

**MINUTES OF CITY COUNCIL WORKSESSION
SHEFFIELD LAKE, OHIO
January 15, 2013**

The regular meeting of the City Council Worksession was held Tuesday, January 15, 2013. Council President Rosso called the meeting to order at 7:15 PM.

ROLL CALL OF MEMBERS:

Present: Rosso, Kovach, Stark, McCullough, Elliott, Belaska, Erdei, Mayor Bring, Treasurer Woods, Finance Director Smith, Service Director Smith, Law Director Graves
Absent: Councilman Smith (excused)
Attending: Concerned Citizens, Zoning; Rinderknecht, Members of the Media; Avon Lake Press

PRESENTATIONS: Law Director Graves advised on Community Investment Corporation – in the summer of 2009 the city had a lot of discussion and it started on the process of creating a Community Improvement Corporation. A Community Improvement Corporation is organized under section 1724 of the Ohio Revised Code. It is a non-profit corporation that can be designated by the city as your economic development agency. It has a lot of abilities and flexibility that the city itself does not have. It can enter into contracts without competitive bidding, it can loan money, borrow money – there is a lot of flexibility there and this is all spelled out in the Ohio Revised Code. Some of the purposes; advancing, encouraging, promoting industrial economic and commercial and civic development of the community or area. May borrow money, issue bonds/notes and other evidences of indebtedness, make loans to any persons, firm, partnership or corporation, purchase, receive or hold lease and otherwise acquire, sell, convey, transfer, lease/sublease or otherwise dispose of any real or personal property. Acquire the goodwill and business rights to various businesses and it may be designated as I said as the agency of Economic Development for the Community. There is lots of authority and powers that are set forth in the code. When we had talked about doing this that there would be a board of directors and under that board of directors administrative officers that would oversee the day-to-day operations of the CIC. We had prepared draft initial articles of incorporation for the Shoreway Shopping Center/CIC and some of the most important of those initial articles as well as the proposed regulations and bylaws of that CIC I will share with you now. The most important part of the initial articles was the purpose; the purpose for which the corporation was to be formed – to promote, advance, encourage economic retail and commercial civic development here real estate located Sheffield Lake Ohio known as the Shoreway Shopping Center and further described as _____ and the purposes for which the corporation are formed are also to borrow money for the purpose of corporation as I said before issue bonds, notes and other evidence of indebt-

edness, make loans, purchase and receive and hold real estate, exercise all powers according to Community Improvement Corporations and to serve as the agent for any grant applications and the administration of grants in regard to the Shopping Center. As I said there was to be a Board of Directors, the proposal was that the Board of Directors would consist of 5 individuals; 3 ex-officials members – the Mayor, the Law Director and the President of Council and 2 residents of the City of Sheffield Lake appointed by the Mayor. Each Director will serve initial term of 4 years. We can set this up, it is a non-profit entity arm of the city solely concerned with economic development and its authority powers are all set forth in the Ohio Revised Code. A lot of communities have these things, their powers are very similar to the Port Authority and other entities solely for economic development. It is one tactic that the city can use to continue to encourage and drive economic development in the community along with creating a community reinvestment area and possibly awarding tax abatements and things of that nature to attract long term investment business in the community. There was a brief question and answer period.

*******COMMITTEES*******

ROADS & DRAINS: None./SAFETY: None./BUILDINGS, LANDS, VEHICLES & EQUIPMENT: None./ORDINANCE: Law Director Graves advised one of the issues that I brought forward at the Ordinance Committee and what I think the Chairman wanted to have presented to Worksession was a concern that I brought forth and that is that on the books right now under the Planning Commission section of the Administrative code there is a subsection which creates an Architectural Board of Review and this was set-up in 2004 and to my knowledge it has never really been utilized and would seem to pertain to accessory buildings. I think that the purpose and thought process and objectives were good and especially in terms of purposed development in the city. One of the things that I have talked about is expanding the role of the Planning Commission in their site plan review and having proposed development site plan to be reviewed by Planning Commission and so going forward I guess conversation could be had as to whether Council would be in favor of maintaining the Architectural Board of Review and maybe refining that language to maybe more clearly establish objective criteria that they could apply in reviewing proposed development for landscaping and architecture or whether that language could simply be incorporated in expanded role of Planning Commission as part of their site plan review to look at architectural improvements; landscaping and things like that. So that proposed businesses in the city that otherwise would be properly zoned may be consistent with the city's master plan and the nature of the abutting residential neighborhoods. After a brief discussion, Mayor Bring advised his recommendation would be to expand that into the Planning Commission. President Rosso polled the Board and consensus was to expand Planning Commission. Law Director Graves to draw up a draft for the next Ordinance Committee meeting./**FINANCE: None./PARK BOARD: None.**

*******ADMINISTRATIVE*******

MAYOR: Mayor Bring reported tomorrow afternoon at 3 o'clock Len and I are going over to the City of Avon Lake and meet on the alternative gas for cars. We are meeting with the Mayor over there to see how much we can save; costs for vehicle conversions and so on. The other thing is we were talking about doing a quarter percent of the income tax which raises about \$290,000 some dollars. Tammy and I both agree that that would be the way to go and we think that would be a good idea and it would not affect the senior citizens who are on limited incomes. I was hoping to bring it to you guys and move forward with this. Finance Director Smith explained we currently give one ½ of 1 percent credit, if we decrease that to a ¼ of a percent we will gain about \$280,000 which is almost dollar for dollar for what we have lost due to state cuts. Then doing away with personnel property tax and public utility tax and things like that. However if we left our percentage credit at a ½ and went to 1.75 percent increase, it is going to be the exact same amount that you would owe the city. However the 1.75 will affect people that work here that don't necessarily live here and if things develop in the future and we put in some businesses or something that will be a benefit. So dollar for dollar it is going to be about the same but we will get more revenue on withholding tax if we increase the rate to 1.75 percent. Councilman McCullough asked does that go to the voting public for the reduction of the credit. Mayor Bring answered both, either way. Finance Director Smith advised that was a charter change many years ago. President Rosso asked is this going to cause a problem with Ford? Law Director Graves answered I hope not, the Village is already at 1.75 or 2 and explained how RITA has handled the situation of where people work in the Ford facility. It should not be an issue. Finance Director Smith advised we could make it start July 1st this year. Law Director Graves advised the most important point is that the number of cuts that have directly impacted local governments, not only the distract reduction in the local government funding/the elimination of the state tax/the elimination of the personal property tax and I am sure there is many others that I am forgetting but just those 3 and then the loss in property tax revenues and foreclosures. It is just one thing after another where local revenues keep getting cut and it is going to get to the point where if people expect the same level of service we can no longer afford that unless this goes through. President Rosso advised 70% of the people out there don't have a clue that anything got cut – they don't know it, they don't pay attention to it. There was a brief discussion on previous changes years ago. President Rosso advised this one going forward is for general fund to be used to keep the city running – not a specific area. Mayor Bring stated now they are talking about another cut but we are not sure about that one yet. Finance Director Smith stated right now we were getting about \$326,000.00 a year in local government and that has gotten cut down to \$176,000.00 that we are getting in this year. Now the most recent rumblings is they want to take that away too. Councilperson Stark asked do we have a back-up plan, PR plan and what; if we do get the money, are we going to spend it on first? Mayor Bring answered the first thing would be we need 3 new cruisers and we need at least 1 ambulance and some equipment in the Fire Station. I would also like to do

something in the Fire Station as far as a back-up generator because we continue to lose power. We still have some problems over in the Police Station we need to correct and we still need to do something in the Fire Station. The on-going repairs that we are putting into our equipment is more and more costly because it is aging. There is a lot of things we need it for and we haven't done anything because we absolutely don't have the money and we absolutely can't take a chance on bringing some of this forward because we don't know about what is going to happen. Councilperson Belaska stated as Council-at-Large I agree but as a resident and I had to go vote for this I would vote no because you would have to know what you are asking for. So we need to be informative. Service Director Smith advised the education has to happen here with everybody because if the general public doesn't understand the 101 account and is different from all the other accounts. President Rosso advised the biggest hurdle is to get anybody to show up anywhere to teach them anything. You could have a public hearing and a meeting everywhere in this city every day of the week and you won't get 3 people show up. Councilman McCullough stated I know what worked the last time in getting it passed, we had some key people in key positions. I know that we had the Police Chief, the Fire Chief, Doc Evans who God Bless Him and we got our more experienced community members involved and we weren't afraid to put signs out and letting people know why they needed it. The other thing I would say is to make sure that a quarter percent is enough, let's not do this again. President Rosso stated bring us something on Tuesday. Mayor Bring advised I recently went down to Council Chambers and looked around down there and I was quite impressed by how everything looks down there and I just wanted to thank whoever is involved because I have not ever seen it look like that ever. President Rosso stated it does look very nice and Eric did a great job./**FINANCE DIRECTOR: None./SAFETY DIRECTOR: None./SERVICE DIRECTOR: Service Director Smith reported the NPDES permit with the Ohio EPA that Tammy touched on, Dennis touched on alternative fuel meeting. The Bowling Alley – everything is pretty much out of there, it is done with the exception of what we are keeping and some clean-up which is being done by the last person. That will be accommodated this week. Councilman McCullough stated Memorial Park sign, Amvets wants it back up. I am telling you Len, whatever you got to do to get that thing up as soon as you can get it up please get it up. Service Director Smith advised Jerry was instructed to router a new one. Councilperson Belaska stated yes I agree with Kerry and I think Mark is in the same idea with us – you need to get the sign up./**LAW DIRECTOR: Law Director Graves questioned before we put this together, it is my understanding that Council would consider this quarter percent increase? If the consensus of Council is they are not interested then we shouldn't draft all of this and put it all together. President Rosso stated it is my impression that everyone is in agreement that we need to put this on the ballot sometime this year and we are shooting for May. Speak up now if you disagree and you are going to try and kill it next Tuesday. Councilperson Belaska stated I am not 100% sure but I am not 100% unsure. Just being honest, I understand both sides. Councilman McCullough stated****

the only way I am going to support it if there is evidence that a quarter is enough. I don't think a quarter is enough. I am not going to support something and have to come back. Councilman Elliott stated before you say you are not going to support this, you might want to talk to the Mayor and get plan B because if you don't support this and we have to go to plan B you will be partly responsible. Law Director Graves reviewed legislation on the agenda. We will be applying for the next round of the CHIPS grant, there is a training session on January 22nd which Patty Lines is attending and I may be attending that as well. I would like to request executive session for current litigation, there is 2 matters that I would like to discuss under current litigation. Also I would like to make Council aware of that more than likely we are going to have to be coming back to Council on the Rite Aid lease extension. This is something that I want to talk about and they are in agreement but we are going to also have to go back and agree to some modification of the automatic doors and this is something that was discussed. We are in a situation where their leasing agent represented to the city that their Board had approved the extension and that it was good to go. After all that was done their attorney called and said well we would like to have some further negotiations./**COMMUNICATIONS:** President Rosso advised Mr. Herdendorf that was here for the 200 year called me today and said there is a meeting on March 5th if anyone is interested to be involved in that./**OLD BUSINESS: Charter Review Board** – President Rosso advised keep this in your minds as we need to get this going. Councilperson Belaska asked did we get any more updates about the Dollar General? Law Director Graves answered I would renew my request for an executive session for the discussion of current litigation. Councilperson Belaska asked can I ask any questions about any updates on the Abbe Road Lumber? Mayor Bring answered no./**Community Investment Corporation** – presentation above./**NEW BUSINESS: None.**

President Rosso explained there is no citizens commentary in Worksession but Ed do you have something you wanted to say. Mr. Ed Rinderknecht advised Law Director Graves was kind enough to suggest that this may be the forum. I have something I would like for your consideration. It is a proposal for an ordinance that would affect commercially zoned parcels in the city that are surrounded on three sides by residential communities. To go back to a comment that Law Director Graves made and that is entirely accurate this would not of course affect any parcels further pending applications before the city. To be specific it wouldn't affect Dollar General or any other parcels of that nature. It is forward looking, looking forward to the development of the city. President Rosso advised it will be forwarded to the Ordinance Committee.

ORDINANCES AND RESOLUTIONS: Councils Agenda –

- 1) Council#001 – SECOND 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.

- 2) Council#002 – 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 and the declaring of an emergency.

*Motion by McCullough/Second by Kovach to go into executive session for the discussion of current litigation.

ROLL CALL TO GO INTO EXECUTIVE SESSION: Yeas All – Elliott, Erdei, Kovach, Stark, Belaska, McCullough.

*Motion by Elliott/Second by Belaska to return to regular session.

ROLL CALL TO RETURN TO REGULAR SESSION: Yeas All – Stark, Elliott, Belaska, Kovach, McCullough, Erdei.

Law Director Graves advised let the record reflect the City Council of Sheffield Lake did adjourn into executive session for the purpose of discussion litigation with the city attorney as provided by the Sunshine Laws.

MEETING ADJOURNED: With no further business before this council, Motion by Kovach/Second by Belaska to adjourn at 8:44 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

COUNCILPRESIDENT

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 WORKSESSION of January 15, 2013.

MAYOR

Dennis Bring