

**MINUTES OF CITY COUNCIL  
SHEFFIELD LAKE, OHIO  
May 28, 2013**

The regular meeting of the City Council was held Tuesday, May 28, 2013. Council President 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, Elliott, Smith, Kovach, McCullough, Erdei, Stark, Mayor Bring, Finance Director Smith, Service Director Smith, Treasurer Woods, Law Director Graves

Attending: Concerned Citizens, Planning Commission; Guenther, Members of the Media: Avon Lake Press, Seniors from Brookside High School; Jacob Grady, Gabby Woods, Nathan Keith, Jessica Sarvas, Tim Crnico, Alex Gray and Christian Gray

**READING OF THE MINUTES:**

A – Council – \*Motion by McCullough/Second by Erdei to accept the minutes of the Council of May 14, 2013 meeting with any corrections. Yeas All.

B – Council Worksession - \*Motion by McCullough/Second by Erdei to accept the minutes of the Council Worksession of May 21, 2013 meeting with any corrections. Yeas All.

**CORRESPONDENCE: None.**

**PRESENTATIONS: None.**

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**CITY COUNCIL REPORTS**

**Roads, Drains, Water, Sewer and Refuse:** Chairman Elliott reviewed the minutes of the May 13, 2013 meeting. **Sewer Credits; 249 Erieview Blvd. for \$341.04 – TABLA for further information.** \*Motion by Stark/Second by Erdei to accept the report. Yeas All./

**Safety: None./Buildings, Lands, Vehicles & Equipment:**

**None./Ordinance: None./Finance & Audit:** Chairperson Stark reviewed the minutes of the May 21, 2013 meeting. \*Motion by McCullough/Second by Elliott to accept the report. Yeas All./

**Council Representative to the Joyce Hanks Community Center:** Representative McCullough reported we had discussed a few things and one of them with the TV that was donated. Pat didn't know where to put it or wasn't sure on what to do with it. He is actually going to contact WOW to see if they will provide cable service free of charge for the center. A lot of it is Pat is also – he has got the building used pretty well filled up again with graduation parties of course this month and next and also Boy Scouts/Girl Scouts/weddings, etc. He also advised us that Ohio Edison continues to have on their schedule the removal of the temporary power pole and installing the new line underground. Right now the building continues to be a

polling location. Although it is not official Pat was informed that Board of Elections will look at replacing the concrete to the threshold of the building as they identified a ½ inch bump in the concrete which would be potentially difficult for a wheelchair upon entering the building. So those funds would come from the Board of Elections. Everything of course was done prior to December 31<sup>st</sup> with respect to the grant that was provided. Meals on Wheels are up to 86 meals a day. Mayor Bring advised Councilman Erdei had called me about putting the Council meetings on the kiosk in front of the Civic Center and I forwarded that over to Pat Hastings and he will have that on for the next Council meeting and will continue to do that./***Council Representative to the Zoning Board of Appeals: None. /Council Representative to the Planning Commission: None./Council Representative to the Park Board: None.***

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### ADMINISTRATIVE REPORTS

***MAYORS REPORT:*** Councilman Erdei asked I know you were talking about cuts in the city, a few people have asked me if Community Days and fireworks are canceled? Mayor Bring answered that is Civic Counsel – not anything to do with the city.

Councilman Kovach answered the whole thing is a go, approved to be paid for.

\*Motion by Elliott/Second by Stark to accept the report. Yeas All./***FINANCE***

***DIRECTORS REPORT:*** Finance Director Smith advised I have 2 ordinances before you tonight; one is our annual note renewal. We have done this for several years; part of the note consisted of water meter purchase. That portion of it should have been paid off last year, we got new bond counsel this year and they started combing through what previous bond counsel had prepared for us last year and the useful life of the water meters is 10 years and last year would have been the last year and it should have been paid off. Well, since we didn't and we owe a balance of \$60,000.00 on the water meters I have an ordinance before appropriating \$30,000.00 because the water fund itself can't handle \$60,000.00 to pay off but it can handle \$30,000.00 and then I have an additional appropriation change for water capital improvements of \$30,000.00 which will pay off that portion of the note which is really great anyway. We will roll-over \$150,000.00 and you have the ordinance before you to roll the \$150,000.00 which is part of the boat launch balance and the Walker Road improvement. That \$150,000.00 will be paid off next year. So that note will be finalized next year altogether. You will see there is a negative \$30,000.00 water meter note and there is actually \$60,000.00 in that line right now because when you roll it over you pay off the \$60,000.00 that we owe and then the note would have added \$30,000.00 to that fund. Since we are not going to add the \$30,000.00 to that fund I can't spend \$60,000.00 out of that fund and I know that sounds confusing. \*Motion by

Stark/Second by Elliott to accept the report. Yeas All./***TREASURER REPORT:***

***None.*** President Rosso announced Rose and Stan Zaborski celebrated their 56<sup>th</sup> wedding anniversary last Saturday and it was a highlight because I think it was the first time in 56 years that I think Stan was in church. Congratulations to the Zaborski's, 2 very nice people./***SERVICE DIRECTORS REPORT:*** Councilman Erdei thanked

Service Director Smith on behalf of all the residents in Ward 4 and the residents in Sheffield Lake for the repair of Lake Breeze, you did a nice job./**SAFETY**

**DIRECTORS REPORT:** Mayor Bring advised there will probably be a lot of people in Sheffield Lake but Monica Svigel is leaving us which is our only female officer.

This is her last week and she is going to start in Beechwood on Monday. We will probably come to you guys with a part-time Patrolman somewhere on the second

Council meeting of June. Councilman McCullough asked how are things going over on East/West Drives with the getting people to park properly on streets? Mayor Bring answered we have had some ticketing, people are very upset about it. We have been passing out letters for the last few months. But overall I think it is working out.

Councilman McCullough stated I have had 2 phone calls and I told them good.

Mayor Bring stated we tried to be proactive and get the letters first and obviously a lot of people ignored that but after a couple of tickets I think everybody got the hint.

The last resort is that you don't want to ticket anybody but so far it has been going pretty well.

Councilman McCullough asked is that helping Len? Service Director Smith answered yes, I have done several drive-byes especially over on East Drive and people are not parking.

\*Motion by Stark/Second by Elliott to accept the report. Yeas All./**LAW DIRECTOR REPORT:** Law Director Graves advised in communication

with WOW cable, the video service provider ordinance that we adopted several years ago with Time Warner is a general ordinance that applies to any video service pro-

vider that would come into town, so that was forwarded onto to them. They are going to start providing that service to the community. We don't require any additional leg-

islation for WOW cable. He reviewed legislation on the agenda. I would request an executive session following ordinances and resolutions to discuss the sale of city

property and also on-going collective bargaining negotiations. Also several years ago the Shoreway Shopping Center in 2008 the city adopting an urban renewal plan for

the shopping center and in accordance with that we are going to have some coming to Council to discuss some things.

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

**CITIZEN'S COMMENTARY: None/JUNFINISHED BUSINESS: None./NEW**

**BUSINESS:** \*Motion by McCullough/Second by Smith to amend the agenda to include Council numbers 026, 027 and 028 to tonight's agenda. ROLL CALL TO

AMEND THE AGENDA: Yeas All – Smith, Stark, McCullough, Kovach, Elliott, Erdei. President Rosso advised I saw it on line but also last Wednesday I ran into

Karl Guenther Jr who is doing another fantastic task of collecting supplies to send to the victims in Oklahoma. As those of us up here know he did a fantastic job in col-

lecting donations and supplies for the people in New Jersey from Hurricane Sandy.

So again anyone has anything that they would like to contribute you can contact Karl here. As it goes without saying but we will say it again anyways, he is a fantastic

young man doing a tremendous amount of work – kudos to you Karl, you are a great guy at a very young age and I salute all that you have done and all that you are doing.

I know that your Father, Mother and Brother are all standing behind you too but you took the initiative – great job and thank you very much.

\*Motion by McCullough/Second by Elliott for the consideration of an appointment of a public official. ROLL CALL TO GO INTO EXECUTIVE SESSION FOR THE CONSIDERATION OF AN APPOINTMENT OF A PUBLIC OFFICIAL; Yeas All – Erdei, McCullough, Kovach, Smith, Elliott, Stark.

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

Law Director Graves advised let the record reflect that the City Council of Sheffield Lake did adjourn to executive session for the consideration of the appointment of a public official pursuant to the Sunshine Laws.

\*Motion by Elliott/Second by Stark to appoint Mark Cizl for the Council-at-Large vacant seat. ROLL CALL FOR THE APPOINTMENT OF MARK CIZL FOR COUNCIL-AT-LARGE; Yeas All. – Erdei, Elliott, Kovach, McCullough, Smith, Stark.

*Mayor Bring swore in Mr. Mark Cizl for Council-at-Large  
for the City of Sheffield Lake, Ohio.*

### **ORDINANCES AND RESOLUTIONS:**

Council#025 – 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.

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

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

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

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

### **Resolution Passes#24-13**

Council#026 – EMERGENCY – an ordinance amending sections 191.01, 191.02(1), and 191.03 of the codified ordinances of the City of Sheffield Lake to provide for an increase in the earned income tax rate by one-half of one percent, for the purpose of providing funds for any and all purposes deemed necessary by City Council to become effective January 1, 2014 and declaring of an emergency.

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

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

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

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

### **Ordinance Passes#25-13**

Council#027 – EMERGENCY – an resolution directing the Lorain County Board of Elections to conduct an election on November 5, 2013 and the declaring of an emergency.

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

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

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

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

### **Resolution Passes#26-13**

Council#028 – EMERGENCY – an ordinance authorizing the issuance of not to exceed one hundred fifty thousand dollars (\$150,000.00) of notes in anticipation of the issuance of bonds for the purposes of (I) improving new parks within the City with construction of a boat launch ramp facility and improvements related thereto; (II) improvements to new with the construction of a boat launch; and (III) improving and repairing Walker Road as a part of Phase Three of the city's improvements to Walker Road, retiring notes previously issued for such purposes; and declaring an emergency.

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

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

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

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

### **Ordinance Passes#27-13**

\*Motion by McCullough/Second by Kovach to go into executive session for the consideration of sale of public property and on-going collective bargaining.

ROLL CALL TO GO INTO EXECUTIVE SESSION REGARDING THE SALE OF CITY PROPERTY AND ON-GOING COLLECTIVE BARGAINING: Yeas All – Smith, Erdei, Kovach, McCullough, Stark, Cizl, Elliott.

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

Law Director Graves advised let the record reflect the City Council of Sheffield Lake did adjourn to executive session for the consideration of the sale of public property and on-going collective bargaining pursuant to the Sunshine Laws.

**COUNCIL PRESIDENT COMMENTARY: None.**

**MEETING ADJOURNED:** With no further business before this council, Motion by Kovach/Second by Stark to adjourn at 8:27 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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COUNCILPRESIDENT

*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 May 28, 2013.

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MAYOR

*Dennis Bring*