

**MINUTES OF CITY COUNCIL
SHEFFIELD LAKE, OHIO
April 9, 2013**

The regular meeting of the City Council was held Tuesday, April 9, 2013. Council Council Pro Tem Eric S Elliott 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: Elliott, Smith, Kovach, McCullough, Erdei, Mayor Bring, Finance Director Smith, Treasurer Woods, Service Director Smith, Law Director Graves

Absent: Rosso, Stark (excused)

Attending: Concerned Citizens, Members of the Media: Avon Lake Press

READING OF THE MINUTES:

A – Council – *Motion by McCullough/Second by Kovach to accept the minutes of the Council of March 26, 2013 meeting with any corrections. Yeas All.

B – Special Council - *Motion by McCullough/Second by Kovach to accept the minutes of the Special Council of April 1, 2013 meeting with any corrections. Yeas All. **CORRECTION BY LAW DIRECTOR GRAVES:** You have to be a qualified elector, you don't actually have to be registered to be a qualified elector.

CORRESPONDENCE:

A – Monthly report of Mayors Court receipts for month of March 2013 - \$7742.00.

PRESENTATIONS: *Tijaunna Cuellar* advised most people call me Lisa but I am a current resident and mother of 5 in Sheffield Lake and I brought my concerns to the Mayor about the children having recreational facility. I know with the present recession that income and funding is very hard to come by but there are agencies like the Boys and Girls Club, Horizon Day Care activities and LMHA which is Lorain Metropolitan Housing who do have residents that receive financial assistance for housing in this area that may be willing to help and to also to have their own funding to come into our community and provide such recreational centers and activities for our children. I know a couple of years back a young man accidentally hung himself in one of our parks and it is because there is no guidance or no type of foundation here for our children. In the summertime I don't know if this little boy was given drugs or what not but he was in the Apples parking lot and he was given something and just starting throwing up all over the place. The children that gave it to him thought it was hilarious then they are also riding their bikes and skateboards within the parking lot of Apples parking lot which is also dangerous to them and for motorists who come in and out of that facility along with the Dollar General. I don't know if the local businesses; whether it be the VFW would be willing to bring in funding as well to help with this

issue. I think it would be a benefit to our community because I feel we have good schools and I think it would be a benefit to our children to have something like that here. I am willing to do what I can to help, I have talked to other people within our community and feel that it would be a good thing to have because for recreation centers I have to take my money outside of my community and go to Avon or Avon Lake for something for my children to do when those dollars could stay within my community if we had a recreation center or a boys & girls club or something to that affect. Mayor Bring advised I told her to come here tonight just to present that to you guys so you are aware of what is going on and she also stated some facts about what is going in the parks. Some of the young men were being a little unruly and stuff like that and I have to agree with her because I have been out and seen the same thing. She also stated that she has some friends but I told her it only takes one person to get this started and she was most gracious to come down and do a little presentation so we can get this thing rolling a little bit and see if we can't get her some help. Then maybe we can look at some funding and see what is going on. At least this will get the ball rolling and see if we can't talk to people and Mr. Smith just said too about maybe doing something with the Park Board. Council Pro Tem Elliott stated obviously we have had a juvenile problem within the city for quite a while. We had incidents last year and even prior years, I think it is clear that we had to do something. Councilman McCullough stated first I have something for the Mayor and then you Ms. Cuellar. Is there any way we can get back in the budget, I know it is not a lot to begin with? Mayor Bring advised the funding is very, very difficult – obviously we are stretched to the maximum but David is also our grant writer and we can look some of that. I know he has been looking into playground equipment and some other things. It is like she stated we don't have a lot and we have been looking at a skate park. Again if we do a skate park, that all has to do with funding. Councilman McCullough stated you are just lucky enough that actually on Council and then your city Treasurer are members of the Amvets and both sit on Boards there that I would be willing to take it to Sons and if Jim you take it to the regulars and come up with an idea we could you some face time with them and maybe gets some funds that way. I know this – we live adjacent to Memorial Park and yesterday was out of control, just out of control. Ms. Cuellar stated one time I was at the park with my daughters and their friend and I have a 4 year old, there were young people that were there that day were very well behaved until a young lady just came across the street dropping the B word and the F word and these kids are not doing anything to her. She just came out of the blue and my first thing that comes to mind is me protecting my children if she flies off the handle but if something happens then I am going to be in trouble for defending my children. I am looking at this young lady and she is a mother and only 15 years old, there is no example for her. Like I said before the Boys & Girls Club has their own funding; Horizon Day Car & Fitness Center has their own funding – that is why I brought those to the light. I know that LMHA has funding and they are willing to do what they can to help their residents get self-sufficiency and to make their neighbor-

hood a more positive and productive one and they may be willing to help as well. I know the VFW helps because I also sit on another Board so I know that funding is an issue but if anything in small measures can be done; something positive – even if it is an after school program because like I was telling the Mayor so we had recreation centers, basketball teams, after school programs. We also had a sense of community that we don't have now. I went to Glendale High School, so when I left school from the time I left the building we had a chain of call – so if I stopped at the store my mother knew and if I took too long to get home my mother was like you was at the corner talking to so and so and so and so because everybody would call and say she hit this corner and we don't have that anymore. Then looking at the young man who just committed suicide a couple of weeks ago from being bullied, if we had some of these positive organizations and recreations I think that can cut down on that too because they can help the ones that are being bullied and the ones that are bullying because in both instances they both need help. Councilman Erdei stated I have been a resident here for a long time, at one time we did have a little pinball room/game room type set-up at Shoreway Shopping Center and we were getting trouble from out of the city kids that were making it bad for the guy that was running it. If we can get some grants going and that – that Post Office would be a nice little starter. Councilman McCullough stated we do have a starter, we have a community center and we just need to carve time out and starting using our community center for everything it was built for. You brought up some good points, even if there a night up there twice a month that is a bully free zone and the word gets out and those that feel that they might be bullied can come up there and draw, read, listen to music and of course if you and if you have some friends that would help supervise. Mayor Bring advised like I said it only takes one and she was very nice to come down and talk to us like this. This is a start to getting something going. Councilman McCullough stated like I said we do have that community center that is available and we probably should utilize it a little better. Ms. Cuellar stated if we have the resources I don't mind passing out flyers, I don't doing a little work because right now I am only working part-time so I have a little time on my hands. So I really don't mind helping. Council Pro Tem Elliott stated we are a little short on volunteers so thank you. Councilman McCullough asked what neighborhood do you live in? Ms. Cuellar answered I live on Brockley Avenue. Councilman McCullough asked so which park were you talking about? Ms. Cuellar answered it was the one on Richelieu, that is the one that I basically would take my daughter to but I have basically stop taking her to the park or actually all of my children to the parks because I am going to tell you that I am a lioness when it comes to my children, I don't play. Even when they do wrong, if they do wrong then they will face the consequences of that and basically the people who are in the school system with my children will say that they are well behaved and straight A/B students. My son is in the PFDL program and Boy Scouts. I try to get them in activities as much as possible. There are a lot of kids that don't have that opportunity.

Councilman McCullough stated there is not a lot in that park but Memorial Park which is by Apples and is right on Ivanhoe for your 4 year old.

CITY COUNCIL REPORTS

Roads, Drains, Water, Sewer and Refuse: Chairman Elliott reviewed the minutes of the April 1, 2013 meeting. *Motion by Elliott/Second by McCullough to approve the sewer credit of \$282.84 for 927 West Drive. Yeas All. *Motion by Elliott/Second by McCullough to approve the sewer credit of \$124.55 for 4920 Northwood. Yeas All.

*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 April 4, 2013 meeting. *Motion by McCullough/Second by Kovach to accept the report. Yeas All./**Ordinance:** Chairman Smith reviewed the minutes of the April 4, 2013 meeting. *Motion by Kovach/Second by Erdei 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: None./Council Representative to the Planning Commission: None./Council Representative to the Park Board: None.

ADMINISTRATIVE REPORTS

MAYORS REPORT: Mayor Bring reported we have been having some meetings on the Bicentennial; 200 year celebration with the Sheffield's. Avon Lake Press John Edward's advised next meeting will be May 8th at Sheffield Village Municipal Hall. Mayor Bring advised some of the other Council members from the other cities have been showing up, if you guys want to get involved I think it would help out. Obviously this is a long way away but we are trying to sit down and get organized and figure out how each city or if we want to do a combination of how we are going to celebrate it. If you don't have anything better to do on a Tuesday night, you are more than welcome to join us. Councilman Erdei stated on the jet ski's, how are we going to man these things when we are limited on what we have right now in the city or are we just going to use them once in a while to control the waters. Mayor Bring advised most of the time if there is an emergency; like Mr. Smith we can take them out and do some of the outfalls and stuff like that. The best part of it is most of the guys over there already have jet ski's so they are all trained on it. We were talking to Mr. Card and Tony Campo on that, so we will probably be getting together on this. They did some dive training last year at the boat launch so I think we are going to encompass that with the jet ski's this year and invite the other communities. I think we had 4 communities come last year. It is good training, like Mr. McCullough said we don't spend \$10,000.00 on training but we do have to have some training on these. We will be actively looking into all this. *Motion by Kovach/Second by Erdei to accept the report. Yeas All./**FINANCE DIRECTORS REPORT: None./TREASURER:** Treasurer Woods advised the report is attached. Councilman McCullough advised when we started off we were doing real good with these NSF's and now I see they are back on

here – a bunch of them. Treasurer Woods answered I am going to inquire about those again. *Motion by McCullough/Second by Kovach to accept the report. Yeas All.

/SERVICE DIRECTORS REPORT: None./SAFETY DIRECTORS REPORT:

Mayor Bring reported we did get a grant for the new ambulance, it was over \$200,000.00 and this is also including equipment. Mr. Card wrote the grant, the lift chair that he asked for is a remote chair that they will not have to do any lifting when go to get somebody out of the house. This is a huge benefit. We are going to sit down as there is a couple of different types of ambulances; Braun and another one and it will probably take a minimum of about 6 months to get. We are in the process of acquiring the used ambulance that we used the money from the internet cafes and that will be coming to us next week. When that comes we are going to transfer the radios and some of the equipment. When we get the new one, previously we are not allowed to trade in the old ambulance but as far as my understanding Mr. Card looked it up that we will be able to do that. That is a possibility so we may just trade those other 2 in. I was considering putting those up for auction which we still may do because I have to find out how much we are going to get for them but as you know we had a 5% match which is around \$11,000.00 so we are assuming that is probably what we are going to get unfortunately for both of those ambulance. We will have to take a look at that and we have to give Tim Card a lot of credit for going through and getting this – that was a lot of money. We had a brush fire over the weekend and it was about the size of 2 football fields that was behind Devonshire and back in that area over there. They did contain that and nobody got hurt or anything. We also had a gentleman that fell about 40 feet out of a tree and our Fire Department responded. That gentleman is at home and other then being sore – he had nothing wrong from him. The response to that was very quick and they did an excellent job and I just want to thank the guys that responded for that. He fell out of a tree 40 feet and all he is is bruised. *Motion by McCullough/Second by Erdei to accept the report. Yeas All.

/LAW DIRECTOR'S REPORT: Law Director Graves reported just to touch on the NSF checks issue, we do have policies in place for both the closing out and NSF checks that come back for collection and ultimately prosecution for passing bad checks. I want to make everyone aware that we do continue to have a problem with mail scams. We had another couple of senior citizens that came in today, the police are being notified that these are coming in almost daily. Unfortunately most of these are coming from out of state, even out of country. Unfortunately because they are coming from out of state and coming from other countries, there is not a whole lot we can do from a local law enforcement perspective other than just keep the word out there that if you receive something like this – it is a scam and pass the word on because unfortunately they prey on our senior citizens. I also was made aware that Pastor Nunn from the Baptist Church – they are accepting donations on behalf of the Holland Family which is the family that had the tragedy with the young boy that took his life. If anyone would like to donate to that, they can do that through the church or they also already have an account set up through Chase Bank and they could make

the donation that way. I also want to make everyone aware that even though we don't have the CHIP grant any longer, we still have the Lead Paint grant which can be expanded to help qualify financially for home repairs. If anyone knows of someone who may qualify financially and be in need of some home upgrades, the Lead Paint grant might be able to assist them. We are applying for a grant to fund the repaving of the Community Center parking lot. We will keep you apprised as that goes forward. The city did receive notices to negotiate from the OPBA so we will begin that and it will be an economic reopener of their contract and we will keep you apprised as that process goes forward. He reviewed the legislation on the agenda and that which could be added. Council#010 – establishing Chapter 944 which he advised we still haven't received affirmative confirmation from the EPA on this, so I would suggest that we go with a second reading tonight until we can confirm that that satisfies their requirements. I am fairly certain that it does but we want to hear that we did it right. Council#013 which is the recodification ordinance for this year to update our codified. Lastly if Council so chose they could add to the agenda Council#014, this is our annual bid ordinance. The Service Director has updated the list of raw materials and also has included the proposed paving list in no particular order. Councilman McCullough asked so we don't have 944 or we don't have the stuff back from the EPA yet? Law Director Graves answered no. Councilman Erdei asked the EPA, does it usually take this long for them to get back to us? Law Director Graves answered Mr. Bogoevski who has been our contact with the EPA was on vacation and he should be back by now. We will follow up with him, the Service Director and I will follow up with him and see where he is with this. *Motion by McCullough/Second by Kovach to accept the report. Yeas All.

CITIZEN'S COMMENTARY: None.

/UNFINISHED BUSINESS: None./NEW BUSINESS: *Motion by McCullough/Second by Kovach to amend the agenda to include Council#014 to tonight's agenda. ROLL CALL TO AMEND THE AGENDA: Yeas All – Erdei, Smith, McCullough, Kovach, Elliott. Councilman McCullough stated I would like for Council to start considering some parking bans on some streets where we don't have proper widths, where we don't have proper curbing, where we don't have proper streets to park on. We keep fixing some streets and people keep parking on them and whether it is grant money or our money or tax money, it seems to be the same usual suspects going back and parking on those streets and causing problems with the sewers, with the storm sewers and breaking sewers because they are parking half on the street and half in tree lawns and I would like for Council to start thinking because I am going to start pushing for this that we start with our infrastructure in our city. That we move forward with if you want to park on your street you are going to have to improve your street. Councilman Smith asked were you not at the Ordinance meeting where we were discussing this? Councilman McCullough stated yes, it was said we were going to Council with it or that it had to be on Council floor. Councilman Smith stated no, it is in discussion phase isn't it. Council Pro Tem Elliott stated this is under Ordinance

still right? Councilman Smith answered yes he just brought it up about doing it but we didn't make any decisions out of Ordinance. Councilman McCullough stated we didn't make any decisions out of Ordinance but I thought you said that would be something that Council as a whole. Councilman Smith answered no it is in Ordinance. Service Director Smith stated when Alan had his report for Ordinance, I am under that assumption. Councilman Erdei asked on these streets, do we have no parking on this side of the street? Councilman Smith advised it is in Ordinance right now.

ORDINANCES AND RESOLUTIONS:

Council#010 – SECOND READING – an ordinance establishing Chapter 944 of the codified ordinances of the City of Sheffield Lake regarding regulation of pollutants into the municipal storm sewer system and the declaring of an emergency.

Failed to a first reading.

Council#013 – EMERGENCY – an ordinance approving the recodification, editing and inclusion of certain ordinances as parts of the various component codes of the codified ordinances of Sheffield Lake, Ohio and the declaring of emergency.

*Motion by McCullough/Second by Kovach for SUSPENSION OF RULES:

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

*Motion by Kovach/Second by McCullough for ADOPTION:

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

Ordinance Passes#12-13

Council#014 – EMERGENCY – an ordinance authorizing the Service Director to advertise for bids for and to enter into a contract with the lowest and best bidder for the purchase of premium no lead gasoline, regular no lead gasoline, premium lo sulfur diesel fuel, #304 Limestone, #57 Limestone, #8D Limestone, #8W Limestone, #1 Limestone and asphalt placement for all or part of the 2013 road sections target list, and the declaring of an emergency.

*Motion by McCullough/Second by Kovach for SUSPENSION OF RULES:

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

*Motion by Kovach/Second by Erdei for ADOPTION:

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

Ordinance Passes#13-13

COUNCIL PRO TEM COMMENTARY: None.

MEETING ADJOURNED: With no further business before this council, Motion by Kovach/Second by Erdei to adjourn at 7:49 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 COUNCIL of April 9, 2013.

MAYOR

Dennis Bring