

**MINUTES OF CITY COUNCIL  
SHEFFIELD LAKE, OHIO  
January 8, 2013**

The regular meeting of the City Council was held Tuesday, January 8, 2013. Council President Richard Rosso called the meeting to order at 7 PM.

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

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

Present: Rosso, Belaska, Smith, Kovach, McCullough, Erdei, Stark, Elliott,  
Mayor Bring, Law Director Graves, Finance Director Smith, Service Director Smith

Absent: Treasurer Woods (excused)

Attending: Concerned Citizens, Mr. Rob DeChant, Members of the Media: Avon Lake Press

**READING OF THE MINUTES:**

A – Council – December 27, 2012 - \*Motion by Erdei/Second by Belaska to accept the minutes of the Council of December 27, 2012 with any corrections. Yeas All.

**CORRESPONDENCE:** Monthly report of court receipts for month of December 2012 – receive and file.

**PRESENTATION:** Mayor Bring submitted the name of Rob DeChant for Mechanic for the City of Sheffield Lake. Councilman McCullough asked was Mr. DeChant the one that stood in for John when he had his surgery? Mayor Bring answered yes.

Councilman McCullough asked we did put that out to the union first and nobody bid on it? Mayor Bring answered yes. As a matter of fact they are the ones that gave the blessing and wanted to expedite this. Councilperson Belaska asked could you please tell us a little bit more about yourself, you know how many years you have been a mechanic? Mr. DeChant answered I have been a mechanic for probably 32 years. I went to Avon Lake High School and graduated went to vocational school for mechanics and went to Ohio Diesel Tech for mechanics also. I moved to Wyoming and was a mechanic out there for a couple of years and came back here and was a mechanic for Lake Shore Land Development in Avon Lake and ran their shop. I had worked for Hubert's Landscaping in Avon Lake as their mechanic for the last 16-1/2 years. I filled in here for John when I was laid off for I think 4 months or so. Just this past year I filled in Ron Forrester at the Avon Lake School Bus Garage, taking care of all their school buses and worked back at my normal job this year and I just got laid off on the 21<sup>st</sup> and here I am. \*Motion by Belaska/Second by Elliott of Mr. Rob DeChant as the Mechanic for the City of Sheffield Lake. ROLL CALL FOR

**APPROVAL:** Yeas All – Belaska, Smith, Stark, Kovach, Erdei, McCullough, Elliott.

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**CITY COUNCIL REPORTS**

**Roads, Drains, Water, Sewer and Refuse:** Chairman Elliott reviewed the minutes of the January 7, 2013 meeting. \*Motion by Elliott/Second by Smith to approve the sewer credit for 789 Dunny in the amount of \$41.16. Yeas All. \*Motion by Stark/Second by Belaska to accept the report. Yeas All./**Safety:** Chairperson Stark reviewed the minutes of the January 2, 2013 meeting. \*Motion by Belaska/Second by Kovach to accept the report. Yeas All./**Buildings, Lands, Vehicles & Equipment:** Chairman Kovach reviewed the minutes of the January 3, 2013 meeting. \*Motion by Belaska/Second by Elliott to accept the report. Yeas All./**Ordinance:** Chairman Smith reviewed the minutes of the January 3, 2013 meeting. \*Motion by Belaska/Second by Stark to accept the report. Yeas All./**Finance & Audit: None./Council Representative to the Joyce Hanks Community Center: None./Council Representative to the Zoning Board of Appeals:** Representative Kovach reviewed the minutes of the December 19, 2012 meeting./**Council Representative to the Planning Commission: None./Council Representative to the Park Board: None.**

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### ADMINISTRATIVE REPORTS

**MAYORS REPORT:** Mayor Bring advised Mrs. Stark kind of eluded to the finances that we have been talking about a little bit and I did say something during the safety meeting that we are probably going to approach you guys with some kind of an operating levy and we are going to do that and we are kind of bringing things to you in baby steps. Mrs. Smith did contact RITA about a tax credit to reduce quarter percent and that would raise a revenue of about \$280,000.00 and that with the money that we have lost would almost be enough to help us out with the revenue that we have lost. It would also help with vehicles and possibly some hiring if we had to do that. That is what I think Mr. Rosso had brought up and that is probably the way we are going to approach this. We are going to get a little bit more information for you but this is just a start to give you an idea of what we are after. I think that amount of money will help us out tremendously. In these times with what is going on; the schools have passed their levies and we don't want to over-step what we need, we just want to go after with what we can get by with. Councilperson Stark asked do you know what our rate will go up to? Council President Rosso answered it will be 1-1/4 basically, it is 1-1/2 now with a 1/2 percent credit. Finance Director Smith answered right now it is a net 1, so it will be a net 1.2 something. Councilman Erdei advised I am new at this but we would put that up to a vote for the public? Finance Director Smith answered we have to put it up. Councilperson Stark advised we have until February 6<sup>th</sup> at 4 o'clock. Mayor Bring advised so we do have to get some numbers and act on this pretty quick. \*Motion by Belaska/Second by Elliott to accept the report. Yeas All./**FINANCE DIRECTORS REPORT:** Finance Director Smith advised I don't have anything specific for this evening. The Mayor and I have been talking about different ways to increase some revenue and I have to agree that is probably the cleanest and best way to do it, that way our senior citizens aren't going to be hit with property tax increases that they don't need right now either. They won't be affected at all, it is

strictly income tax. I have been working on end of the year and the beginning of the new year and I have got auditor's coming next week. \*Motion by Belaska/Second by Kovach to accept the report. Yeas All./**TREASURER:** Council President Rosso advised Mr. Woods was sick and I asked him to leave for the betterment of all of us. His treasurer's report is attached in your packet for your review and he did tell me before he left that Rose is doing fine./**SERVICE DIRECTORS REPORT:** Councilman Erdei advised when you go down Lake Road and you see our covered bridge all lit up and it looks so nice. Is it that much to keep those lights on all year? Where people drive by and it is all lit up and looks really nice. Mayor Bring stated as long as Corey is okay with that. Councilman McCullough stated I don't know if you have ever seen it in the summer time, it is a really sharp looking picture and I think that in the summer time I don't think you would want those there. Council President Rosso advised they are on a photo cell so they only come on at dark. I will mention to him and see what he says./**SAFETY DIRECTORS REPORT: None.** /**LAW DIRECTORS REPORT:** Law Director Graves reviewed the attached Council#001 Speedway easements legislation and explained I think that if we do 3 readings and then consider passing this at the first meeting of February as an emergency. That would enable them to stay on their time frame; they would like to begin the project in March. We do have a draft agreement but all of the details are spelled out in the attached exhibits. That has been discussed at various committees as well. Just to bring you up to speed on the Bowling Alley, we are very close resolving that matter at long last. The items have been removed or there is a few remaining items from one purchaser that we are familiar with and we are ready for disbursement to be made from the auctioneer and proceed with dismissal of the litigation. The Civil Service Commission will be meeting on Thursday, the 10<sup>th</sup> at 4:45 and at that meeting they will be certifying results of the Lieutenants tests in the Sheffield Lake Fire Department. Once that is complete then they will be making preparations for running a Police Chief's test and that test will be made available to Acting Chief Captain Campo as well as the 2 Sergeants; Mariner and Goscewski. Newly sworn in Sergeant Corr doesn't have enough time in rank. As far as grants go, we are moving along with the Recreational Trails grant for the Brookside Nature Trail expansion. There are some additional forms that I have to fill out, I got those today and we will be working on that throughout the upcoming year. We are going to be resubmitting for the bathroom facilities at the Boat Launch. That grant has been rolled over in subsequent rounds ever since 2009. I have a copy of what we submitted, we are going to improving upon that and resubmitting that prior to February 1<sup>st</sup>. I am going to be submitting a fire safety grant that Fire Chief Card has identified as something he would like to go forward with. Also at the Safety meeting he said he is still waiting on 2 ambulance grants that we submitted, they are slowly awarding those and we haven't heard on ours yet. Hopefully we get awarded for one of those. At the upcoming Worksession I still intend to give a very brief summary of where we were with the Community Investment Corporation and bring you up to speed on what that is all about. Also at the Ordinance Committee meeting I

talked about an issue that I hope to continue to discuss and that would be expansion of the role of the Planning Commission in site plan review and whether or not to continue with the Architectural Review Board or to simply encompass that under an expanded role of the Planning Commission for commercial development and landscaping and architecture and so forth. Councilperson Belaska asked I know that I asked this the last Council meeting about the Dollar General, have we heard anything to update that because it seems like it has been in limbo? Law Director Graves answered the briefs have been filed on that administrative appeal and the Judge has yet to rule. For Council, when I do receive that information I will probably request an executive session to discuss how to proceed with that on-going litigation. Councilperson Stark asked in regards to the Chief's test and the Fire test, how long do we have to replace Chief Shepherd – when do we have to have somebody put into that position? Law Director Graves answered we will do the best we can. Councilperson Stark stated we don't have to have it done right now? Law Director Graves answered the practical answer is what happens if we don't. We are moving as fast as we possibly can. The Civil Service Commission I think has already selected the testing agency. Chief Shepherd's last official day was the 28<sup>th</sup>. Sometimes you get into these situations where maybe nobody passes the test or maybe no one wants to take the test. So sometimes you go for quite a while without filling that vacancy but we will move along as quickly as we possibly can. Councilman McCullough stated you said if we pass this (Speedway easements) as an emergency the first meeting of February that that is plenty of time for that? I can't read these anymore, elevations and such so if it is good to go why do we have to wait on that one? Council President Rosso stated I would hesitate trying to pass anything this evening and then if you have any questions we will talk about in Worksession and if Council feels so inclined they could pass it the last meeting in January. \*Motion by Belaska/Second by Kovach to accept the report. Yeas All.

***CITIZEN'S COMMENTARY:***

***Ann Marie Woltman, 649 Sheffield*** stated I wondered if we have gotten the environmental reports regarding Speedway? Law Director Graves answered I believe the Service Director and the City Engineer have reviewed all of the documents. Service Director Smith advised the process is going through, I don't know specifically exactly what you are referring to. Are you talking stormwater or what are you referring to? Ms. Woltman stated everything regarding Speedway environmentally. Service Director Smith advised you can go to the Building Department and Jon would bring you up to date on what he has got and he doesn't. Ms. Woltman stated so I would just contact him? Service Director Smith answered that is correct, what we have in the Building Department is what we have at this point but there is things that are in transition. I believe Bramhall Engineering was awaiting a final from Phil Lahetta. I believe that did occur maybe a week and a half ago. Service Director Smith asked what specifically are you talking about because Buster is in control of the site as it is right now which is the Bureau of Underground Storage Tanks. So at this point now they are an operat-

ing station that is operating that has applied for the building process which is a separate and currently a correction thing that is being held by the Federal government. So really if you are talking about any item environmentally that would probably have to go to Buster. What started this was a contamination in the soil and I believe that is what your concern is and that is out of the city's hands. Once the Coast Guard got involved and then the Fire Department and so on. Everything is following the way it is supposed to. Ms. Woltman asked what about the drainage issue? Service Director Smith answered that is stormwater and that is something that is totally separate. Engineer Bramhall has stated that everything will be the way it is supposed to be or it won't happen. Ms. Woltman stated so we don't have final approval on that. Service Director Smith answered this is in the engineering phase. Law Director Graves advised I think it is pretty much ready to go, now if you want to request all the public records you are free to make a public records request. You can submit your public records request to the Service Department and then wherever the records are located we would make sure that you get them. Council President Rosso advised I think we are all still confused as to exactly what you are asking for that is why we are trying to dig deeper to see exactly what. Service Director Smith explained we need to be specific, we are talking lots and lots of documentation. Stuff that is in the middle of being done, stuff that is compiled here maybe in the Building Department or maybe with Phil or maybe with Bramhall or maybe Speedway has it or maybe even the Fire Department through Buster has. You have to 0 in on it. Ms. Woltman stated stormwater. Service Director Smith answered you come to me and we can get what you want.

**UNFINISHED BUSINESS: None./NEW BUSINESS:** Councilperson Stark stated I just wanted to bring this up and maybe we can discuss at Worksession – the use of social media for the city. Maybe creating a facebook page or something of that nature, maybe to get our message out to a grander stage. Council President Rosso stated sort of like a city website page.

### **ORDINANCES AND RESOLUTIONS:**

Council#001 – FIRST READING – an ordinance authorizing the Mayor to enter into a sanitary sewer and access easement agreement with Speedway LLC and the declaring of an emergency.

**PRESIDENT OF COUNCIL COMMENTARY: None.**

**MEETING ADJOURNED:** With no further business before this council, Motion by Kovach/Second by Belaska to adjourn at 7:36 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/COMMITTEES

*Kay Fantauzzi*

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COUNCIL PRESIDENT

*Rick Rosso*

*and/or*

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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 January 8, 2013.

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MAYOR

*Dennis Bring*