

**Minutes of the Buildings and Lands Committee meeting**  
*Sheffield Lake, Ohio*  
**December 6, 2012**

This regular meeting of the Buildings, Lands, Vehicles and Equipment Committee was held Thursday, December 6, 2012. Chairman Kovach called the meeting to order at 7:03 PM.

**ROLL CALL OF MEMBERS:**

Present: Kovach, Smith, McCullough, Service Director Smith, Law Director Graves, Councilman Erdei

**MINUTES:** October 4, 2012, \*Motion by McCullough/Second by Smith to accept the minutes with any corrections. Yeas All.

**PRESENTATIONS:** None.

**CORRESPONDENCE:** None.

**OLD BUSINESS:**

***Service Director's report:*** Service Director Smith reported we are progressing on the salt building, it was adjusted and squared today on the foundation/we moved the blocks around. We are installing the guide wires and we still have a whole set of full length style cross bracing that will be going over the complete full sections of the small roof. We are looking at next week sometime of having the cover pulled over and the fabric attached and bound down. We are taking our time and making sure that we are getting things right. We ran into a few problems – the squaring was the big issue but we did get that taken care of today and it looks real good. It was decided that there would be no seasonal display at Shoreway Shopping Center this year. Unlike years in the past, the front façade had been repaired/the drivet repaired - there aren't going to be any hooks or nails in it or things like there were last year which is what things were hung on. Besides that we just don't have the money and as I stated before decorations would be minimal this year. I have emphasized that several times at several meetings. On Friday November 30<sup>th</sup> the Parks Department misunderstood the direction of the minimal displays as I didn't describe it correctly to the Parks. So in-so-being Jerry went on and did the best he could by putting up what he had. During the course of the day we working on the salt building, I got some phone calls from some residents asking me what was going on at Shoreway. Hence when I went up to look, immediately requested conversation from Jerry on Friday and ended in removal of all those things on Monday morning. He couldn't do it on Friday as it was too close to the end of the day so he did it on Monday morning. During Friday afternoon however I had some inquiry from a Councilperson and some residents concerning the decorations. I had another Councilperson that came up to my office which I am glad he did. I kind of felt that I needed to take the responsibility for this happening because I didn't direct Jerry exactly, I did not define exactly what

we were going to do. I actually did not realize that he was going to put those decorations up Friday at all. It was meant to go up at the Community Center and at Shell Cove Park. That being said there will be 3 places; Shell Cove Park, Community Center and the covered bridge. The covered bridge is getting done professionally by a company that donated its Christmas decorations and that is something that the Mayor and Council President Rosso have worked out. That should be happen within the next couple of days. We did have to have some power outlets wired photo electricians put up there specifically for this which was donated also. So I just wanted to take responsibility for the misunderstanding with the Christmas stuff. If it doesn't look right we are not going to do it, it is just that simple. It is either going to be done right or not at all. Councilman Smith asked what was the big deal at Shoreway? Service Director Smith answered all these gnomes popped up; lighted gnomes popped every green space you could find. There was a manger scene that was turned into a seasonal scene. Councilman McCullough stated there was some kids screwing with those lights on Friday night, so I don't know if they were all where Jerry had put them or not. They didn't look great – yes. Service Director Smith stated it is handled now and we have a policy now. Councilman McCullough stated they said Dave would be over there today and Dave wasn't there today David and I am talking about Dave the guy from Auction Ohio. Law Director Graves answered he was there yesterday. Councilman McCullough stated he was supposed to be there today. Law Director Graves asked why was he supposed to be there today? Councilman McCullough stated because they told me he would be there today, the correspondence I got with him was today. The question I have for you what are we doing with the rest of that stuff on the inside, is he responsible for getting it all out of there? Law Director Graves answered we had a walk-through yesterday that took place around 4 o'clock with Dave the auctioneer, the Mayor, the Service Director and myself and discussed those issues. There is still quite a bit there that has been bought and paid for that has not been claimed and in regard to those items he is going to make it very clear to the individuals that bought them that they have another 11 days. We were going to go 30 days beyond the auction day which would give them another 11 days that they got to get it out of there or will be considered abandoned. The money has already been paid, so if they want to buy it and pay for it and then abandon it – that is up to them. But in that sense the auctioneer would be responsible for moving all of those items, his fees are capped at \$1500.00 under the agreement unless the city wanted to say just leave some of it if the city felt that it could use it or wanted it. Otherwise he is responsible for getting rid of those items. Now it also makes him responsible for the removal debris and we wanted to be very clear on how we define debris; trash – that kind of things, that gets removed. The lumber and sub-flooring is not debris and that is to be left and the Mayor feels that the city can use that. Councilman McCullough stated I thought

the agreement was is we were to clean that place down to the floor. Isn't that what we agreed in Council? Law Director Graves answered no, no you got a copy of the agreement and the agreement says any unsold, unclaimed, uncollected items and debris. Now the items to be sold were the specific items listed on the inventory that Jerry Canterbury did so those are the items. If it wasn't on that – fixtures, carpeting and things like that is not. That is the other thing, the auctioneer wants to work with us. In other words, they will remove a lot of stuff but I think the Mayor is kind of pulling it back a little and saying some of these items especially the lumber at some point the city can have use for that. Councilman McCullough stated well it is an asset and my point is this is the agreement was to clean the whole place out whether that is our assets or somebody else's assets I thought the place was supposed to be cleaned out to the floor. Law Director Graves answered no. Service Director Smith advised I asked that question Kerry, the answer that David is trying to say is the items on the lists that was supplied by the court were the items that are to be auctioned off – they are specifically on a list. Councilman McCullough asked who is paying to take out all those 2 X 12's – that is what I am asking? Law Director Graves answered if we instruct the auctioneer to remove those, I believe they will. Councilman Smith stated so your question right now is for that office (Mayor) over there, he is telling them guys what he wants to take and what he doesn't want. Chairman Kovach advised I believe that the Mayor has the discretion of what he considers debris and what is not. Law Director Graves stated as Chairman you are absolutely right. The question here surrounds the definition of the word debris because it is clear that any unsold, uncollected items that were on that inventory lists the auctioneer for getting them out of there. There are some major things, like one guy bought that entire approach; the full width that is 10 feet X however wide that is. He is kind of already hummin and hawin. I think he realized that that is a real bear to pull all that out whoever his purchaser is. Councilman Smith stated it sounds like for you that Dennis seems to have some use for some of this stuff that he is trying to keep. Law Director Graves advised remember there is no ambiguity about the items that were on the list that are unclaimed. Everything sold – so it is just unclaimed, if the deadline passes and we consider that to be abandoned by the purchasers then the auctioneer has got to remove those items unless the Mayor says the city can use that – it is not going to be that big of a deal to remove it. Then it also says debris and I want to make sure that we are at a meeting of the minds about what debris is and I think we understand that. The Mayor specifically said all the sub-floor lumber that was under those lanes is to remain. It will not be hard to remove that and the city can use that material. Councilman McCullough stated it is not what we agreed to at Council. Law Director Graves stated I think what you agreed to. Councilman McCullough interjected was a clean building. Law Director Graves answered no. Councilman Smith stated so why don't you take that up with the Mayor. Law

Director Graves stated wait a minute, I am not going to let that stand because the legislation that was passed I am almost certain that the auctioneer agreement was attached to it that specifically says what they are responsible for. I think when you said authorizing the Mayor to enter into an agreement with Auction Ohio – that 2 page agreement was attached to that legislation and that agreement specifically says what they are responsible for. It does not say clean the building out to the bare floor, bare walls, etc. Councilman Smith stated we didn't want to get stuck with anything. Councilman McCullough stated that is the whole thing, I thought everything was supposed to go. Now we are stuck with those 2 X 12's out of there. Councilman Smith stated what he is saying is pretty much is after everything comes up, everything pretty much can go but Dennis is saying keep that flooring there we are going to use that, keep this here we are going to use this. Councilman McCullough stated have you seen what they are talking about, it is 2 X 12's that are perpendicular to the floor. Councilman Smith stated well Dennis must have a thought behind it, I don't know. Law Director Graves stated what is being left is not because of the auctioneer refusing to take it. The auctioneer would remove that if we told him to I think but the Mayor is saying no that material can be used by the city and it has some value. Councilman Smith stated so you have to take that up with Dennis because he is the one that is saying no. Councilman McCullough stated he will have to tell me where we need 2 X 12's at or where on anything that we can build we can use a 2 X 12. I just thought it was supposed to be emptied. Service Director Smith stated the Civic Center grant concerning the LED light tubes, we are pretty much done. I believe by tomorrow I think we will be done or if we are not done already today, I don't know if Fireland's completed that today but they are really unbelievable – they are like 2 times the amount of light coming out with less than 1/3 of wattage. It is really bright and looks really good and I urge everyone to take a look at it. Law Director Graves asked is the LED sign coming in up there? Service Director Smith answered the sign now has a deadline working with the county and Pat has had all that going on. As far as I know everything is okay with the sign and we will be fine. I have done a light survey on city properties and I kind of need to do a better job because I am seeing too many flag lights out/2 boat launch lights out/bus shelter light is out/park lights at Shell Cove are out. Just so you are aware that is something that I will be focusing getting better at, for some reason it is slipping by through the cracks why street lights are going out in some of the city owned properties. I will do a better job on that. The PD jail is something that we have been fixing up in lieu of the upcoming inspection and that hasn't happened yet but will happen sometime next week. From what I understand and I believe I have pretty much done my part in getting the things I needed to get done in there. We have got a couple of switch plates; 3 more lighted exit signs need to go in. An egress map on the door and that is pretty much that is left on my lists. Today I met with an insurance adjuster from our

insurance carrier, he inspected the Fire Department roof and the end result I don't think is going to end up in a positive outcome for us on that insurance claim. The last day for flood damage dumpsters will be the 15<sup>th</sup> of this month from Allied Waste. Right now I have been letting everybody dump for free of flood damage materials from the storm and stuff and the last day will be the 15<sup>th</sup> and the following Monday is a bulk pick-up day. Chairman Kovach asked what about the power at Civic Center? Service Director Smith answered I do not have a definite date on when Ohio Edison is going to come in but it has to be pumped underground.

**NEW BUSINESS: None.**

**CITIZEN'S COMMENTARY:** *Councilman Mark J Erdei*, 4015 Tennyson Avenue asked whatever happened or what were the results of what we are going to be doing with the dumpsters? Service Director Smith answered at this point we are not going to have open dumpsters for the public.

**MEETING ADJOURNED:** With no further business before this committee,  
\*Motion by McCullough/Second by Smith to adjourn at 7:21 PM. Yeas All.

**CLERK OF COMMITTEE AFFIRMATION:**

This Meeting of the City Committee 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's Office.

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**CLERK OF COUNCIL/COMMITTEES**

*Kay Fantauzzi*

I, Kay Fantauzzi, duly appointed Clerk of Committee Of Sheffield Lake DO HEREBY CERTIFY that this Is a true and exact copy of the Minutes of the Buildings & Lands Committee of December 6, 2012.

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**CHAIRMAN**

*Steve Kovach*

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**COUNCIL PRESIDENT**

*Rick Rosso*

*and/or*

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**COUNCIL PRO TEM**

*Eric S Elliott*