

**Minutes of the City Council**  
Sheffield Lake, Ohio  
June 12, 2012

The regular meeting of the City Council was held Tuesday, June 12, 2012. Council Pro Tem Rick Rosso called the meeting to order at 7:03 PM.

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

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

Present: Rosso, Smith, Belaska, Stark, Kovach, Elliott, Mayor Bring, Finance Director Smith, Service Director Smith, Law Director Graves, Treasurer Woods (7:18)  
Absent: Podmanik, McCullough (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 22, 2012 Council meeting with any corrections. Yeas All.

**CORRESPONDENCE/COMMUNICATIONS:**

*Monthly report of court receipts for the May 2012 - \$6261.75. Receive and file.*

**PRESENTATIONS:**

***Mayor Bring submission for appointment of Sean Yonkers for part-time Police Officer.*** Mayor Bring submitted Sean Yonkers for part-time Police Officer for approval. \*Motion by Stark/Second by Elliott to accept the recommendation of the Mayor for Sean Yonkers for part-time Police Officer for the City of Sheffield Lake Ohio. ROLL CALL FOR APPROVAL: Yeas All – Stark, Elliott, Belaska, Rosso, Smith, Kovach.

***Mayor Bring swore in Sean Yonkers for the position of part-time Police Officer. Congratulations and Welcome Sean!***

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

***Roads, Drains, Water, Sewer, and Refuse:*** Chairman Rosso reviewed the minutes of the June 4, 2012 meeting. \*Motion by Stark/Second by Belaska to accept the report. Yeas All./***Safety:*** Chairman Rosso reviewed the minutes of the June 6, 2012 meeting. \*Motion by Elliott/Second by Stark to accept the report. Yeas All./***Buildings, Lands, Vehicles & Equipment:*** Chairman Kovach reviewed the minutes of the June 7, 2012 meeting. \*Motion by Elliott/Second by Belaska to accept the report. Yeas All./***Ordinance:*** Chairman Elliott reviewed the minutes of the June 7, 2012 meeting.

Chairman Elliott advised under old business; Chapter 1383 accessory buildings and we sent it to Worksession which is next week. Under manufactured homes – that was prepared based on the Planning Commission’s recommendations and that was also forwarded to Worksession. Cell phone usage; basically the state senate did enact a law that bans all texting while driving and that should be in affect by the end of the summer I believe. The state change on vicious dogs; the committee recommended no change on our language under that ordinance. We did refer that to Worksession so that Council as a Whole can have a say. So we will discuss that under Worksession also. The R1 change to allow for under 90-foot frontage; basically we are sending that to Planning. If you look at Council#023 a yea vote will send that to Planning. We will also be holding a public hearing on that which the date will be set later.

*\*Motion by Stark/Second by Belaska to accept the report. Yeas All./Finance & Audit: None./Council Representative to the Community Center: None./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: None./FINANCE DIRECTOR REPORT:* Finance Director Smith reported I have prepared the 2013 Tax Budget and as most everybody here knows or will soon find out it is really something that we prepare and we just kind of put it together and fine tune it through the end of the year. But it does balance; it is not pretty, we are losing about another \$100,000 to \$125,000.00 next year on top of what we have already lost. It has been a little tough to get this one together I have to say it is probably the worst one I have done in a while. But I will keep you up-to-date on fine tuning it. We need to pass at the first Council meeting of July because I have to have it to the County by the 20<sup>th</sup> of July. Finance Director Smith directed Clerk of Council to post public hearing notice 15 days prior to hearing. But I wanted to give it you so that you would have a chance to absorb it and if you have any questions I am here all week. Please feel free to give me a call or email me and I would be happy to go over any questions that you may have. *\*Motion by Elliott/Second by Belaska to accept the report. Yeas All./TREASURER REPORT:* report attached. *\*Motion by Elliott/Second by Belaska to accept the report. Yeas All./SAFETY DIRECTOR:* Mayor Bring reported we did change the monitors out in the dispatch area, we put 2 – 46” TV’s in there and they are up. It has made a big difference, we added a color camera to the lobby out there and we are going to continue this process. If anyone else wants to see it, I know I took some people in there and showed them but if anybody else wants to see it I can take them over there. We had the on-going the fire training over on Lake Road and had the opportunity to put some gear on and the tank on and actually go into the house while it was burning. I can’t say that I will ever do that again but it was quite the experience. It was pretty intense and I think it was a little more difficult than I thought it was going to be as far as maintaining my calm and I don’t usually get

very excited but when you can't see anything and the fire is going and you are breathing oxygen out of something that you have never done before and crawl through a little hole to get into the room and sit there – within a matter of about 40 seconds I could not see anything for about 20 minutes. Then we had to crawl back through the hole to get downstairs to get outside and I had about 65 pounds of gear on and by the time I got out of there I was pretty well soaked. To put the gear on and actually go around through that house with the fire going on, you get a different perspective of what kind of training they need to have and they do need to be in very good condition to handle that because just putting the gear on I immediately started getting warm and it was only 70 degrees that day. I can't imagine going out there in the past couple of days and being 90 degrees and getting into that suit and doing what I did and I am glad I did it but I don't think I would do it again. We have had some on-going fires and you guys have known about that and they are still under investigation. So hopefully we get some of those solved and get these things taken care of. \*Motion by Elliott/Second by Belaska to accept the report. Yeas All./**SERVICE DIRECTOR: None./LAW DIRECTORS REPORT:** Law Director Graves reviewed attached legislation. \*Motion by Elliott/Second by Belaska to accept the report. Yeas All.

**CITIZENS COMMENTARY:**

**Mark J Erdei, 4015 Tennyson** stated the plaza is really looking nice with the landscaping and the flower baskets hanging. I commend the people that are enforcing it or working towards the beautification of this plaza and hopefully it will bring in some more tenants. A few people have mentioned it to me and I said I didn't see no flowers but then I actually looked and said wow. Everybody was saying hey did you see the flowers and I was saying no but then I actually drove the block and actually looked – so good job to everybody. Also they already knocked down that house that they were doing the fire training in.

**UNFINISHED BUSINESS: None./NEW BUSINESS:** Law Director Graves advised I have heard from Lorain County Community Development on the nuisance property on Kenilworth, everything is proceeding very well and I anticipate that demolition occurring in the very near future. We have the approval from the State of Ohio and there is a couple of little details and that should happen. I also was notified that the County has received a large sum of money of NSP1 money. The money that we were using for the Kenilworth property is NSP3 money and that can only be used in target areas which in Sheffield Lake is basically property west of Harris Road. The County has now NSP1 money that Sheffield Lake may participate in that will provide for demolition of property anywhere in the County. So we are going to be working with the Building Department to identify a list of vacant properties in the city that would be candidates for demolition. \*Motion by Elliott/Second by Stark to amend tonight's agenda to

include Council#023. ROLL CALL TO AMEND THE AGENDA: Yeas All – Kovach, Smith, Rosso, Belaska, Elliott, Stark.

**ORDINANCES/RESOLUTIONS:**

- 1) Council#019 – SECOND 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.
- 2) Council#020 – SECOND 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.
- 3) Council#022 – SECOND 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.
- 4) Council#023 – EMERGENCY – a resolution by the Council of the City of Sheffield Lake referring proposed changes to the zoning code to the Planning Commission for review for a period of at least sixty days and the declaring of an emergency.

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

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

\*Motion by Elliott/Second by Stark for ADOPTION:

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

**Resolution Passes#20-12**

Law Director Graves advised I have had the opportunity to review the Ohio Revised Code on the adoption of Tax Budget and we are required to conduct at least one public hearing at least 10-day notice given by publication prior to the adoption.

\*Motion by Elliott/Second by Stark to go into executive session for the discuss of current litigation. ROLL CALL TO GO INTO EXECUTIVE SESSION: Yeas All – Kovach, Belaska, Rosso, Elliott, Smith, Stark.

\*Motion by Elliott/Second by Belaska to return to regular session. ROLL CALL TO RETURN TO REGULAR SESSION: Yeas All – Stark, Belaska, Smith, Rosso, Elliott.

Law Director Graves advised let the record reflect that the City Council of Sheffield Lake did adjourn into executive session for the discussion of current litigation with the City Attorney pursuant to the Sunshine Laws.

**COUNCIL PRESIDENT: None.**

**MEETING ADJOURNED:** With no further business before this council, Motion by Kovach/Second by Elliott to adjourn at 8:07 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 June 12, 2012.

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COUNCIL PRO TEM

*Richard Rosso*

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MAYOR

*Dennis Bring*