



**MINUTES OF CITY COUNCIL
SHEFFIELD LAKE, OHIO
October 9, 2012**

The regular meeting of the City Council was held Tuesday, October 9, 2012. Council President Rick Rosso 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: Rosso, Stark, Belaska, Smith, Kovach, McCullough, Elliott, Mayor Bring, Law Director Graves, Finance Director Smith, Service Director Smith
- Absent: Treasurer Woods (excused)
- Attending: Planning Commission: Erdei, Concerned Citizens, Members of the Media: Avon Lake Press

READING OF THE MINUTES:

A – Council – September 25, 2012 - *Motion by Elliott/Second by Belaska to accept the minutes of the Council meeting of September 25, 2012. Yeas All.

B – Council Worksession – September 18, 2012 - *Motion by Elliott/Second by Belaska to accept the minutes of the Council Worksession meeting of September 18, 2012. Yeas All.

CORRESPONDENCE: Monthly report of court receipts for month of September 2012 - \$5257.00.

PRESENTATION: None.

CITY COUNCIL REPORTS

Roads, Drains, Water, Sewer and Refuse: Chairman Elliott reviewed the minutes of the October 1, 2012 meeting. *Motion by McCullough/Second by Kovach to accept the report. Yeas All./**Safety: None./Buildings, Lands, Vehicles & Equipment:**

Chairman Kovach reviewed the minutes of the October 4, 2012 meeting. *Motion by McCullough/Second by Belaska to accept the report. Yeas All./**Ordinance:** Chairman Smith reviewed the minutes of the October 4, 2012 meeting. *Motion by

Stark/Second by Belaska to accept the report. Yeas All./**Finance & Audit:** Chairperson Stark reviewed the minutes of the September 18, 2012 meeting. *Motion by Ko-

vach/Second by Belaska to accept the report. Yeas All./**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: None./FINANCE DIRECTORS REPORT: None.

/TREASURER: None./SAFETY DIRECTORS REPORT: Mayor Bring reported we had to take one of our fire trucks in which we do annually to get checked and we got about \$6000.00 in repairs. So that is going to have to be taken care of and then the other one is going to have to be sent in too so we are trying to make sure we get this thing fixed so that we do have a fire truck in here. Council President Rosso asked so it has not been repaired then? Mayor Bring answered no, it just got taken in and they called after hours and said it would be \$6000.00 worth of repair. Councilman Elliott asked was that the back-up or was that the main? Mayor Bring answered it is brakes and a bunch of other things, the gentleman that we take it to is out in Brunswick and is extremely professional and I have actually gone there and viewed their facility. The manager who is certified to take our truck, he actually drives it out there so we don't have to pay overtime to have somebody drive out there and take it in and then they test it. It is something that we have to take care of every year but it is what it is and just a lot of money. *Motion by Elliott/Second by Belaska to accept the report. Yeas All./**SERVICE DIRECTORS REPORT: None./LAW DIRECTORS REPORT:** Law Director Graves reported a number of things to report on this evening, first of all as was reported by Councilman Kovach we have signed all of the relative documents for the settlement of the Bowling Alley matter, all the parties are on board with that and a representative of Auction Ohio will be coming and meeting with the city on Thursday to begin the process of coordinating the actual auction. There will be a nationwide on line auction and I am sure we all hope that provides a lot of revenue. As we have discussed many times over the years, the drainage corridor which runs north and south across the streets of Holl, Knickerbocker, Brockley, Belle and Forestlawn. The parcels on which that drainage corridor flows are actually privately owned and the city's concern is with making sure that the water flows smoothly; we have a storm water easement, we do not own or maintain those private parcels. There are some maintenance issues with those parcels and the city has been approached by one of the owners of a number of those parcels about possibly donating them to the city. I think this is something that would probably need to be discussed at some length but you know my initial reaction would be to not accept that donation. It is really just the drainage ditch and we would just be taken on that additional responsibility. So if that is something that Council wanted to continue to discuss in Committee or has any other questions I would be happy to talk about that. We will be bringing legislation at some time in the near future for subordination agreement for one of the CHIPS liens which is refinancing, we have typically done this in the past so that the city's lien does not stand as the first mortgage holder in the banks on a refinance and want the city to subordinate our lien and that legislation will be coming within the next few meetings. We did submit some additional language to the City of Lorain for our contract extension for the sanitary sewer and we are waiting on a response to those negotiations as they continue to be on-going. I did receive draft copies of the easements; one of the easements for the proposed Speedway expansion and I am waiting on the additional easement and then along with the city engineer I will go ahead and review those prior

to bringing them to Council for approval. The next Civil Service meeting is on October 25 and they have currently a Police Sergeants promotional examination scheduled as well as a Lieutenants promotional examination for the Fire Department. We also have invited representatives of Tri-C to attend the meeting and to answer a few questions about the process of compiling the eligibility list and the competitive examination for the Police Department that we just went through. Legislation for tonight; third reading on the ordinance amending the rate of pay for the position of part-time grant administrator and declaring an emergency/second reading for an ordinance amending 961.16 regarding swimming areas and beaches; these are the recommendations that came out of Park Board that we have discussed/Council#053 accepting amounts and rates determined by the Budget Commission authorizing the tax levies and certify them to the county which is the annual ordinance that we do. The only other thing that I would ask is that Council consider an executive session following new business for the discussion of pending and imminent court action. *Motion by McCullough/Second by Belaska to accept the report. Yeas All.

CITIZEN'S COMMENTARY: None./UNFINISHED BUSINESS: None./NEW BUSINESS: Applicant's for ward 4 seat:

Applicant Dennis Pedings advised obviously I applied for the seat because it was in my ward and I was interested and I have been active in my community and obviously in my local and in the county. I would just to try to see if I could do something to make this city a little bit better like I stated before, see if there was anything I could possibly bring to the table with some new ideas or help with the people in my area because where I live I do know the majority of the people on my street and on West Street also. So I get to talk to them usually on occasion. I think it would suit them to have somebody over there they could come over and talk to that they know and say hey what about this or that or what is going with a, b, c or d. They ask me that all the time, they have already asked me about the water bill and the sewage bill and I said yes that is funny I went to the last Council meeting and they explained what was going on and I explained it to them. Then they knew what was going on but I said of course it would be better if you would attend the city council meetings then you would be more informed. But again they come to me and that is the reason I would like to do it. I think again I could be a positive influence that is just it in a nut shell. Council President Rosso stated in an effort to keep this semi-organized, wait until you are recognized before we start asking questions so we don't have people just firing questions. Councilman McCullough asked if Council chose to go with the other applicant would you be so willing to still serve the city in a Board capacity somewhere whether it would be on one of the Mayoral Boards? Mr. Pedings answered absolutely. Councilman McCullough asked if we went with the other candidate would your feelings be the same and would you consider a run at that position next November because next November you have to run? Mr. Pedings answered I would consider it, sure. Councilwoman Stark asked talk to me about how you deal with people – other Council members up here? People that have different views, how do you deal with

that conflict? Mr. Pedings answered again I have the same situation in our executive board meetings in dealing with some of the people that we deal with in the AFL-CIO. Everybody is not going to agree on everything but you can agree to disagree and still work together because you still got to work together to come to a common ground to get something to move forward. You can't just sit there and butt heads, it doesn't work that way and it isn't good for anybody. Councilwoman Stark asked how do you think city council should be run, what do you think the job of council is? Mr. Pedings answered you got a lot going on here, you got the streets and roads people – there is a lot of diversity and that could be answered several different way. Obviously again you guys have to work together and try to get things done, if there is an issue then I guess you have your Council meetings that you sit down and hammer out a resolution and then obviously the Mayor comes into play with it. Councilwoman Stark asked what interest do you have, there is several Boards up here so what would you like to be a part of? Mr. Pedings answered at this point right now just trying to get on the Board and then where you guys would see that I fit best. You guys would make that decision where you think I would serve best to help this city because I would be the rookie on the Board. So you guys would have to feel that out, where is he going to fit best if I were so appointed to that position. Councilman Elliott advised in looking over your application here, you are an electrician? Mr. Pedings answered yes sir. Councilman Elliott asked what do you believe in being an electrician you can bring to city council or the city? Mr. Pedings answered again I serve on our executive Board, I have been politically tied into Lorain County and trying to help with this and that. I have gotten to know a lot of the politicians for most, not saying that I could get any political favors or anything. I have learned a lot from them and learned a lot from the body of our membership. If say we would need to get a new building then what are we doing to try to get that done, what can we do to get our health and welfare better for the members or pensions, what do we got to do to get better working conditions, etc. So that is where my experience comes in is for that, up here of course it would be different. Councilman Elliott stated we all come from different background and we like to get various different backgrounds – nobody up here is full-time. Are you familiar with what is going in this city? Are you aware that we own the shopping center now? Mr. Pedings answered yes. Councilman Elliott asked what are your thoughts on that? Mr. Pedings answered I thought it was a great thing to get it away from the Levin Family because it was deteriorating, it looked like he was just using it as a bad write-off and it wasn't helping us any and definitely not draw any new businesses to continue to let that deteriorate. I would like to see a restaurant go in over there. That would be a great thing to see a restaurant go in, if that is a possibility. I know it has been talked about but obviously at this point nothing has happened. Councilman Elliott asked any run in's with the Police or Fire Department or anything like that? Mr. Pedings answered I had one cop over at my house just about a week ago because I was cutting a tree lawn and I found a post-note on the lawn that had this gentleman's full name, visa card number on it and on the back it had his pen number on it. I called

the Police Department and I said I got this guy's visa information and it is pretty accurate and I said do you want me to destroy this or do you guys want to come by and pick it up. So they sent one of the Officer's over to pick it up. Councilman McCullough stated you said that you are a member of the Board of the AFL-CIO or a delegate? When it comes down to crunch time between the tax payers and our union people, how are you going to separate yourself from that? Mr. Pedings answered you got to do – obviously you don't want to see taxes raised but when it is for the betterment of everybody then you got to do what you got to do. Councilman McCullough asked are you going to be able to make that distinction? Mr. Pedings answered absolutely, I do already. Councilwoman Belaska stated I just wanted to say you ran against me and I just want to state that I thought you were very professional. You ran a nice campaign and you kept it clean and that just shows the type of character and person that you are. Mr. Pedings stated sure, me and Mark introduced each other and we talked. There is no animosity, best man wins. Councilman Kovach asked what pet project might you have your eyes on. Pet projects meaning the boat launch, we put in the covered bridge – what if anything do you think you would like to see in your or any other ward in the city? Mr. Pedings answered again that shopping center, I think that is the focal point of the whole city. I would like to see that thing get a little better, get a restaurant there. That would really sell this city a lot. Over to the east here, all the sidewalks and all the new roads got put in. Now over on our side, they haven't gotten that far but would love to see new sidewalks and stuff like that on the east side. That would help improve the property values. Council President Rosso asked how did you first hear about the opening? Mr. Pedings answered a friend of mine told me about it and I talked to a couple of other people and my neighbor Bill and Bonnie Jones knew that there was an opening and asked me about it and then obviously Debbie had said something to me about it. Bill and Bonnie has been my neighbors all this time, they knew about it. They are retired and they said have you considered doing that and I said no. I said I will consider it and I said I will go to the council meeting and see what they have to say. Council President Rosso advised when you called me and we chit chatted but as I told you you are probably looking at 5 to 6 nights a month to be up here for one meeting or another and do you have any problems with committing that much time? Mr. Pedings answered no Rick you can't imagine how much time I put in now. My wife says well where you going tonight and I say well I got this meeting or that meeting to go to and she says well I will see you later. She understands.

Applicant Mark J Erdei, 4015 Tennyson advised I too am applying for the 4th ward seat and have been a resident of this town for 33 years. Never really was active the first probably 20 years but I saw what was going on. Then I really saw what was going on once John Piskura became Mayor, I starting seeing improvements in the town and I saw a lot more from when John took over then all the past Mayors. Then I got involved when I coached at the Middle and High Schools, I dealt with parents and dealt with people. The profession I am in is flooring installer but I just wanted to get

another voice and be heard and I started coming to Council meetings. Everybody knows from just being here that if I got something to ask then I am going to ask it. If you want my opinion then I am going to give you my opinion, I am a straight shooter that is for sure. I don't beat around the bush and as far as voting and that or agreeing with things, I am going to give you my opinion and if I think I am right I am going to stand by it and whether you agree or don't agree – we have to work it out. I am on the Planning Commission which I enjoy, that was my first big step involved with the city but I enjoy it. I just like the way the city is going and Dennis Bring is keeping it in the same direction and that is why I am here. Councilwoman Stark asked we all have different personalities and we have different backgrounds and we all see things on different ways. You have seen how we react sometimes so what is your goal? Mr. Erdei answered being a coach you deal with people, you deal with politics too. There is political pressure there too, people being on the school board and I am not letting their daughter play on the team. I get those phone calls but I am a laid back guy, I listen before I speak and that is one thing that I think you should always do is listen and hear people out and then give your opinion. I am an easy going kind of guy and it takes a lot of ruffle my feathers. If I am in a disagreement, you ask me my opinion then I am going to give it to you whether you like it or not but that is just the way I am. I am easy to work with. Councilwoman Stark asked when you sit up here what is your role? Mr. Pedings answered my role is to represent the people for sure, that is the number one reason why everybody is here is got to listen to the voice of the people. You might not always make everybody happy, it might take longer than some things. What can I say you might keep 50% happy and the other 50% aren't going to be happy but eventually the tables will turn and you will make more people happy. You ever heard that expression Rome wasn't built in a day so that is just the way it is with Council. You can only do so much with limited funds and everything. Councilwoman Stark asked you are on Planning currently? Mr. Erdei answered right. Councilwoman Stark asked if you were up here what would you like to take part in? Mr. Erdei answered I don't really have a preference, I enjoy Planning but Ms. Belaska has that already but it don't matter to me. I am not picky especially having a chance to be a representative to any of the meetings. Councilman Elliott asked you have been around for quite a while so you know what some of the city issues are, what are your thoughts on the shopping center. Mr. Erdei answered I remember way back when me and Debbie Belaska, when she caught wind that they were thinking of closing Giant Eagle. I said then I have been here for 30 years and haven't seen really no improvements to this place and we even got some TV time together. I said all along from day 1 and everybody thought I was nuts but I said the only way you are going to get that family to try and sale that place is if you embarrass them and that is the only way. I think we made a great effort and once that thing hit the TV and everything and the media on that. You got to take what is given to you and I don't think it was wrong or dirty that we did that but that is the only way you are going to get things going then that is the way its got to be. I like the way it is going right now, I am hoping we get

more tenants. The current Mayor has fixed it up pretty nice already and I have had a lot of people complimenting on that. That boat ramp was a beautiful thing and the wind turbines and everything. I got people that come to visit from Indiana and as soon as they turn down the street they were looking at the wind turbine and they were like when did you get that. I told them we got the baby ones over there on the boat launch. I just like the way the city is going I really do. Councilman Elliott asked what about your background, what do you bring? Mr. Erdei answered I have been in business legally since 1979 in the flooring business and I have dealt with every possible cursing you could think of; attorneys, lawyers, surgeons, politicians but I am a straight shooter with them and they know that and that is why I still do their work to this day because hey this what it takes to do the job and if you got any questions you ask me and if you think of anything while I am gone you got my phone number. It is what it is but I have dealt with the people, I have been dealing with the public for a long time. Councilman Elliott asked have you had any run in's with the Police. Mr. Erdei answered no I haven't. Councilman Elliott advised Mark and Dennis you are both handling this very well and that speaks highly of both of you. I think you both have a lot to offer the city and thank you for your time. Councilwoman Belaska stated to Mr. Erdei you are a wonderful neighbor and I am very blessed to have you, could there be any type of conflict you could see if you sit up here in ward 4 with you being right behind me? Mr. Erdei answered you know I am a straight shooter and we communicate and if there is a problem within the neighborhood we talk about it. I don't hide nothing from you. When we are gone you are looking over my house and we even give you the keys to let out our 2 little weiner dogs when we are gone. I don't see a conflict. I used to live on Dillewood way, way back and all of the neighbors over there know me, I am well known throughout the city I hope in a good way. Councilman McCullough asked Mark if we chose the other candidate, would you continue to serve on the Planning Commission and how would you feel about that? Mr. Erdei answered I enjoy being on the Planning Commission, I wouldn't have no hard feelings or nothing if that is what you are looking at. I would just continue what I was doing. Councilman McCullough asked you are in ward 4 and you know where the boundaries are at now, how many parks are in ward 4? Mr. Erdei advised there is one all the way at the dead end of East/West Drives, the park right by us, the beach right between Vian's and the other private property owner – 3 that I can think of. Councilman McCullough stated there is 3 that the city maintains, there is supposed to be a 4th but it is not there. Councilwoman Belaska stated I know in the past you had said that you never wanted to mix politics with your business, what made you change your mind that you wanted to put an application in for ward 4? Mr. Erdei answered you know my Dad always told me never mix politics with business, he said you either make friends or you lose friends or you make business or you lose business. Well to me after I thought it over for a while if I lose business means I didn't really need their business in the first place if they are going to use that as a judgment towards me. Councilman Kovach asked what is the first thing on your agenda that you would like

to do? Mr. Erdei answered as soon as this bowling alley mess gets straightened out, that is a nice place and we could have a nice hall to rent out for the city. There is money sitting there, that is an empty building and a beautiful building I am sure as a city make that into something. The city is really not in the business to run a shopping center either, it would be nice to sale it and lease the land as you would still have control of the land. That bowling alley is a gold mine because a lot of the halls – the Civic Center is doing real good but it is kind of small but it caters to the smaller organizations. You could some nice big functions going in there. Councilman McCullough asked you are very involved with the union Dennis, are your meeting nights Tuesday nights and would there be a conflict with us? Mr. Pedings answered no, we have them on Mondays, AFL is the second Thursday of the month. Councilwoman Belaska asked your first priority would be for the city and not the AFL-CIO? Mr. Pedings answered absolutely. I got to take care of people in my area, that's my job representing the people. That is why I am here. Council President Rosso stated when we originally vacated this seat we put out that we were taking applications until next Monday I believe the 15th. So obviously there will be no decision this evening and we will see anybody else applies between now and next Monday and if they do we have Worksession to discuss it so the earliest we vote on any action would be 2 weeks from tonight. So that is 2/3 majority vote so out of 6 would be 4 and if you don't get 4 votes you don't get the seat and then after 60 days it goes to Mayor Bring.

*Motion by McCullough/Second by Elliott for the discussion of pending and imminent court action and appointment and compensation for a public employee. ROLL CALL TO GO INTO EXECUTIVE SESSION: Yeas All – McCullough, Elliott, Kovach, Belaska, Smith, Stark.

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

Law Director Graves advised the first portion of the executive session which I attended Council did adjourn to executive session for the discussion of pending and imminent court action with the City Attorney as provided in the Sunshine Laws. Council President Rosso stated I would just quickly mention on the second half of the executive session we discussed the appointment of a public employee and compensation of a public employee.

Mayor Bring submitted David Graves as the grant writer for our city and take that in great consideration for what he has done as a Law Director and a Prosecutor, again I would hope you consider that.

*Motion by McCullough/Second by Belaska to approve the Mayors appointment of David Graves as the part-time grant administrator. ROLL CALL FOR APPROVAL: Yeas All – McCullough, Kovach, Smith, Belaska, Elliott, Stark.

ORDINANCES AND RESOLUTIONS: Councils Agenda –

- 1) Council#047 – THIRD READING – an ordinance amending the rate of pay for the position of part-time grant administrator and the declaring of an emergency.

*Motion by Elliott/Second by Belaska for ADOPTION:

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

Ordinance Passes#47-12

- 2) Council#051 – SECOND READING – an ordinance amending Chapter 961.16 of the codified ordinance of the City of Sheffield Lake regarding swimming areas and beaches.

- 3) Council#053 – EMERGENCY – a resolution accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the county auditor and the declaring of an emergency.

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

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

*Motion by Elliott/Second by Belaska for ADOPTION:

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

Resolution Passes#48-12

MEETING ADJOURNED: With no further business before this council, Motion by Kovach/Second by Stark to adjourn at 8:48 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



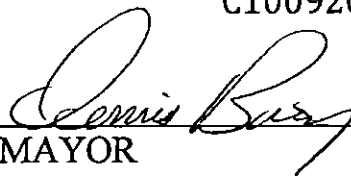
 COUNCIL PRESIDENT
 Rick Rosso

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 October 9, 2012.



MAYOR
Dennis Bring