

Minutes of the City Council
Sheffield Lake, Ohio
April 24, 2012

The regular meeting of the City Council was held Tuesday, April 24, 2012. Council President Edward Podmanik called the meeting to order at 7:05 PM. **THE INVOCATION WAS GIVEN BY: Kay Fantauzzi**, who then led in the Pledge of Allegiance.

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

Present: Podmanik, Rosso, Smith, Belaska, Stark, Kovach, Elliott, McCullough, Mayor Bring, Finance Director Smith, Service Director Smith, Law Director Graves, Treasurer Woods
Attending: Planning; Erdei and Guenther, Members of the Media; Avon Lake Press

- *Motion by Elliott/Second by Belaska to accept the minutes of the March 27, 2012 Public Hearing FY2012 CHIPS meeting with any corrections. Yeas All.
- *Motion by Elliott/Second by Belaska to accept the minutes of the March 27, 2012 Council meeting with any corrections. Yeas All.
- *Motion by Elliott/Second by Belaska to accept the minutes of the April 17, 2012 Worksession meeting. Yeas All.

CORRESPONDENCE/COMMUNICATIONS: Monthly report of court receipts for month of March 2012 - \$6076.00. Receive and file.

PRESENTATIONS: None.

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

Roads, Drains, Water, Sewer, and Refuse: Chairman Rosso reviewed the minutes of the April 2, 2012 meeting. He advised we reviewed and accepted the list of payments for unpaid water bills to be submitted to county for \$6131.37. *Motion by Rosso/Second by Elliott to approve the sewer credit for 832 Irving Park in the amount of \$85.26. Yeas All. *Motion by Elliott/Second by Belaska to accept the report. Yeas All./**Safety:** Chairman Rosso reviewed the minutes of the April 4, 2012 meeting. *Motion by Elliott/Second by Belaska to accept the report. Yeas All./**Buildings, Lands, Vehicles & Equipment:** Chairman Kovach reviewed the minutes of the April 5, 2012 meeting. *Motion by Elliott/Second by Belaska to accept the report. Yeas All./**Ordinance: None./Finance & Claims:** Chairperson Stark reviewed the minutes of the April 17, 2012 meeting. Councilman McCullough called for a correction – he was in attendance for that meeting. *Motion by Elliott/Second by Belaska to accept the report. Yeas All./**Investment: None./Council**

Representative to the Community Center: None./Council Representative to the Zoning Board of Appeals: None./Council Representative to the Planning Commission: Representative Belaska reviewed the minutes of the April 19, 2012 meeting./**Council Representative to the Park Board: None.**

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

MAYORS REPORT: Mayor Bring reported the city website is still being worked on. We are probably going to be done either the end of this week or beginning of next week some time. There is still going to be some on-going pieces added to it; pictures and some more information but we do want to get that up and running again. Then Kay is going to be able to put the minutes back on there. At least everyone will be informed; we are going to have a calendar so that you can go on there and see what the events are even for Pride Day and anything else we want to put on there. Then we have started some of the moving of the cables etc. inside the building. *Motion by Elliott/Second by Belaska to accept the report. Yeas

All./**FINANCE DIRECTOR REPORT: None./TREASURER REPORT:**

Treasurer Woods reported just one note that is attached onto the back sheet there about the non-sufficient funds checks that the Water Department is doing a good job on getting those re-allocated and off of our books./**SAFETY DIRECTOR:**

Mayor Bring reported as Mr. Rosso stated that we had a meeting the other night and our Police Chief Campo said that it has been very quiet and I would say maybe that might be lucky but I think our Police Department is doing a very good job.

They have stepped up patrols and I think that everyone has noticed that, I have been doing some walking and everybody has been commenting on that. I would like to thank our Police Department for the job they have done. *Motion by

Elliott/Second by Belaska to accept the report. Yeas All./**SERVICE DIRECTOR:**

Service Director Smith reported we have not started the Shoemaker Ditch cleaning yet but that is going to happen shortly, we had a couple of things get in the way that had to be done. On the Community Center, Pat did finish the lake bank so we did get out of there. We have done a majority of the finish grading; it is prepped and ready for seeding. As you have probably noticed the ongoing work at Rite-Aid at Shoreway. The Rite-Aid porch roof is approximately 150-feet long and is about 85% done and that is the structural steel that is underneath the roofing material membrane that was rotted away and had to be replaced. It has caused excessive amounts of water damage. We have had it channeled and redirecting the water away from the doors for the last several months. This was totally separate from the roof repair/a totally separate roof – it is just a porch and its design is very, very outdated. But he is about 85% done and we are looking at sometime next week that that roof will be completed. Also at the same time the Rite Aid accident is being taken of – that is where the car went through the front of Rite Aid and pushed the wall in. That is what is going on right there along the walkway, the majority of that was completed today. The only thing is going to be the inside of the store which

they are working on and going from there. We did have the south end of the gable at the Fire Station sided, as you know we had T111 that had blown off and it was painted and we had some issues over there. That was finally taken care of too. Just so you know the Rite Aid accident that wall section there the whole thing was organized and I want to thank David for speeding up the process. The city's insurance carrier seemed to have had some issues that David did clear up and once we were able to get going it has been 3 days on the job and it is almost done. So that is good for Rite Aid and good for us. The last thing is I hope that a lot of you have noticed by there is a lot less litter around the streets. We have been utilizing the Community Service personnel every single day picking up bags and bags and bags of litter. We have gone through now and did the bike trail twice in about a week and a half. Where the litter is coming from – it is not just blowing from Allied Waste – it is the residents not picking things up, throwing pop cans out on the road, throwing them everywhere. As we kind of pick all this stuff up and we go through and we do a street or a street section or a ditch lane and you know it is all clean when you inspect it. Then you come back 4 hours later and there are 6 pop cans and a beer can throw in there you know it was just done. We have other issues besides just Allied Waste and the stuff blowing out. We have new signs coming and we will be enforcing the litter law and that is punishable up to \$1000.00 fine. Councilperson Belaska stated a thank you is coming up from the citizens and I am going to send your way. You have been resolving these issues, I appreciate and they appreciate. Thank you very much. Councilperson Stark stated to echo Debbie, Thank You for doing Erieview and Gayle. I walked around today and the neighbors were really appreciative of the team coming out and fixing a bunch of those potholes and getting that taken care of. It has made life a lot easier for a lot of them. Thank You for taking care of that so quickly. The other question about the water bills, I don't know if anybody else has gotten the phone calls about the water bills. I know it was supposed to go up and it went up on this bill but some bills went up a little more. Service Director Smith advised we had an issue, you are absolutely correct. We did have an issue and it affected 1/3 of the bills, the ones that were posted the computer added an extra \$2.00 and it was due to just the way the computer calculated. We were able to catch them and we had all the bills and the girls worked on it extensively, really quickly and all the bills were reprinted out and we should be good. Councilperson Stark stated I just know I got a couple of calls because it seemed like Ward 1 got hit pretty hard with that. Service Director Smith advised that day we inundated with several calls but once everything was explained everyone was okay with everything. Councilman Elliott asked Len is my ditch still on the list along with Shoemaker Ditch. Service Director Smith answered we have a preliminary comprehensive ditch grading program and we aren't ready to start with that yet. I will be reporting on that in an upcoming Roads and Drains. It has been being developed over the last several months and yours is in that

process. It is not just yours but that is considered a main ditch, which channels the majority of the water coming from Sheffield Village north of 611 through our town as it has for over 100 hundred years. We are working on several different issues actually with the Village on one specifically to try to reduce that amount of water coming across the tracks. Councilman Elliott advised I just keep getting questioned by a resident and it just gets annoying at times but I have to live with her. *Motion by Stark/Second by Belaska. Yeas All./**LAW DIRECTORS REPORT:** Law Director Graves reported the Sheffield Lake Demolition Board which is actually the Board of Appeals organized under section 1351 of the codified ordinances did meet on April 16, 2012. The primary purpose of the meeting was to consider the property located at 626 Kenilworth Avenue and they did vote to affirm the determination by the Building Department that it constituted a nuisance property and dangerous building and voted to proceed with the abatement and that entire packet of information including the findings of fact that they adopted which are also attached to your packet have been forwarded onto the county. They will be proceeding with the demolition of that property with the NSP3 funds that we have signed an agreement with the county to participate in. We do have consents signed by both property owner and the land contract holder to go ahead with that demolition so that will be happening probably in the next month and a half. They have to bid that out but that property will be demolished soon. Law Director Graves reviewed legislation on the agenda. He advised on Council#015 this is the reappointment of Vivian McCullough to represent the City of Sheffield Lake on the Lorain County Board of Health and she also represents the City of Avon. She has represented the City of Sheffield Lake for a number of years and has done a great job. Councilman McCullough asked concerning Council#013 it says it is amended to include the emergency clause and it is not in there. Councilman Rosso advised it is at the end. Law Director Graves concurred but added it does need to be in the title as well. Councilman McCullough stated if we do this under an emergency, this is automatic 30 days on the third reading. Law Director Graves answered it would suspend the 30 day requirement; it would go into effect as soon as the Mayor signs it. That is the effect of the emergency clause. Councilman McCullough stated can I ask one more question, is that enough time for the audit. Finance Director Smith answered yes, it is fine. *Motion by Stark/Second by Belaska to accept the report. Yeas All.

CITIZENS COMMENTARY:

Dorothy Wisnieski, 543 Lakeview Avenue asked what exactly was the increase of the water and sewer? Service Director Smith answered I have a complete breakdown sheet and would love to give it to you. We spent months on figuring it out; it is a total of \$6.00 on the base rate. There is a credit with the water of \$2.00 so it is basically a \$3.00 increase of what it was. But there is a complete breakdown that has all the individual parts. That is a lot easier to do it than just to

say how much did it go up – it went up \$6.00 total. Mrs. Wisnieski advised well mine is larger than that? Service Director Smith answered that had nothing to do with that, which had to do with the multiplier situation with the bill. Mrs. Wisnieski asked will that be corrected on the next bill. Service Director Smith answered yes actually another one went out. CMI redid the bills and they went out and should be corrected. There was a brief discussion on breakdown and costs.

Mark J Erdei, 4015 Tennyson stated I was just wondering had anybody got any idea when we are going to dedicate the sight viewers at the boat ramp for the Piskura Family? Finance Director Smith advised when they put them in the weather got inclement and we decided to wait until spring, I would say within the next 30/60 days we will probably schedule something and probably maybe something in conjunction with Community Days. Mr. Erdei continued now that our Community Center is very nice and I know Mr. McCullough brought this up a while ago about having a little family night with showing a movie possibly at the Community Center because we have restrooms there. To have like a family night to where the adults can be kids and that and just watch a movie, I know Lorain was trying it out. I know there was a crowd the one time I went over the bridge and I was just wondering if we could try an event. Mayor Bring advised that is part of the Park Board and that is some of the stuff that we suggested in coming up with some ideas and that would be a good suggestion.

Tom Cossick, 781 Lafayette stated I have a list of the increases that were incurred this month; the water base rate was increased by \$3.00 and the sewer base rate was increased by \$4.00 and capital improvements by \$1.00. That is \$8.00 a month - \$7.00 of which is base rates, what is happening with the base rates? Service Director Smith advised should be \$6.00 a month; the base rate went up \$3.00 for water base rate and the base rate went up \$3.00 on the sewer rate. Mr. Cossick debated that is not what I have here and I got the list from your office. Service Director Smith reviewed and advised he would get back to him. Finance Director Smith took a copy. Mr. Cossick asked what do you do with the increase in the base rates? Service Director Smith answered the increase in the base rates goes to the 2 funds; the water fund and the sewer fund. During those heavy rains last year we have an older sewer system within the city, the infiltration of the rain water into the sanitary sewer system went into the sewers and our bills for processing the sewage to the City of Lorain double to almost triple during the heavy rain months. We went from an average of probably \$29,000.00 monthly bill to one month of \$80,000.00 for an example. What it did is we forecast out, it literally depleted the sewer fund. As you know it was one of the wettest years in the last hundred years. But because we have an older system we ended up paying sewage on a lot of rain water. That is why the sewer base rate increased. The water base rate increase; we had issues with the water fund/of your water bill the \$2.00 that you were being overcharged once we were aware of it that charge was stopped immediately. So

that means we are not collecting \$2.00 from the residents for that charge and at the same exact time we started rebating it so that is another \$2.00 – so we are not collecting \$2.00 and we are paying out \$2.00 more out of the water fund. Then we forecast that out. I think that started in October or November when we did the forecast and we took it all the way through the mid part of this year and at that rate our water fund was decreasing so much that we didn't have enough to sustain maintaining the hydrants, lines and everything else. That is when we came here to Council and requested that amount of increase to get that fund back into a sound fiscal operating amount. It literally put a freeze on a lot of the spending that we had on both departments for the last 2 months of the year because we didn't have money coming in. There was a brief discussion on monies and increases. Service Director Smith advised of contract coming from Lorain with increases. Mayor Bring advised we are actually looking at program where meters can be read from a truck with a computer which is a cost but would save on time due to the manual way of going meter to meter down on the ground. There was a brief discussion on increases.

UNFINISHED BUSINESS: None. /NEW BUSINESS: *Motion by Rosso/Second by Elliott to amend tonight's Council agenda to include Council#015. ROLL CALL TO AMEND: Yeas – Smith, Kovach, Stark, Belaska, Elliott, Rosso/Abstain – McCullough.

ORDINANCES/RESOLUTIONS:

- 1) Council#010 – SECOND READING – an ordinance amending section 1117.01 of the codified ordinances of Sheffield Lake regarding amendments and changes to the zoning code.
- 2) Council#013 – SECOND READING – an ordinance amending section 111.01, rule no. 13(4) of the codified ordinances of the City of Sheffield Lake regarding converting the Finance and Claims Committee to the Finance and Audit Committee and the declaring of an emergency.
- 3) Council#014 – 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 Elliott/Second by Kovach for SUSPENSION OF RULES:
ROLL CALL FOR SUSPENSION OF RULES: Yeas All – Smith, Belaska, McCullough, Rosso, Kovach, Elliott, Stark.

*Motion by Elliott/Second by Stark for ADOPTION:
ROLL CALL FOR ADOPTION: Yeas All – Belaska, Kovach, Elliott, Smith, Rosso, McCullough, Stark.

Ordinance Passes#12-12

4.) Council#015 – EMERGENCY – a resolution reappointing Vivian McCullough to the Lorain County Board of Health and the declaring of an emergency.

*Motion by Elliott/Second by Belaska for SUSPENSION OF RULES:
ROLL CALL FOR SUSPENSION: Yeas – Kovach, Rosso, Elliott, Smith, Belaska, Stark/Abstain - McCullough.

*Motion by Elliott/Second by Belaska for ADOPTION:
ROLL CALL FOR ADOPTION: Yeas – Belaska, Rosso, Stark, Elliott, Smith, Kovach/Abstain – McCullough.

Resolution Passes#13-12

COUNCIL PRESIDENT: None.

MEETING ADJOURNED: With no further business before this council, Motion by Belaska/Second by Elliott to adjourn at 8:03 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 April 24, 2012.

COUNCIL PRO TEM

Richard Rosso

MAYOR

Dennis Bring