

**Minutes of the City Council**  
Sheffield Lake, Ohio  
May 22, 2012

The regular meeting of the City Council was held Tuesday, May 22, 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, Smith, Belaska, Stark, Kovach, McCullough, Elliott, Mayor Bring, Finance Director Smith, Service Director Smith, Law Director Graves  
Absent: Rosso, Treasurer Woods (excused)  
Attending: Planning; Erdei , Concerned Citizens, Members of the Media; Avon Lake Press

\*Motion by Elliott/Second by Belaska to accept the minutes of the May 8, 2012 Council meeting with any corrections. Yeas All.

**CORRESPONDENCE/COMMUNICATIONS: None.**

**PRESENTATIONS: None.**

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

**Roads, Drains, Water, Sewer, and Refuse: None./Safety: None./Buildings, Lands, Vehicles & Equipment: None./Ordinance:** Chairman Elliott reviewed the minutes of the May 3, 2012 meeting. He advised Chapter 1383; accessory buildings has basically been forwarded to Worksession. We were going to discuss it last week, however that was canceled also. Manufactured homes; Planning Commission is awaiting consideration of Council#010 which is basically referred back to the Planning Commission again. We can basically strengthen that law to outlaw mobile homes altogether. That is a possibility; we haven't really discussed that in any length. I think Planning is also discussing that. Law Director Graves advised they have actually approved some language and referred that back to Committee. Chairman Elliott advised well then we will probably discuss that under Worksession of Council. He continued cell phone usage; basically after discussing it, Dave brought to our attention which is the Law Director that there is already an ordinance on the books called undue care while driving. Basically if we legislate to make things more defined we basically are over-legislating and we put ourselves in danger of basically defining what people can and can't do while they are driving which basically leaves loop holes. So basically we are going to leave that alone but I have left it on the

agenda and will probably remove it at our next meeting. Law Director Graves advised I have discussed this with the Police Department as well and you know we do have the full-time and attention ordinance and if for any reason someone is not devoting their full-time and attention to their driving they can be cited for that. Chairman Elliott advised on new business – **the state changed the vicious dog legislation and we were also going to discuss that under Worksession.** We can either change it or leave it alone and we will discussing that further under my next meeting which is June 7 at 7:15 pm. President Podmanik advised I just found this out being a new phone and new car owners; I can sync my phone to my radio and mount it anywhere on the dash or seat and I don't have to take my hands off the wheel as I have voice command. My text goes just like I was talking to the person sitting in the passenger seat. We may have to pay closer attention to the newer technology standards in what is happening more and more on a new car manufacturers in going after this. It is wonderful and may help cut down on this sort of texting and I believe most of our texting is probably with younger drivers who can't afford those cars or don't have the smart phones. Chairman Elliott advised Mr. President also texting has been proven to be worse than actually driving while under the influence. Also texting has been blamed for several fatal accidents throughout the state and nation. President Podmanik stated as I just said these newer cars people don't even have to touch them. It is something to consider. Chairman Elliott advised we are not saying that is something that shouldn't be done. Councilman McCullough advised I believe that it is going to be out of our hands anyways, I think it is already through the Ohio State Legislature and it is pretty much being fine-tuned that it is going to be very enforceable, they have actually come up with a law that is going to handle the texting and hands-free and everything. So for our Ordinance Committee to go ahead and take their valuable time to write an ordinance on it would probably be moot at this point. President Podmanik stated point well made. \*Motion by McCullough/Second by Kovach to accept the report. Yeas All./**Finance & Claims: None./Council Representative to the Community Center:** Representative McCullough reported our meeting was held May 21, 2012 at 7 pm at the Joyce Hanks Community Civic Center. The seawall has been completed, I don't have everybody's email – I did email our Clerk a picture from the lakeside and it actually looks really nice compared to what it used to look like back there. I spoke to the residents just to the west of the Community Center and they really thought it looked great to. The gazebo was reconditioned through Parks Department and it has got a new darker stain on it and it looks really nice. The new color is also going to be on the front façade where the bricks were removed, they are going to put the same color there before they move the sign. I believe the Service Director – Len is this correct, you have scheduled the Parks Department to put mulch in. The building is also being scheduled for all interior floors to be stripped, waxed and sealed and that is with the Community Civic Counsel. New seats were installed on all the restroom commodes. The Ohio

Department of Health/Department of Agriculture has concluded their quarterly inspections with no violations reported. Mayor Bring was able to secure Community Development Block Grant (CDBG) funding that has been approved for several building improvements. The funding is contingent on a detailed and time sensitive agenda outlined by the county of which I don't have for you tonight but I did see it last night and it is well done. I believe Len is awaiting for a return call from the county's representative Linda Blanchette to go ahead with that. It is \$32,000.00 worth of improvements and that is LED lighting to replace 54 – 4 X 2 light fixtures including a ballast removal/2-way electrical meter for the carbon credit and electrical flow to make sure that the panels up on the roof were being properly credited, a scrolling computer managed LED sign installed with the already sign out front, a 1-1/2 size prep sink which is like a big sink in a small size sink; it is a vegetable sink is what they call it and they need to have one of those and also the Sheffield Lake contributions from Meals on Wheels for the weekend contribution for senior and disabled residents. So that is what the \$32,000.00 will be going for. Pat has gotten a hold of Mark Ciesl; the Middle School Band Director and he would love to return summer jazz concerts for the public in the gazebo and with the installation of the LED sign I am sure they will be well attended once they have dates on that – he will get them to us. There are a few other things that are scheduled for in there that is pretty much repetitive. I am pleased to report that the private rentals for the summer are at near maximum with most every Friday, Saturday and Sunday rented for graduations, weddings, receptions, class reunions so there is quite a few things going on and also a couple members of the Advisory Board would really like to see a TV installed in the Community Center so that they can go back to having their jazzercise program that they put on by themselves and is totally funded by themselves and is free to anybody who wants to be involved. I had committed and I will provide them with a 32-inch LCD screen TV with a DVD player. If anybody wants to contribute and put Council's name on it that is up to you. I think the costs of a TV right now, you can get a 32-inch for \$200.00 it is nothing real expensive. Pat says that he would if it is alright with Len that he would that on the wall, I do have a mount that I am going to give him and he can also put a lock on it. The other thing that was discussed was maybe adding a second one and putting it in the main room for when people have weddings or when they have funeral lunches. Councilwoman Belaska actually brought this up and it is true, people like to show slide shows at about anything including grad parties and may be a source of income that if they would like to use the monitors for a slide show that it could get an extra \$50.00 or \$75.00 for a rental. The DVD player is going to be locked up though where somebody is going to have to get to it. Our next scheduled meeting is August 20, 2012 at 7 pm at the Community Center. Councilwoman Belaska stated Councilman McCullough I would like to thank you, I appreciate that for you donating in that. It is very nice and very generous of you.*/Council Representative to the Zoning Board of Appeals: None./Council*

***Representative to the Planning Commission: None. /Representative to the Park Board: None.***

\*\*\*\*\*ADMINISTRATIVE REPORTS\*\*\*\*\*

***MAYORS REPORT:*** Mayor Bring reported I have a couple of things. Again the website is up and running and we are going to continue to that and we need to get some input. I had the Fire Department take some pictures, Mr. Smith has been taking pictures and I am going to try to get Mr. Smith to go around to all the businesses and start taking pictures of them to put on the website. I think the Police Department took some pictures today so we will continue to keep adding to that, I just want to keep you guys aware of that. Kay has been putting all the minutes on and we have the calendar. Clerk Fantauzzi advised there is a cliché on the link for the minutes end of it. Mayor Bring advised we are still working on all that. He continued I had a very important meeting this morning at 9 o'clock and I can relate to most of these because they were all 3<sup>rd</sup> grade kids and we enjoyed ourselves. I think we were there for about an hour and I had a lot of fun, I took Mr. Corr with me and Mr. Card with me and the kids asked a lot of questions and we had a lot of fun and believe it or not they asked a lot of questions that you would not think 3<sup>rd</sup> graders would ask. It was very interesting to say the least and we had a fun with that. I am going to see if I can't do that again in a few other places. That was very enjoyable and I believe that was in room 107. Councilman Elliott advised that was my kid by the way that walked you in. Mayor Bring stated yes I came in and there was a boy and a girl standing there and he comes up and he looks at me and says hi Dennis. There was 2 classes, there was 37 and we passed out a few things and extremely enjoyable. Kay actually said something to me the other day about some of the Board members and Council members about they don't want emails, they want to be called. I would just like to say that there is a responsibility when you take this position of Council and Board members that she wants to put an email out only because it makes a little bit easier for her as if somebody ever says I didn't get the notification for the meeting or whatever. If you make a phone call and they say well I never got the phone call or if you call and it is busy and she gets distracted it just doesn't through and I would just like to say that she is going to continue to email people. I had another one, it was Parks saying that he wanted a phone call and I basically told Kay we are going to do it with an email and you have a responsibility to check that and if he doesn't like that then we will replace that person. We have to get back into at least the 15<sup>th</sup> century. Ed I would hope you would back me on this. President Podmanik advised this the 21<sup>st</sup> century, the new millennium; email – absolutely. Phone calls is a waste of time, clerks are now multi-tasking more and more and they do not have time to pick up a phone every time you have to call somebody – with an email several mouse clicks and it is off. Plus there is a record that it was sent. This is every day business, corporate America – emails. If you don't have email – get it, if you have facebook or you

tweeter and all the other social network stuff then you have got to have email. The lamest excuse I have ever heard is I don't have time to check my email. It takes me all of about 3 minutes in the morning and I know everything that is going on that I need to know and then I sit down and cry. So email is it – that is it; the Clerk does not have time and remember and the Mayor reiterate this that the Clerk does not cancel meetings. It is the Chairman's responsibility to cancel meetings and we believe; the Mayor and I and pretty much everybody on Council if we don't have anything to discuss then we are not going to waste the city's resources just to come here and socialize as that is a waste of everyone's time. We just can't do that, we have got to watch everything. Mayor Bring advised when I went to that 3<sup>rd</sup> grade class they were asking about me writing letters and stuff and I said you know every time you write a letter and you put it on a piece of paper you are eliminating trees. The kids were really upset about that and they asked me about it, I said well now we have computers and not everybody has that but we do a lot of emails and stuff and that is helping out tremendously. A little girl said do you guys cut trees down on purpose and I had explain that we did do for the city for certain reasons and that will be my next step where I am going to ask you guys for something. President Podmanik stated that is good, you have made an impression on some 3<sup>rd</sup> graders – our future. Mayor Bring advised no I think they have made an impression on me. He continued one more thing, I am going to throw this out at you guys. I have been thinking about this and I talked to the Law Director a little bit about it and I also talked to our Service Director and Len and I have been looking at these ditches. There is over there by Mr. Elliott's house and back on Buckeye and a few of these other ones and we have some major problems with a lot of trees in these ditches and they are impeding the water flow. For our guys to go in there and start clearly it up which we are going to attempt in some certain circumstances but I don't want to lose anymore manpower by somebody getting hurt by doing something that they can't do and I know we don't have the proper equipment. We do have some things to do this stuff and we can do certain jobs but some of this is kind of large. Again I am going to throw this out at you guys and see what you think and I don't want a decision tonight, this is something that we will talk about a little bit more in detail but I am going to suggest and I am sure that the lady over there is going to pound into the ground but I am going to suggest that we add \$1.00 to the stormwater utility fund per month and it would raise about \$30,000.00 per year to hire some outside sources like Lecher or Edwards or somebody like that to come in and clear some of these trees out of this because we are going to need cranes and some chippers and stuff like that to eliminate these things. We have got over there by Shoemaker Ditch a number of very large willow trees which grow very fast and willow trees are very soft wood and I am afraid if our guys go in there and they start cutting these that they will snap off and somebody is going to get hurt and I can't afford any more to lose anybody because we just don't have the manpower.

This is just a suggestion and I want you guys to think and talk about it. This is something that I have been thinking about for a while and Mr. Smith is going to get some estimates on what this is going to cost. I would like to have you guys at least consider this. Again that is up to you. Councilman Elliott stated I would like to reiterate what Dennis just said because I know the ditch near my house, there is actually good size trees coming in between houses so if the city takes those down it is going to add a lot of liability to the city. So I think we are better off having the professionals take it down rather than the city do it because one wrong cut and that tree is going to go the wrong way and will take somebody's house down and that is something that we don't want and somebody could get hurt. So I would like to re-enforce what the Mayor just said. Councilwoman Belaska stated is this something that you are considering long term or a year and then we take a look back at it after a year. Mayor Bring advised it is going to be a little bit long-term, I don't think it would be more than 5 years – I would say it would be less than that and I think the amount of money for those few years is that there would be enough to cover what we need to do. Again I have already told Len about this, he has already contacted a couple of people about coming out and giving estimates. I want to get the estimates for you guys first so you will know what I am talking about, we can determine how years and what we want to do with this. So I want to get some estimates, I just want to throw it out so you know what I am reaching for right now. President Podmanik asked this sort of action falls under the stormwater? Mayor Bring answered yes because it is impeding the water. Finance Director Smith advised I just wanted to make something clear too, stormwater has enough funding to pay for the bond that we originally took out that I refinanced at a lower rate and just the one employee. It still only pays for itself, stormwater utility does not have a lot of extra money – just so everybody understands why the Mayor is suggesting adding the dollar because there is no other money. Service Director Smith advised I just want to add on one thing, we are going to have a comprehensive ditch grading/cleaning program this year. We can take care of trees up to about 4 or 5 inches ourselves in-house, the situation that the Mayor is referring to are 60-foot trees and 50-foot trees/a foot wide-a foot in diameter growing over houses at angles and then growing crossway in the ditches. We just don't have that type of capability, it is a majority of crane work and we can a dead tree and we can cut it up and we can get it out of there but when we have trees over-hanging houses it is really, really a big issue. Councilman Smith asked how much of this is private property? Mayor Bring answered I don't know, some of that over on Brockley and Holl there may be some that is private property. Councilman Smith asked will they come on my property and take my trees down for me? Mayor Bring answered Alan that is a good point but I am going to tell you something right now, here is the situation Alan we go right back to where we were where we are paying an absorbent amount of money because the water is not getting out of this community

and then we go back and ask money to go to water and that is all that it boils down to. But if you want to argue about taking trees down, you can argue that all day long. I am just making a point that we need to get the water out of city and we don't have the funds to do it. If you want me to take your trees down, I will take your trees down for you. Councilman Smith stated I am just saying that is not the major problem that we have with water, so don't use that as the major thing. The water is getting there, you got to get it there – it is going into sanitary sewers and that is where the problem is at. It is not going in the ditches, it is going into the sanitary sewers. That is where the problem is at, it is not going into the ditches it is going into the sanitary sewers. Law Director Graves stated I think we are talking about eliminating trees in the city easements right? Mayor Bring answered correct. Law Director Graves advised it may or may not be private property, the city has a stormwater easement and we have an obligation to make sure that water flows freely through there. We do have the ability to clear those trees out. Councilwoman Belaska stated did you ever think that maybe down the long-term I guess maybe getting a boom truck or something or you can't get a boom truck in there? Mayor Bring answered again you are talking a lot of money and we don't have the manpower for all of this stuff and I don't want to do that. I don't want our guys up and trying to cut at 50 feet in the air. President Podmanik stated a job best left to the professionals. Mayor Bring stated there is only certain things that you can do and we have already spent a lot of time on the lake bank in the last few years and we have spent a lot of time on big projects and that is why we are in the situation that we are right now. This city has been neglected with the necessities of cleaning things out and getting things back to where they were a number of years and that is why we got the costs that we have because we haven't been paying attention to the things that we needed to be paying attention to a long time ago. I want to get back to that and I can't get back to it if I don't have any money and I don't have any money to do this than I might as well sit here with hands and tie on and look good and I am not going to do that. President Podmanik asked how soon would you want an answer on this? Mayor Bring answered I am not in any hurry that is why I want you guys to discuss it and I also have to get estimates. President Podmanik asked so you will bring back more information say at the next Worksession? Mayor Bring answered yes. Councilman McCullough stated I just have one thing to say about the emails, Kay I have always appreciated the emails that you sent before I was on Council and even now it is great. Also I don't know how anybody could say they could not get her email because I believe that she has that auto-responder that lets you know that sends a receipt that says hey I read this email. But it at least gives her a paper trail. Thanks Kay, you don't have to call me. Councilwoman Belaska stated Kay I did ask you to make a phone call and I appreciate it, thank you. Councilman McCullough stated I got one more question about the what we are going to discuss on Worksession, can we do it the same way

as we did when we discussed the water rate increase. I mean truly look at exactly what you are going to need, if it is a dollar then it is a dollar but if it is \$1.72 then if it is \$.72/or .68 then it is .68. Mayor Bring advised that is why I want to get the estimates for you guys so that we are all on the same page, I don't want to just throw something out at you. I looked at how much we would raise, we have already had discussions about it and it is going to be kind of costly. When you start bringing a crane in and they start charging you \$600.00 a day to do that.

Councilman McCullough concurred I understand and to buy a crane is a lot more than what you are asking for. Councilwoman Stark stated eventually with the city website, could us as Council come down and use Kay's computer to put messages on there if we needed to? Mayor Bring answered that is the object of this - yes.

Clerk Fantauzzi advised there is just a cliché in the minutes end of it that cannot be opened. The minutes are there, it just has the cliché defaulting it. Finance Director Smith reiterated there is a path between the server that our IT guy is going to take a look at. \*Motion by Smith/Second by Belaska to accept the report. Yeas

**All./FINANCE DIRECTOR REPORT:** Finance Director Smith reported the changes that I have for this evening, I apologize for everybody having the night off last week because we had to cancel Finance because of my computer. But what I here, the first 5 lines are to absorb the costs of unemployment. I do believe that we are going to probably need more than that by later in the year but I wanted to increase this to get a feel for if somebody drops off of that costs – we might not have to spend that money. Then I will have a better feel on how our revenue is going for the year as well. So lets hope that increases. She continued I would like to establish an increase line for the Fire Department, I have this identical line in the Police and the Fire Department has also received a grant from Walmart; a donation of \$1000.00 – so that money is taken care of. So we are establishing an increase and that increase is taken of by the donation. 104 – we have legislation tonight to see if we will be accepting a donation from a resident and if that goes through than this is fine but even if that doesn't go through, if we don't get this cash in that 104 fund we can't spend the money anyway. So I say we just approve it and put the appropriation there because it is just on paper; until we get cash, we can't use it in that line anyway. 209 – refuse contract; we had the November bill from Allied Waste – never got to us before the end of the year last year and we had called and questioned it and by the time they figured out that they just never sent the bill – it was already this year. So it is really just a logistic thing, instead of paying it in December we paid it in January, so it is just in a different budget year but I have to absorb into this year. We aren't spending any extra, it is the same regular bill every bill but we will pay; last year we paid 11 payments and this year we will pay 13 payments. So that will be paid up. Councilman McCullough asked Tammy are you saying that you carried that \$35,000.00 into this year on that account? Finance Director Smith answered yes and I also want to add, the Mayor reminded me that

through our American Express account we have the ability now to pay our refuse contract bill and our BWC bill but I already paid that; we just got this – we can pay it through American Express and then we pay American Express and we get bonus points and money that comes to us. It is a new plan, they had started it a few years ago but municipalities weren't included – there was a cliché because we are non-profit but American Express has figured that out and they will be sending us refunds and that will go towards the revenue in the refuse fund once I receive that. I will update you when I know exactly how, I won't know until June how much we are going to get back. That will be an on-going thing and it is I believe 1 or 2 percent depending on when you pay it for the whole year so it could be a substantial amount of money – probably about \$4000.00 a year, somewhere in there. Councilman McCullough stated 1 percent is \$350.00 a month. Finance Director Smith stated right, it depends because they run specials too. Councilwoman Stark asked for July do we have a tax that we have to do, is it mid-year tax that we have to do for July? Finance Director Smith answered the tax budget – yes and I will be presenting that in June and that is really a very antiquated thing that has been going on years. It is just a total estimate and I don't understand how you could possibly figure out what you are going to spend or need almost a year ahead of time. But we do it every year, it is due to the county by July 20<sup>th</sup> and I will have actually a preliminary to you by Finance in June and then that will give you a chance to look at it and we will probably pass it the first Council meeting in July which as long I have it passed before July 20 to get it to the county. \*Motion by Elliott/Second by Belaska to accept the report. Yeas All.

**/TREASURER REPORT: None./SAFETY DIRECTOR:** Mayor Bring advised the Police picked up 3 more individuals the other day for underage drinking. They came to our Police Department and they thought it was a total joke and said a few things and was pretty nasty to our Police Department so I cannot wait until they get to court so I can address them. We are going to show them how wonderful it is to come to our court system. We still have the on-going training on Lake Road with the house over there. I am actually going to put some equipment on there. They found some large enough for me to put on and we are going into the house while it is burning and we are going to put a tank on and see what it is really like to be a Fireman for a moment or two. On a serious note we did have a severe fire the other day on Parkview and that happened at 3 am in the morning and I did go to that. We had 6 different Fire Departments there. We were very fortunate that the residents; husband and wife and a 9 year old all got out of there. It was a matter of a minute or two if they would have not gotten out of that house. They would have died. They also had a dog and the dog made it out – the gentleman that owned the house was literally standing next to me at 3 am in the morning and it was 38 degrees and he was standing there with a t-shirt on, a pair of shorts and socks – that is what he got out of the house with. His wife was in her pajamas and the son was in t-shirt

and pair of shorts. They lost everything they have but he basically said I am just fortunate to be standing here talking to you and I told him yes you are. The fire is under investigation but we responded in 4 minutes so I would like to thank the Fire Department for the job they did and also the other Fire Departments for mutual. Again it was unfortunate that they lost everything but we are very fortunate that we still have 3 residents in our community. Councilman McCullough advised I called and spoke with the Dispatcher the other day and I believe it was Kay Fantauzzi, the Dispatcher at the Police Department. He continued I had these people coming around collecting for these kids that I have never heard of the families – they told my Mom that it was a kid on Roberts Street and they told us it was a kid on West Shore and they had something signed by Mayor Piskura dated December 11<sup>th</sup>. Mayor Bring advised I think they have a 2-year grace period with that and that might have been signed but they have to go through Tammy to get permits. Councilman McCullough asked to collect for people that we don't know who they are collecting for. Finance Director Smith answered I can't imagine they have anything signed by the Mayor? Mayor Bring advised they did there was another guy that had one to and it was signed by Mayor Piskura. Finance Director Smith advised well then they took his signature off of something else. Councilman McCullough stated I always questioned his signature on the website. It was my grand-daughter one time. In fact my Mom's phone started ringing off the hook – what is wrong with Kerry's grand-daughter. Mayor Bring advised if you have anything like that call the Police Department. Finance Director Smith advised I have never known Mayor Piskura at the time to sign anything like that. If there was a need he wouldn't argue it. Mayor Bring stated they do have get the permit and Tammy has to sign it. Law Director Graves advised there is a permit and it goes through some scrutiny and something like we generally would want to make sure it is a legitimate 501.c3 non-profit. Councilman McCullough stated these were from food baskets David, they said they had it originally signed because they were collecting for food baskets – we don't collect for food baskets as we do that up at the Community Center. Law Director Graves stated it sounds like the whole thing was bogus – we need to be careful. Councilwoman Belaska stated we need to be careful too with people spamming and saying people are broken down overseas. We have been having issues with that too using our resident's names. That is very serious, it has happened to 4 people at the Dem's and especially our former Mayor. Law Director Graves advised you just have to be careful - most of the time there is nothing that we can do. Mayor Bring concurred I have people that try to scam me all the time, again it goes to common sense and don't do anything rash. \*Motion by Elliott/Second by Belaska to accept the report. Yeas All./**SERVICE DIRECTOR:** Service Director Smith reported as some of you may have noticed we have a sign over at the Water Department for dumping's with a city ID required; either a water bill or driver's license. We had a lot of people sneaking in and taking advantage of

stuff so we instituted a policy and the gate now is enforced. They have to have proper ID, we caught like 4 different mowing companies that are working for bank fore-closurers and coming in here and claiming they were residents and in reality they were just a maintenance company working at a foreclosed home. So they are now paying their fair share. This is something that I wanted to address, we had a lot of complaints as you know about water bills. When we make a mistake we admit, we have a history here of being very open – at least while I have been in the employ of the city. We are very open when we make a mistake or catch a mistake or we find an error. I think all of you know that and you how much I do that. Recently there were a lot of different accusations being made about the Water Department not mailing out bills and people not getting bills. I want to explain there is an on-going issue with the US Postal Service. The US Postal Service is trying to force us to change and invest our money into changing to a format that their new machines that they just purchased can handle their postage. I have residents complaining now and I have already talked to the Post Office about residents complaining about getting 3 and 4 different addresses in their mailbox, some not getting water bills for 3 months; same address keeps missing or whatever. We know they went out – so what I would like to do and we even had one resident who tried accuse the Water Department of criminal activity because she hasn't gotten her bill. Once this got to this point I figured it is my point to resolve this. So this is an envelope of one day of water bills that didn't make it to the machine that the US Postal Service sent to us. We could get one on a daily basis, these are all daily water bills that never went out and the bad thing about it they are 2 months old. We got these in April and these are November's bills. We did not open this envelope due to this issue and so that we can get to the bottom of this and this has been an on-going issue. I have a connection at the Columbus Executive of the Post Office, I called him and he kind of interceded with Lorain's Postal Service and they want us to change our format and get different type of paper or something and go through all these processes and I said no I think I will go to Channel 19 instead and it is about time that maybe the city go to and have them do an investigation because it is costing this city a lot of money. Any doubt that we are not on this doing our due diligences and trying to get to the bottom of it. When a resident says we haven't got our water bill in 3 months – there is the proof right there. Those are November bills that we got in April that the Post Office decided to give back to us in April that those people never got. That is something that I wanted to bring to everyone's attention and let you know. Councilwoman Belaska stated Len I have to concur with you, there is a lot of problems with the postal. My husband was supposed to get magazines from Iron Workers and they sent them back a year and a half and he is just now getting his magazines after a year and a half. Councilman McCullough asked how many water bills do we mail out a month? Service Director Smith answered a little over 3000.

Councilman McCullough asked how does it cost us to mail those? Service Director Smith answered I don't have all that dollar/cents stuff. Councilman McCullough asked what is the postage on one - .49 or .33? Service Director Smith answered a little then regular - .44. I just wanted you to know that we are working on that and I will keep you guys informed as to how I resolve it. Councilman McCullough stated we give a 10% reduction on the water bill if paid by the 15<sup>th</sup>? Service Director Smith advised if you pay by the 15<sup>th</sup> you don't have a late charge. There was a brief discussion on the number. Councilman McCullough stated why can't we go to if you have an automatic deduct and you are paperless billing then you get to pay that lower amount and if not you pay the amount that you would pay after the 15<sup>th</sup> regardless. If you want to have a bill then you are going to have to pay because it is \$1300.00 a month that is \$16,000.00 a year plus the paper and the ink that you are putting it on – you are going through this garbage that you are going to have to change it anyways. I mean we as Council are going to have to take a look at maybe changing the way we are doing water bills and go to a paperless billing because we have said that most people do have email, not all people and we understand that and yes there is going to be hardships and we are going to have to look at people. Service Director Smith stated I am all in favor but I don't think the money justification – I think it is just a matter of the way we do business and that is going to be Council's decision. Finance Director Smith asked is it not true that the bill is actually a courtesy David, that we aren't required to send bills – that just because they don't get a bill doesn't mean that they don't owe the water. Law Director Graves answered they have to get a bill but because they don't receive a bill does not absolve them from owing the service. Councilman McCullough stated you can't shut it off if you don't send them a bill but they owe the money but you can't shut them off. Law Director Graves advised I am sure that someone hadn't gotten a bill for a number of months that we work with them on some kind of a payment plan. Finance Director Smith advised we could probably set-up an email that they would get the bill via the email which I would accept – that is fine with me because I pay direct anyway, I don't need this card. Service Director Smith stated if I may we can discuss that at Worksession or something. My point is this issue did not exist 2 years ago, this is something that just happening in the last 2 years. President Podmanik stated this is the change in the US Postal Service process. Service Director Smith stated correct and we have already changed our paper once, we have already done it once. It is their recommendations on them sending their machine. I don't mean to cut everybody off I know this is Council but we can talk about this. I just wanted to bring it to everyone's attention because I am sure you are getting residents that are calling you and you need to know that information. We have met the quota for the contract year 2011 and 2012 for salt which is last years. The state contract has worked well for us, we get a very, very good price. We should a new salt storage dome by the beginning of the season for

this year with the 200 ton of salt that we have on site ready to start the year. So we are in good shape and I would like to continue with that so I have a piece of legislation tonight that is real important. The last thing that I have is about Pride Day that went off on Saturday and it was a great success I think, we had over 7 – 30 yarders filled with a 20 and an additional 30 on site fill. I would like to thank all the volunteers that helped unload the countless amounts of junk. A very special thank you goes out for the following people; Barry and Christine Parker who spent the whole day there from start to finish unloading trucks, young man Robert Hosier who works at Apples and his partner Trinidad Trevena, Taylor Hosier, Anne Grey, Jake Amador, Larry Cooper, Abby Smith, Councilwoman Debbie Belaska who is leading the charge of directing traffic, Councilwoman Leanna Stark with Suzie Stark, Mayor Bring, Councilman Kovach. Everything went really, really smooth and we had 3 machines unloading and 3 separate things at the same time as far as unloading pick-up trucks and stuff. We didn't have the big long line out the back. It was a very, very successful day and I wanted to thank everybody and if I missed anybody then I am sorry. We got rid of a lot of junk out of the city and surprisingly on Monday, on our normal pick-up for half of the town I saw more couches out on the street for the garbage then I have in a long time to the point on Sunday night I called my Allied Waste contact just to give him a heads-up on the amount of couches that were out on the street. Again I thank those people that helped out and I think it was a huge success for us. Councilwoman Belaska stated thank you for the food/supplying of the donuts Mayor – that was very good, appreciate it. Councilman McCullough stated you mentioned before about these mowing companies coming in, are these regular contractors like any other contractor? Service Director Smith answered they are supposed to be. Councilman McCullough stated I mean are they licensed? Service Director Smith answered they are supposed to be. Councilman McCullough stated what about these like Chem Lawns and stuff, are they supposed to have contracts? Service Director Smith answered they have a seasonal contractor's license, a quick call to Jon – you can print off a list and get a complete list of who is on that list by the day of the print-off they are not registered here. They renew yearly too. Councilwoman Belaska asked did we ever get anything going with those cabinets that are still stored? Service Director Smith answered we have the dehumidifiers running in there as they are still stored. David and I have not gotten together yet but we will. Councilwoman Belaska asked did we start thinking about using a credit card or were we going with that at all? Mayor Bring answered that is in my lap right now. We have the machines and they are sitting on my desk or near my desk. We have to run a couple of lines which we are going to do here very shortly. You can blame that one on me. Councilwoman Belaska stated I am not blaming nothing or nobody. President Podmanik stated I have noticed again and some of my constituents throughout the city and I saw this first hand – garbage trucks going

down especially Lake Road; they just made pick-ups and I am watching as blue, pink and more empty blue bags are flying off the top of this truck. These guys got to slow down when they are dumping that garbage. Service Director Smith stated I have already specifically complained about that, I told them and threatened Allied Waste that it got out of hand and they didn't correct the situation they would be cited for littering. I also explained that that is a \$1000.00 fine. There was a brief discussion on issue. Councilman McCullough stated Pat Hastings did a great job with the sign at Shoreway with the rocks he did there. President Podmanik stated off of Ferndale; the bike path – the up-rights are missing? Service Director Smith advised they are in the shop getting fixed. Councilwoman Belaska stated when you have time Mr. Smith and I am not sure if it is our side or Sheffield Village, they said the sign is wrong for turning? Service Director Smith answered have not heard anything about that, if you are eastbound on Oster; the speed limit is different than if you are westbound on Oster – corporate limit ends in the middle of the road.

*\*Motion by Elliott/Second by Kovach to accept the report. Yeas All./LAW*

***DIRECTORS REPORT:*** Law Director Graves reviewed legislation. I am going to ask for a brief executive session prior to ordinances and resolutions for the discussion of current litigation but this would involve an assignment of the personal property to the city for the purposes of conducting an auction.

***CITIZENS COMMENTARY:***

***Dorothy Wisnieski, 543 Lakeview Avenue*** stated the increase in our water and sewer comes to about; just the increase \$400,000.00 a year and at the last meeting it was said that the money was for the extra water fee for sewage and stuff being processed in Lorain. Well we haven't had a whole lot of rain, what are we doing with the money? Service Director Smith answered paying sewage. It goes into the specific funds as broken down prior to you, I have already given that to you. Law Director Graves stated the total increase in water and sewer was \$6.00 – that is the total increase X 3000 which equals \$18,000.00 a month and that is like \$210,000.00 a year. There was a brief discussion/review on monies.

***UNFINISHED BUSINESS:*** *\*Motion by McCullough/Second by Kovach to untable Charter Review Board. President Podmanik stated this is not tabled, opened for discussion. Councilman McCullough asked any further on this. Councilwoman Stark advised deadline is the first week of August and I think we are well past the deadline. After a brief discussion, Law Director Graves to review for quorum for Board./NEW BUSINESS:* *\*Motion by Elliott/Second by Kovach to amend the agenda to include Council numbers 018, 019, 020, 021 and 022. ROLL CALL TO AMEND: Yeas All – Smith, Belaska, McCullough, Kovach, Elliott, Stark.*

\*Motion by McCullough/Second by Kovach to go into a brief executive session to discuss pending/current litigation with the city. ROLL CALL FOR EXECUTIVE SESSION: Yeas All – Stark, Kovach, Elliott, Smith, McCullough, Belaska.

\*Motion by Elliott/Second by Kovach to return to regular session. ROLL CALL TO RETURN: Yeas All – Belaska, Elliott, Stark, Kovach, Smith, McCullough. Law Director Graves advised let the record reflect the City Council of Sheffield Lake did adjourn to executive session for the discussion of pending litigation with the city attorney pursuant to the Sunshine Laws and City Charter.

## **ORDINANCES/RESOLUTIONS:**

- 1) Council#018 – 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 Kovach for SUSPENSION OF RULES: ROLL CALL FOR SUSPENSION OF RULES: Yeas All – Belaska, Kovach, McCullough, Stark, Smith, Elliott.
  - \*Motion by Elliott/Second by Kovach for APPROVAL: ROLL CALL FOR APPROVAL: Yeas All – Stark, Elliott, McCullough, Kovach, Belaska, Smith.

**Ordinance Passes#18-12**
- 2) Council#019 – FIRST READING – a resolution authorizing the City of Sheffield Lake to accept an assignment of property from Brett Locher, President and statutory agent of North Coast Shoreway Lanes (NCSL), for purposes of settling litigation related to Lorain County Common Pleas Court case no. 10 CV 168084.
- 3) Council#020 – FIRST READING – an ordinance authorizing the Mayor to enter into a settlement agreement between the City of Sheffield Lake, N.C.S.L., Inc., DBA North Coast Shoreway Lanes, and Marc Levin, Trustee of the Shoreway Shopping Center Trust, and the declaring of an emergency.
- 4) Council#021 – EMERGENCY – an ordinance authorizing the City of Sheffield Lake, Ohio to participate with the Ohio Department of Transportation for the purchase of sodium chloride for the 2012-2013 winter season, and the declaring of an emergency.
  - \*Motion by McCullough/Second by Kovach for SUSPENSION OF RULES: ROLL CALL FOR SUSPENSION OF RULES: Yeas All – Belaska, Smith, McCullough, Elliott, Kovach, Stark.
  - \*Motion by Kovach/Second by Stark for APPROVAL: ROLL CALL FOR APPROVAL: Yeas All – Elliott, McCullough, Stark, Kovach, Smith, Belaska.

**Ordinance Passes#19-12**

- 5) Council#022 – FIRST READING – a resolution authorizing the City of Sheffield Lake to accept and approve the donation of one thousand dollars from James Kolleda to be used for the Sheffield Lake Fire Department, and the declaring of an emergency.

**COUNCIL PRESIDENT: None.**

**MEETING ADJOURNED:** With no further business before this council, Motion by Belaska/Second by Smith to adjourn at 9:35 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.

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CLERK OF COUNCIL

*Kay Fantauzzi*

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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 May 22, 2012.

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COUNCIL PRO TEM

*Richard Rosso*

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MAYOR

*Dennis Bring*