

/UNFINISHED BUSINESS: None./NEW BUSINESS: *Motion by Elliott/Second by Stark to amend tonight's agenda to include Council#061 and #062. **ROLL CALL TO AMEND:** Yeas All – Erdei, Elliott, Stark, Kovach, McCullough, Belaska, Smith. Council President Rosso advised about the lights at the bridge, the lights were provided by Green Impressions; Joe Schill. So I think it would be worthy if you mention them. Joe and his business did donate the lights and Corey put them up.

ORDINANCES AND RESOLUTIONS: Councils Agenda –

- 1) Council#059 – **SECOND READING** – an ordinance adopting an Investment and Depository Policy for the City of Sheffield Lake.
 - 2) Council#060 – **EMERGENCY** – an ordinance authorizing the Mayor to enter into a first extension and addendum to the agreement with the City of Lorain for the provision of sanitary sewer services, and the declaring of an emergency.
- *Motion by Stark/Second by Elliott for **SUSPENSION OF RULES:**

ROLL CALL FOR SUSPENSION OF RULES: Yeas All – Smith, Kovach, Erdei, Elliott, Stark, McCullough, Belaska.

*Motion by Elliott/Second by Stark for ADOPTION:

ROLL CALL FOR ADOPTION: Yeas All – Stark, McCullough, Smith, Belaska, Erdei, Kovach, Elliott.

Ordinance Passes#56-12

- 3) Council#061 – EMERGENCY – an ordinance establishing longevity pay for the position of full-time Clerk of Council after three years of employment and the declaring of an emergency.

*Motion by Elliott/Second by Stark for SUSPENSION OF RULES:

ROLL CALL FOR SUSPENSION OF RULES: Yeas All – Elliott, Kovach, Stark, Smith, McCullough, Belaska, Erdei.

*Motion by Elliott/Second by Stark for ADOPTION:

ROLL CALL FOR ADOPTION: Yeas All – Belaska, Smith, Kovach, Stark, Elliott, McCullough, Erdei.

Ordinance Passes#57-12

- 4) Council#062 – 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 Stark/Second by Elliott for SUSPENSION OF RULES:

ROLL CALL FOR SUSPENSION OF RULES: Yeas All – McCullough, Smith, Erdei, Stark, Kovach, Elliott, Belaska.

*Motion by Elliott/Second by Stark for ADOPTION:

ROLL CALL FOR ADOPTION: Yeas All – Kovach, Stark, Erdei, Elliott, McCullough, Smith, Belaska.

Ordinance Passes#58-12

PRESIDENT OF COUNCIL COMMENTARY: President Rosso advised just a reminder the last Council meeting of December was moved to Thursday, December 27th.

MEETING ADJOURNED: With no further business before this council, Motion by Kovach/Second by Belaska to adjourn at 7:45 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/COMMITTEES
Kay Fantauzzi

COUNCILPRESIDENT
Rick Rosso

and/or

COUNCIL PRO TEM

Eric S Elliott

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 11, 2012.

MAYOR

Dennis Bring