

**MINUTES OF CITY COUNCIL
SHEFFIELD LAKE, OHIO
September 10, 2013**

The regular meeting of the City Council was held Tuesday, September 10, 2013. Council President Rosso called the meeting to order at 7:05 pm.

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

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

Present: Rosso, Elliott, Stark, Kovach, Cizl, McCullough, Erdei, Mayor Bring, Finance Director Smith, Law Director Graves, Treasurer Woods

Absent: Councilman Smith, Service Director Smith (excused)

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

PRESENTATIONS:

Public & Mr. Edwards

Heather from HMP Events

Dave Varady – infield building square footage modification program attached.

CITY COUNCIL REPORTS

*Roads, Drains, Water, Sewer and Refuse: **None.**/Safety: **None.**/Buildings, Lands, Vehicles & Equipment: **None.**/Ordinance: **None.**/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 advised Building Inspector Wiblin gave me a report; Lorain County Youth Workforce Program ended August 30, 2013. The City of Sheffield Lake greatly benefited from the program with 6 workers, the youth worked a total of 892 hours and were paid through the grant through Lorain County Program. So most of you guys didn't notice but we did have help here and that did not cost the city anything. It really did work out well. Also, the City of Sheffield Lake just received our latest report on the building code enforcement and evaluation and insurance service organization, the ISO grade the Building Department effectiveness based on county, state and national averages of other departments. These evaluations are used by the insurance companies to base premium rates on/for our community. When we first evaluated this in the year 2000 we received a poor rating due to our lack of state licenses and certifications. This year our ISO ratings rose again and the attached graphs are shown ratings far exceed most counties/state/national evaluations and inspection services. I wanted to pass that on to you, there are graphs; for 1 person work-

ing in our department the graph shows that the amount of work that he puts in and what we are getting out of it is extremely efficient. He is very proud of that, we should be proud of this and I just wanted to pass that along to you. If anybody wants to see the graphs, I will have those. Mrs. Smith didn't want to toot her own horn so I have to do it for her "Sheffield Lake recent audit of the City of Sheffield Lake by the Auditor of State Dave Yost Office has returned a clean audit report". If you read the papers the other day about Mr. Smith got dinged for \$4.25 by one of his guys and he has always had a clean audit. This is extremely hard to do and it says Tammy Smith excellent record keepings has earned the auditor's state award, I am extremely proud of our administration team which has enabled the city to once again receive spotless audit report. Again we get a plague, most of the cities around have gotten dinged for some sort of thing. We should be very proud of that. There is more to this but again a clean audit. If anybody has any questions about what we are doing around here, actually what Tammy does and David with all the stuff that we do – this is kind of more proof. Lots of frustration when the auditors come in, it is not an easy task. They throw a lot of things at her, she is constantly pulling reports out. In light of what Mr. Smith has gone through, I am always looking at the future and what is going to happen and I have to look out for 9000 some people, so with Mr. Smith being gone I don't know when he is going to come back and he has already been gone for a period of time. I have actually executed some new things over in the water and street departments. We had a meeting today about it in the effect that we are going to change some things over there. This process is going to start immediately and I am not going to get into what it is all about right now because I am going to let it go for about 2 or 3 weeks until we tweak this. But there has been some major changes over there and we are going to run with this for a while and I am just giving you a brief report on this just to let you know manpower is going to be used as much as we possibly can and get the most out of what we have. We have a very small staff over there, so we are looking at moving people from one department to another department when needed per the contract. So when there is vacations and sick time, we are still able to do projects and that means a lot. I have been sitting down talking about this for the last 2-1/2 or 3 weeks with Pat Hastings and we came up with a format to go with and again we just had a meeting with the guys this morning informing them that we are going to start doing that. I just want to let you know that that is what is going on. In about 2 or 3 weeks after it has been going I will have a better report and I will be able to report to you as far as the jobs, the time and everything that is going on and we will have a report on clean-outs for the sewers – we are going to start that and there will be requisites on everything that goes on over here. It will make it easier for me to come to you and you guys to come to me and if anybody has any questions after 3 or 4 weeks I will be able to answer all that for you. There is more things going on but for right now that is all I have for tonight. Councilperson Stark asked is there a name on the award? Finance Director Smith stated it is the Ohio Auditor of State award which is for a clean audit. Mayor Bring reiterated that is not an easy thing to get.

*Motion by McCullough/Second by Stark to accept the report. Yeas All./**FINANCE DIRECTORS REPORT:** Finance Director Smith requested we keep Len Smith and Kay Fantauzzi in our prayers, they are going through some rough times. She advised I have an ordinance before you to increase our refund line in general fund. We got a request from the county auditor's office, we had an estate tax paid to us last year that has requested a refund. They can file for state to pay their tax and then they can go back and amend that. It is kind of like a tax return. They did amend it and we owe back like \$3100.00 back to the county. The county has already paid it out so they are very anxious for us to pay them back because it has been taken out of their coffers already. I just found out about this last week that is why I wanted to bring it up tonight and not keep til Finance because I would really like to get a check out to them tomorrow to clear this up right away. The ordinance reflects a net 0 change, I have got some money here and there of things we have paid off for the year that we can afford to make changes in. There is a net 0 change to the general fund. Councilman Erdei asked how are we staying a float? Finance Director Smith answered it is just a constant watch of every dime we are spending, is really what it is. Our main issue is the general fund and as you know we have a committee that is now taking that issue to the ballot in November. So we are just going to have to wait and see at this point. Councilman Erdei stated you do a good job. Finance Director Smith stated thank you, it is a lot of nights staring at the ceiling trying to figure out what we are going to do. For now, we will have to make some stuff decisions if things don't go our way but I really can't say at this point. *Motion by McCullough/Second by Stark to accept the report. Yeas All./**TREASURER REPORT: None./SERVICE DIRECTORS REPORT: None./SAFETY DIRECTORS REPORT:** Mayor Bring reported we are still having and this is just not in our city and I have to emphasis that it is just not our city – I think last week we had 3 heroin overdoses again. I didn't believe anybody passed away. The Police are now carrying Narcan with them, our Paramedics, EMS have Narcan. The problem with that drug is that it is an excellent drug to bring people back but the people that are overdosing are becoming confident that they are going to come back after they get injected by the drug as long as somebody gets there and that does work very well. We are starting to average about 3 a week and it is a ridiculous number and I don't see it getting any better. The Chief and I sat down today and discussed this and we do have a plan that we are going to institute but that would all have to do with the fact of the income tax passing because it has to do with manpower and a little bit of money to put people out there. That is the only way it is going to work as far as us suppressing it. You have to be out in the streets and you have to deter these people from not only selling it but having the transactions out on the streets. If you are there they are going to continue to do this. Like I said it is not just our city – its Avon, Avon Lake, Lorain, Elyria. It is very bad. It is not only scary, it is frustrating and you know we have a lot of young people out there that are dying very young and it is ruining their life's, it is ruining their parents life's because these people are stealing from their parents, stealing from their friends because they have no other way

to get money and this drug has taken them over. So we will have to address that. Councilman McCullough asked what is the ordinance or what is the ORC on when we show up and the kid has overdosed, what do they get charged with? We just give them Narcan and walk away and say here you go, you made it through this one. Law Director Graves answered if you just have someone overdosing, there is no criminal charge. You have to find criminal tools, you have to find residue and then charge with possession of criminal tools. Councilman Elliott stated as far as countywide. Councilman McCullough interrupted I got a question, you inject with Narcan what is the next step for them – nothing? Councilman Elliott stated there is no answer to this. Law Director Graves advised I wear kind of dual hats when it comes to this issue because I am a municipal Prosecutor but I am also Chairman of the Board of Directors for LCADA and a law enforcement perspective is good for some things. But when you are addicted to narcotics they will do anything to get the drug and especially with heroin, it is not even about feeling good anymore. It is about not getting sick, when you are addicted to heroin you wake up and feel lousy and you feel like you are going to die and all you can think about is how can I get that fix so I don't feel so lousy. You have got to get these people to agree to get into treatment/recovery and it is education and prevention. Councilman McCullough stated we have habitual offenders right? We have people that are showing up, we are giving this drug again, again and again. Law Director Graves stated I don't know that there is people that we are administering Narcan repeatedly. Councilman Elliott asked if you are asking if they re-offend, the reoffend rate is 80% 85% I think. Councilman McCullough stated my point is it is costing us money for what, we are not going anywhere and if they are not going to do anything we can't force them into that jail cell for 24 hours. Law Director Graves advised this is the argument that is going on in Columbus right now, when you talk about Medicaid expansion and increasing funding for treatment services because the costs continue to prosecute these people, the thefts, the criminal justice system – so far out ways the costs of treatment. These are debates that are going on right now and you are right we are spending a lot of money continuing to prosecute people that are addicted and they are going to continue to have issues until that gets addressed. Mayor Bring advised the other problem is that if you bring them into jail and you leave them sit in there, they do get sick and when they say I am ill then you have to take them to the hospital. Councilman McCullough stated I understand but we are taxed with our safety forces now and then. Does anybody have any idea how much a dose of that Narcan costs? *Motion by McCullough/Second by Elliott to accept the report. Yeas All./**LAW DIRECTOR REPORT:** Law Director Graves reported on Civil Service; we are going to be running a test through Tri-C to compile a new eligibility list for Police Officers. That is coming up soon. The Demolition Board; we did have a meeting scheduled today – there is a number of properties that were on the agenda scheduled for demolition through the use of county grant funds. Unfortunately we did not have a quorum for that meeting. We do need another resident appointed to that Board so if anybody is interested please talk to the Mayor for consideration. I

was contacted by Chase Bank and we are going to start talking about extending that lease and things are looking favorably and we will keep everybody apprised as those discussions proceed. I would like to put out there a recommendation, perhaps for the Ordinance Committee and that would be to create a new zoning district in the city; a mixed use district. Perhaps a planned unit development or a special use district that would enable residential and commercial to co-exist in a mixed use environment similar to Crocker Park where you would have retail on the first floor and residential or condo's on the second floor. We currently have no such zoning district in the city and we have been approached by some developers that would be interested such a project but we don't have any zoning district that would permit that. We have retail and we have residential but there actually is an ordinance on the books that says they cannot exist on the same line. So I think that allowing that would open the doors to some more economic development for the community. So maybe Ordinance can take up that discussion and I have some samples from when Westlake enacted and also the way that Avon Lake treats that type of development. Councilman Cizl stated David when you were talking about that, when you mention Crocker Park – the first I think is Shoreway Shopping Center. Is that what you are thinking in terms of? Law Director Graves answered at this point we just need to create that zoning district designation and then a developer that wanted to develop anywhere in the city could come in and ask for a zoning change for it to be zoned to that. So if we create – Shoreway Shopping Center is currently zoned B5. Let's say someone wanted to develop that, we don't even have a designation that they could ask it to be zoned to. So we would have to create that and then they could come in and I would like that to be rezoned this. First it would be to create that district designation. *Motion by McCullough/Second by Erdei to accept the report. Yeas All.

CITIZEN'S COMMENTARY:

Rosa Gee, 588 Kenilworth stated this is directed mainly to Eric and David, considering everyone is very much aware of the heroin problem all over northern Ohio and it is all over every state now, how much of a difference is the crime rate in areas that heroin is coming out public? Has there been a spike in any other crimes now that there has been a spike in drug use? What crimes? Councilman Elliott advised heroin addiction is also linked to aggravated robbery, robbery. Drug use period has a big impact on crime. Countywide and really nationwide. Law Director Graves concurred enormous impact on crime, you have to understand for example; if you have a teen-age child that is dealing with these issues, it is so counterintuitive on how to deal with it because you are used to dealing with the problems that your kids have and you know you pick them up and you care for them, you dress their wounds. With drug addiction you can't do that, you can't make them not be addicted anymore. You can't make them not find a drug dealer, you can't find the drugs and just get them out of your house because they will do whatever it takes to get the drug. They will steal, they will lie, they will turn on the people closest to them, anything to get the drug; they are not in their right minds. So yes they will commit whatever crime necessary

to get and use the drug. So it is a really bad problem and the grain of heroin that is on the streets today is 10 times more powerful than the grain of heroin that was on the streets in the 70's. It is so much easier to experiment with it today. In the 70's you had to inject it, today they can snort it, smoke it, sprinkle on food and eat it and get very quickly addicted to it because it is 80% to 90% pure. They are experimenting with heroin the way kids used to experiment with marijuana which is much more deadly consequences. They are getting hooked on it because they get hooked on prescription medication, they start crushing vicodin and things like this but they very quickly turn to heroin because it is so much cheaper and readily available. The costs on the street for prescription narcotics is \$1.00 a milligram, so a 40 or 80 milligram tablet is \$40 to \$80.00. For that much money you can get a lot of heroin. Councilman Elliott stated with heroin too, I was told by a couple of drug users of heroin that once you hear an overdose. Most heroin users want to know where that guy got his stuff because that is high grade stuff. Basically that is what happened last year where that guy overdosed and then you had an epidemic of one guy making heroin and killing a number of people because they were all seeking him out, they wanted to try his stuff. You can't think in normal mind terms. Like Dave said heroin becomes number#1 even over air and the normal needs. Mrs. Gee stated so the crimes they commit are always close to where they live more than likely? Councilman Elliott answered I would say so. It all comes down to convenience for them. Mrs. Gee asked does it matter if it is day time or night time when they commit a crime? Councilman Elliott answered no because they are not thinking about getting away with it, they should need the drug.

Ann Marie Woltman, 649 Sheffield Road stated I think we should ask the free press to take a picture holding that plague for community regarding monies. The other thing, what about the gaming places – have they been shut down or are they still operating? Finance Director Smith answered Coconuts is still open, Gus's has shut down for the time being. From what I understand from the owner of Coconuts that they have successfully gotten all the signatures to stop the legislation going through and closing them down. So for right now, we are still a go which is really a great thing for the City of Sheffield Lake. Ms. Woltman asked what are the ages of the people that are overdosing, are they mostly teenagers? Law Director Graves answered it is across the board and unfortunately there are a lot of young people but it really is across the board and it is across all walks of life. I attended a legislative luncheon in Columbus last year where the guy spoke and said they are seeing a big spike in nurses and doctors and if anybody should know better than to get involved in that would be the people in the medical community but once you are hooked you are hooked. Ms. Woltman asked do we have a dealer right here in Sheffield Lake? Mayor Bring answered if we knew that we would pick him up. Law Director Graves stated our Law Enforcement is doing everything they can.

UNFINISHED BUSINESS: None.

NEW BUSINESS: *Motion by McCullough/Second by Elliott to amend the agenda to include Council#038. ROLL CALL TO AMEND THE AGENDA TO INCLUDE COUNCIL#038: Yeas All – McCullough, Kovach, Stark, Elliott, Erdei, Cizl.

Councilman Elliott stated he was approached last week by a citizen and was asked if I would run. I thought everybody knew but I decided not to run back in January so this is my last term. My term expires December 31, 2013.

Mayor Bring advised we met the lady that Sheila Kepic I believe lives on Hollywood who is going to have a display at Shoreway for Halloween. We will have more information upcoming.

ORDINANCES AND RESOLUTIONS:

Council#038 – 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 for SUSPENSION OF RULES:

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

*Motion by McCullough/Second by Kovach for ADOPTION:

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

Ordinance Passes#37-13

President Rosso stated the administration – everyone is doing a great job but trust me as we have talked about the problem with heroin and the lack of police to do it, that is all we are doing is staying afloat. We have already lost services! We are not in any position to say that we can continue on at this level. Yes we are doing a great job because we still kept the doors open and people are getting paid but we could not sustain this city at this level. This issue#18 is critical for this city to get us back to a decent level, not even where we have a buffer. It would just let us get back to have restored services where they should be and far more importantly as Mrs. Smith said please keep Len Smith and Kay Fantauzzi in your prayers.

MEETING ADJOURNED: With no further business before this council, Motion by Kovach/Second by Elliott to adjourn at 8:35 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 September 10, 2013.

MAYOR

Dennis Bring