

**MINUTES OF CITY COUNCIL
SHEFFIELD LAKE, OHIO
March 11, 2014**

The regular meeting of the City Council was held Tuesday, March 11, 2014. Council President Rosso called the meeting to order at 7 pm.

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

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

Present: Rosso, Smith, Kovach, Stark, McCullough, Erdei, Cizl, Wtulich, Mayor Bring, Finance Director Smith, Law Director Graves, Treasurer Woods, Service Director Smith, Fire Chief Card

Attending: Concerned Citizens, Fire Fighter Scott Kozlowski, Demolition Board Chairperson Gee, Members of the Media

READING OF THE MINUTES:

Council – February 25, 2014 - *Motion by McCullough/Second by Kovach to accept the minutes of the February 25, 2014 Council meeting with any corrections. Yeas All.

CORRESPONDENCE:

Monthly report of court receipts for month of February 2014 - \$8059.00. Receive and file.

PRESENTATIONS: *Mayor Bring submitted AJ Torres for part-time Patrolman for the City of Sheffield Lake Police Department. I believe he was Patrolman of the year for his Post 3 times and retired from State Highway Patrol and he comes highly recommended. *Motion by McCullough/Second by Kovach to accept the Mayor’s appointment of Mr. AJ Torres as part-time Patrolman for the City of Sheffield Lake. ROLL CALL FOR APPROVAL: Yeas All – Cizl, Stark, McCullough, Kovach, Erdei, Smith, Wtulich.*

Mayor Bring swore in Officer AJ Torres as part-time Patrolman for the City of Sheffield Lake Police Department.

CITY COUNCIL REPORTS

Roads, Drains, Water, Sewer and Refuse: Chairman Cizl reviewed the minutes of the March 3, 2014 meeting. *Motion by Cizl/Second by Kovach to approve the sewer credit of \$264.71 for 4116 Lake Rd. ROLL CALL FOR APPROVAL: Yeas All – Erdei, Wtulich, Smith, Cizl, Stark, Kovach, McCullough. *Motion by

Cizl/Second by McCullough to approve the sewer credit for \$54.91 for 818 Kenilworth. ROLL CALL FOR APPROVAL: Yeas All – Stark, Smith, Cizl, Erdei, Wtulich, Kovach, McCullough. *Motion by Stark/Second by Kovach to accept the report. Yeas All./**Safety:** Chairperson Stark reviewed the minutes of the March 5, 2014 meeting. *Motion by Erdei/Second by Kovach to accept the report. Yeas All./**Buildings, Lands, Vehicles & Equipment:** Chairman McCullough reviewed the minutes of the March 6, 2014 meeting. *Motion by Stark/Second by Kovach to accept the report. Yeas All./**Ordinance:** Chairman Kovach reviewed the minutes of the March 6, 2014 meeting. *Motion by Stark/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 with the girls in the Water Department – the bills were sent out the other day for all the residents and the company that sends them out; CMI sent out the exact same bill that was previously for the month before that. So probably the majority of our residents called us about that. That company was contacted by one of the girls in the Water Department and they apologized for that and they sent out a new bill with an apology. Obviously we are not real happy about it and I talked to David about it a little bit and I talked to Mr. Smith about it. We are going to have to make some phone calls and talk to these people about it because the girls from Thursday afternoon until even today – we have had non-stop both phones going and actually Wendy in our office was actually taking the overflow from all the phone calls that we have received from people which was justified due to the confusion of what was going on. We are not real happy about it and CMI tried to correct it as fast as possible but again it just was not a very good situation. We are looking into what we can do about it. Tammy and I met the other day with the 2 ladies that are doing the Classic Fall Festival, we had a nice meeting about that. That is going to happen again this year, it seems like we are going to have more sponsors/more events. So that should go real well and we are kind of excited about that as they are doing a very good job of planning this and it should be good. We met this morning via conference call with the gentleman that is doing the new website and that is going to be an on-going project. We are trying to make that very user friendly and Tammy had some very good ideas on that and Wendy said a few things. We looked at several cities and their websites and we spoke to the gentleman; actually Tammy did most of the speaking on this but talked to the gentleman who is doing it and gave him our ideas. So he is going to be working on this and now we are going to see about

getting some pictures available and our ideas on what and how exactly we want the website to run. It should be very nice by the time we get done and the gentleman kind of gave us an idea of what he was going to suggest. What we have now and what we are going to have is going to be night and day so we are pretty excited about that. On the coyote situation – we had several residents that wanted our Policemen to actually go out and shoot the coyotes on the ice and after talking to Chief Campo we really don't want to go out there with guns and start shooting animals on the ice. If the animals have rabies or in distress that is always a possibility but just to go out and start firing bullets on the ice and having it ricochet off and something actually happening. Besides that I think we would have every agency from here to Alaska coming down and complaining about it. There would be a few residents that would be happy but I would imagine that most of them would be very upset about that. It is one of those things where you wish you could do something but sometimes common sense prevails and you just know it would be the wrong thing to do. We relayed some of those messages to the residents and they are not very happy about it but at this point that is about the best we can do. We have no Animal Control Officer and I suggested maybe calling a Professional to take care of that for them; a tracker or something like that but even with that you have pets that are around the neighborhood and you don't want to have one of them injured either. Councilman McCullough stated the web guy – he understands that it needs to be a landing page right where people in the city, they almost want to use it for their home page. Finance Director Smith answered absolutely that was our number one priority. Mayor Bring advised once it is on there we don't want them leaving the city's website, if things come up we still want to be on the Sheffield Lake page. I talked to another business about that the other day; a very large business and they were having theirs redone and that was one of their criteria. I have been going around asking people but Tammy did a lot of research on this and like I said we looked at several different websites. Councilman McCullough stated so every single link opens a new window. Mayor Bring stated but it still stays on the City of Sheffield Lake so they don't have to get off the site and then come back on. Finance Director Smith stated we want to make it such a great page that they will want to use it as their homepage and then they will have all the community news and we are going to make it interactive where we will have a business page where they can advertise on it. We are going to have a calendar so if they have any events going on they will have a password and they can go in and post they're events right on our community calendar. All of course preapproved and we will keep an eye on that obviously but I think it is going to be really great inactively. Mayor Bring advised we will have some stuff posted on there from the Police Department and we will have some of the stuff from the Fire Department. They will be able to go in and change things themselves. Our Water Department

will be able to do the same and post things on there. All departments in the city will be using this, we want it to be very user friendly. That way once this is up, each department will be able to take care of it. So you don't have just one person doing it all, we don't have the manpower for that. Councilman McCullough stated one more thing and this is probably more for Tammy, we got a Fall Festival vendor that wants to be in our Fall Festival this year. They have a mobile wood fired grill pizza, it is actually the people that own Fountain Blue. Finance Director Smith advised please have them contact me and then I will make sure they will get in contact with Heather. Councilman McCullough stated they are at the Landing down at the head of the Emerald necklace during the summer. Mayor Bring advised the ordinance for the Community Center, there was a suggestion by the gentleman that runs that and when that comes up tonight I make a comment on that because there was a mistake on there on the amounts. President Rosso stated there are corrections on some of the First Readings that being one of them and with Kay being sick. They are just up for First Readings and we will mention that the corrections will be done but since we are not voting on them we will have the corrected version in front of us for the next Council meeting. *Motion by Stark/Second by Erdei to accept the report. Yeas All./**FINANCE DIRECTOR REPORT:** Councilman Erdei stated say this levy doesn't pass and how far are we actually off from actually having the state step in? Finance Director Smith answered we have no intention of having the state step in at this time nor will we ever unless I can help it. We don't want that to happen, we are going to have to make some very strong decisions, the Mayor has already spoken of that several times of what changes we are going to have to make with unfortunately our Fire Department and that is certainly not a threat – it is just how it has got to go. All of our department heads understand where we are at and every single purchase that we make and I don't care if it is \$3.00 we think about it and we make sure it is what we need and if we can go somewhere else and get it for a \$1.50 we do that. I will even go and drive somewhere on my own time and get stuff just so we don't spend the money. So we have had a lot of really great cooperation with the Police Chief, the Fire Chief – all of the departments have been very helpful. So that is how we have gotten to where we are at today, we have no pay increases. We have basically had a hiring freeze other than a couple of part-time people just because we really can't do without them and that is how we have made it to this point. Right now we are around 2007/2008 spending levels and hurting at this point. We are looking at some equipment that is like the bottles that are \$1000.00 apiece. We are going to have to start replacing those and we are going to have to look at small quantities – we are going to have to make do and we have done a pretty good job at making do. Unfortunately we are getting pretty close to the end on that. *Motion by Stark/Second by Kovach to accept the report. Yeas All./**TREASURER**

REPORT: report attached./**SERVICE DIRECTORS REPORT:** Service Director Smith stated this afternoon I discussed the issue with Karen Steel at CMI and she sent this written correspondence and basically what it says is and this was printed on the corrected water bills that went out so not only did they send the corrected ones out they added a thing on here. At this time they still have an on-going investigation internally and they don't know how this happened. I let them know today like the Mayor and I had discussed and Tammy had discussed with them about the monetary values that they are affecting us with. We just afford this and the residents can't afford this and that we are probably going to expect something to be compensated somehow/someway. This is ridiculous but she did say it is the first time it has ever happened to them and once they find out what is what they will share it with us immediately to keep it from ever happening again.

Councilman Erdei stated you know Memorial Park always had 2 signs; one where the new one is now and one on Howell. Are there any plans to get one on Howell right by the cemetery? Service Director Smith answered I thought we had that sign, I was unaware that it went down. I thought it went up, Jerry re-routed it and everything. Councilman Kovach advised we never had 2 signs, we only had one.

President Rosso advised it is in the center of the Park now. Councilman McCullough stated so whoever lives at that end of the Park can keep an eye on that sign probably because the people that lived at the other end of the park didn't do a good job at keeping an eye on the sign. Service Director Smith stated Jerry actually spent a lot of time redoing it and he also had some outside help too. *Motion by Stark/Second by Kovach to accept the report. Yeas All./**SAFETY DIRECTORS**

REPORT: Mayor Bring reported we are probably going to get buried in snow tonight so everyone be careful on the roads. We are going to try to the best job we can to keep these roads clear. They were talking 45 mile an hour winds and 10 to 12 inches of snow so I don't know what is going to happen here so. So we are going to play it by ear and hopefully they are wrong. *Motion by Stark/Second by Erdei to accept the report. Yeas All./**LAW DIRECTOR REPORT:**

Law Director Graves reviewed legislation on the agenda. We did have a Civil Service meeting that was very productive, we actually had 2 meetings with the Fire Chief attending both of those meetings and they are actively involved with the process of conducting an entry level Fire test to compile an eligibility list when we are eventually able to hire new Fire Fighters for the city. We are also still finalizing our CRA housing study which will be the first process for designating the city as a CRA zone enabling us to give up to 10 year tax abatements for proposed new construction in the city as another development incentive. We will also be revising our Industrial District legislation and creating a new subdivision legislation and all of those are in the works. Councilman McCullough stated I have a comment for the rest of Council, Alan you know this because when you were on Ordinance when

this thing was started – this site plan review; that is when we started talking about it way back when you were on Ordinance. The Law Director has put in countless hours on this and I am going to be gone for a few weeks so I just want you guys to know that it would be really nice that once everything is changed and you get to the second reading it does have an emergency clause in it. There is no sense in holding up this proposed legislation. I would like to thank David for all the work because he kept bringing it to us and we kept changing things and this has been more of a thorn in his side than anything but thanks David for all the work you did on this - that is Council#014. *Motion by Stark/Second by Kovach to accept the report. Yeas All.

CITIZEN'S COMMENTARY:

Gloria Dossa, 767 Grantwood asked what is that CO for? Councilman Kovach asked you mean the CRA? Mrs. Dossa answered yes what does that involve? Law Director Graves explained under the Ohio Revised Code you are allowed to designate up to the entire community as a Community Reinvestment Area. Once that is done and it is designed for areas that have not had a lot of new commercial residential development and Sheffield Lake has not had a lot of new residential and commercial development. The first step in that process is to submit a housing study that kind of lays out all that data, largely compiled from census data to the State of Ohio, the Office of Development Services. Once that is approved then we can adopt our own local legislation, we will establish a local housing counsel and we will be in a position to start entering into agreements with local businesses who wish to build new buildings or new construction to expand onto additional buildings and be able to abate a portion of the real property taxes on that new construction and we do that in conjunction with the school district but it is a nice economic development incentive for new business to build in Sheffield Lake. We are going to try to get that going. Mrs. Dossa asked what about all these empty buildings that are here and now, we don't collect any taxes on those? Law Director Graves answered we are looking at that, we are trying to encourage local businesses. I know we have renovated a number of those and the Service Director can talk to some of that. The incentives that we are talking about are for new construction. Mrs. Dossa asked now if they come in are they going to be offered some kind of a tax abatement. Law Director Grave answered this would give us that option - a new building or expanding an existing building, we would have that option.

Rosa Gee, 272 Gayle Drive advised I am here to give all of you an update on issue#23 that will be on the ballot as far as Safety Forces and our Parks as all of you are well aware. Wednesday, March 12th we are going to have a meeting at 7 pm at Amber Oaks. We are asking as many as possible to please attend to help us move forward with this levy. At the same time we are also looking for N shaped

widgits that are 20 inches wide to 16 inches wide. We can't have them smaller than 16 and can't have them larger than 20 and we need anyone who had those sizes for their own campaign signs to please feel free to donate them. We need 100 more at least, that way we are saving money with our group and not having to buy those used ones will be fine for us. Saturday March 29th we are going to door to door walking, we are all to meet at the Sheffield Lake Fire Department at 9:30 in the morning and we will start walking at 10 o'clock knocking on doors. I know all of you are extremely busy, I understand but please try to have either yourself be in attendance or someone representing you in each one of your wards. Another question we are asking of you is that I understand that there has to be a separate government versus the issue and I do understand this. But each of you are individuals, when you were campaigning to be elected and you have talked to people in your wards in your districts. We are asking for you to please mail out one of these to different people in your district asking them to please vote on issue#23 and I have as many as anyone needs and I can print more at my home for you and hopefully we will see you walking and we are also going to have at the Fire Station – we are having an open house May 3rd from 11 am to 3 pm. So hopefully we can see everyone there. We are also going to have walking again Saturday April 26th.

Romolo Debottis, 868 Lake Breeze stated I wanted to go over a couple of things, I think about a month I had mentioned or had some questions about the rental properties here in Sheffield Lake and I think Mary said that was on the way up? I think from the research that I did the rental property income is basically part of RITA tax, is that correct? If someone owns rental property at the end of the year whatever they make on that property – is that how that works? Finance Director Smith explained how that is filed. Mr. Debottis asked that is 2%? Mayor Bring answered 1-1/2. Mr. Debottis stated I did about 2 weeks' worth of research and there is obviously a lot of communities that are in the same shape that we are in. They tried to pass levies and some work and some don't. Something interesting that I was trying to bring about and I didn't know how to quite explain it but the more research that I did there is several communities across the country that were seeing a large influx of rental property. We are being able to come in in different communities and buy these properties cheaply and then rent them out. Average rent \$500.00 to \$800.00 a month and what a lot of them enacted was a flat rental tax. So in other words on the gross, so whatever someone brings in gross a lot of them went to 5%. So for an example in this community I figured out if we have a thousand renters that pay rent and these property owners own rental properties; on an average of \$700.00 X 12 that is 9.6 million dollars that they are bringing in in rent and at 5% that could bring 1/2 million dollars to the city. Just something to consider and I know at times we have bet on levies and it is a crap shoot; they can work/they don't work but there is a lot of people here that don't live in this city

they are making a lot of money off of rental properties in this city. They section 8 them, they rent them out and they don't even live in this city. A lot of people that have done this have the population of rental property go down to where just normal people buying houses at that point – they are not rental properties and then the people that do own them have to pay. They are actually able to take part of that compensation and hire someone for a salary to make sure what was being paid on rent was being reported. Some people just assign 1 or 2 people to make sure that this is all taking place. Just something to consider. President Rosso asked do you have the names of some of the city's that enacted that? Mr. Debottis answered Connecticut and New Jersey. There is some parts of Ohio that enacted that, some of them want 3% and 4% but the key is not on the adjusted income because you can keep writing that down – it is on the gross. President Rosso stated I was just curious of what cities in Ohio did? Mr. Debottis stated I actually talked to one of the Law Director's for the east side of Cleveland and they said they contemplated that for years and they finally enacted and passed that. I forget what the amount that she said it brings into their city as far as new income but it also has slowed down the progression of rental property. President Rosso asked where was that – East Cleveland? Mr. Debottis answered I have it in my notes at home and I apologize I didn't bring them. Councilman McCullough stated I was going to ask that if any of them are in Ohio and if they are Charter communities. I think that is a question that David would have to do a lot of research on.

UNFINISHED BUSINESS: Councilman McCullough stated just a reminder of the comedy show is this weekend at VFW. There is a steak fry this weekend at Breezewood for Sheffield Lake Youth Baseball and last weekend was the endowment so we are past that. Also whatever you need for those widgets just let me know, whatever you are short I will buy them for you. Mrs. Gee stated we are hoping that we could get those donated. Councilman McCullough stated I have H's. Mrs. Gee stated some of you might have the N's. We started out needing 248 yesterday and now we are all the way down to where we only need 100.

NEW BUSINESS: Councilperson Stark stated since we are talking about voting, I believe the deadline to sign up to vote is April 6. They are also talking about making changes to early voting, they are going to cut it off early and there might not be weekend – like Saturdays. So double check if you are somebody who has voted on a Saturday before, the State has I believe changed that process at this point. Just double check before you go in. Councilman McCullough stated Buildings & Lands next month – can you cancel that? President Rosso stated you are the Chairman, you have to cancel that so tell Kay.

ORDINANCES AND RESOLUTIONS:

Council#012 – SECOND READING – an ordinance authorizing the Mayor to enter into an agreement with Local 277 of the American Federation of State, County, and Municipal Employees, AFL-CIO, and the declaring of an emergency.

Council#013 – SECOND READING – an ordinance authorizing the Mayor to enter into an agreement with the City of Lorain for the provision of sanitary sewer services, and the declaring of an emergency.

Council#014 – FIRST READING – an ordinance amending section 167.05 of the codified ordinances of Sheffield Lake regarding site plan review and the declaring of an emergency.

Councilman McCullough stated when this comes up for its second reading and all the changes are made, it has an emergency clause. President Rosso stated for point of clarity, there is a difference between the emergency clause and suspending the rules. You are talking about you would like Council to consider suspending the rules at the second reading.

Council#015 – FIRST READING – an ordinance establishing section 931.20 of the codified ordinances of Sheffield Lake regarding waiver of commercial sanitary sewer connection and tap-in fees.

Council#016 – FIRST READING – an ordinance establishing section 935.23 of the codified ordinances of Sheffield Lake regarding waiver of commercial water connection and tap-in fees.

Council#017 – FIRST READING – an ordinance of the Council of the City of Sheffield Lake amending section 969.06 of the codified ordinances regarding rental rates, and the declaring of an emergency.

MEETING ADJOURNED: With no further business before this council, Motion by Kovach/Second by Stark to adjourn at 7:51 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

COUNCIL PRESIDENT
Rick Rosso

and/or

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 March 11, 2014.

COUNCIL PRO TEM

Alan Smith

MAYOR

Dennis Bring