

**MINUTES OF CITY COUNCIL
SHEFFIELD LAKE, OHIO
June 24, 2014**

The regular meeting of the City Council was held Tuesday, June 24, 2014. Council President Rosso called the meeting to order at 7:03 pm.

THE INVOCATION WAS GIVEN BY: *Council Chaplain; Kay Fantauzzi*, who then led in the Pledge of Allegiance.

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

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

Attending: Concerned Citizens, Mr. Herdendorf – Historical Society, Members of the Media

READING OF THE MINUTES:

Council – June 10, 2014 - *Motion by McCullough/Second by Kovach to accept the minutes of the June 10, 2014 Council meeting with any corrections. Yeas All.

Council Worksession – June 17, 2014 - *Motion by McCullough/Second by Kovach to accept the minutes of the June 17, 2014 Worksession meeting with any corrections. Yeas All.

CORRESPONDENCE: *None.*

PRESENTATIONS: *Mr. Herdendorf of the Historic Society* presented a plaque to Mayor Bring and President Rosso. Mr. Herdendorf advised I just wanted to stop by tonight and thank the City of Sheffield Lake for supporting the plans that we are implementing for the Bicentennial. I think it is going to be exciting and there will be a lot of activities and to show our appreciation Mr. Herdendorf presented plaque to Mayor Bring and President Rosso. Just to give you a quick update about some of the things that are planned actually for this year and will take place soon – the kickoff to the Bicentennial; in September Domonkas Library will be celebrating a 50th anniversary and they have kind of asked if we could join in that celebration. So we will be presenting 3 lectures on September 3, 4 and 8 at the Library. When I say Sheffield that means the original; all Sheffield's together. How did we get here geologically. The second one will be Sheffield; native Americans and we have evidence that they were here probably 13,000 years. The last settlement that we are actually working on is 700 years ago. Right now on East River Road we are doing an excavation for the Cleveland Museum of Natural History archaic site that is 4,000 years old. So it will be going on this week for the next 3 weeks and if any of you would like to stop down from about 8:30 to 3 in the afternoon and watch us dig in the mud. We are finding where they were actually cooking, we excavated a

kitchen. It has got cooking area and smoking deer hides and things like that. On the platform they brought a piece of shale up but from the bed of the river. They actually use rocks; they burn the fire and actually put them in certain animal bags; skin bags and they can boil water that way. When the rocks begin to crack and break up they would just throw them out into the fields. So there is a huge area, maybe 200 feet that we call a midan. We are looking forward to getting our fire truck in Community Days this year, we found out we need a new master cylinder for 1946 fire truck and the catalog's go back to 1947. So we are going

CITY COUNCIL REPORTS

Roads, Drains, Water, Sewer and Refuse: None./Safety: Chairperson Stark advised cancel July meeting./**Buildings, Lands, Vehicles & Equipment:** Chairman McCullough advised cancel July meeting./**Ordinance:** Chairman Kovach advised cancel July meeting./**Finance & Audit:** Chairperson Stark reviewed the minutes of the June 17, 2014 meeting. She advised we will have a public hearing on July 8, 2014 for the Tax Budget. Finance Director Smith advised we are not going to have a public hearing for it because as I have said for how many years it is such an antiquated system that the state has amended the rules that we do not have to have a public hearing. We still have to pass the Tax Budget and I still have to do all the reporting to the county so none of that has changed. But it is now less formalized which it should be because it is an antiquated system anyway. *Motion by Erdei/Second by Kovach to accept the report. Yeas All./**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:** Member Kovach reviewed the minutes of the June 16, 2014 meeting. Councilman McCullough stated through Lake Road on Saturday evening approximately 7:30; Lakewood Beach Park was packed – there wasn't another place to park. So it is getting used. Service Director Smith advised that is a regular thing. Mayor Bring advised we got people from Vermilion actually coming there. President Rosso advised it is a very well used park. Councilman McCullough advised I thought maybe there was a party in the area and I kind of looked for it, no party – they were just all down on the beach. President Rosso stated ever since that parking lot got put in that is like that all the time. Councilperson Stark stated Guenther Park with this Soccer League using it, do they do any maintenance at all or do they pay anything to use that park on a frequent basis that they use it. Service Director Smith stated no they are permitted and they do fix little things and maintain the concession stand. They maintain their little building there for their field supplies. They are treated just like any other group that uses the parks. The thing is that they come 1 or 2 years early

to have the Park Board vote on them being the permit for the following season or the following 2 seasons because they have to make commitments to the league and that gives them time to print things up and do everything for the following season. That has been an on-going relationship since Steve chaired the Soccer Board. Councilman Kovach asked would we see you or Pat for a key to the concession stand so we can get power? Service Director Smith clarified the concession stand for the movie night? Councilman Kovach answered yes. Service Director Smith advised Lisa Prokay was making contact with Josh Sours about that. Either way I have Josh's cell, I can call him or you can call him. It is not a big deal as he is easy to get a hold of.

ADMINISTRATIVE REPORTS

MAYORS REPORT: Mayor Bring advised on July 22nd at All Pro Freight Stadium – Crushers, there is going to be a “Sheffield’s” night which is Sheffield Village, Sheffield Lake and Sheffield Township. So all 3 of those communities are invited to the Crushers Stadium and it is a \$5.00 general admission at the door with proof of residency. If you look at that date, I think if Kay looks at the calendar that comes up on Tuesday. So just to let you know we are not going to be here.

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

DIRECTOR REPORT: None./TREASURER REPORT: None./SERVICE

DIRECTORS REPORT: Service Director Smith reported I have a few things. First of all I will comment on the pole and the flag pole both will be removed by Ohio Edison, that are doing that during the conduit that we have installed and prepped at the Civic Center – they are going to do it because they will have the equipment there to pull the pole out which will make it real easy to pull out the flag pole at the same time. We do have a new mower that the parks are using and Jerry has got it. It is a 72-inch X-mark and it is a lot more powerful and a lot faster then the old 72 but the old 72 has not let us down. It breaks down every now and then but it has been cutting its life out. That machine has been a great machine but now we got a new one and both machines are running well. Jerry tested it and it was great and the Mayor tested it. It is exactly what we need and we can mow a lot of acres in a short amount of time and get a decent cut out of it. So we are real excited about that. Mayor Bring added the old one – Rob just completely rebuilt this year and it was getting to the point where about every 3 weeks it was breaking down so we had to do something. Jerry is going to exclusively use the new one to make sure that it stays the way it is. Then the one can be used in case there is an emergency or we need grass cut in a field that they can use 2 mowers at a time or whatever. At least now we don't have any down time. President Rosso advised that is great, that is exactly what we said we were going to start doing. Mayor Bring advised the other one that we had we bought that one used. Service Director Smith advised 6

or 7 years ago. He continued I would like to report that the Holl Road main sanitary line was completely jetted and the catch basins vac'd. They finished that up yesterday - several days. The only thing we found in the line besides a little bit of rock was a residential clean-up cover that was busted – pieces of it in the line. That was about 700 feet from the Sheffield connector where the sanitary goes down Sheffield. So it really wouldn't have effected much having caused anything except for a couple of houses on the far east end. I did take Lisa Prokay around and gave her a tour of the city in an historical way. I showed her the different things that we have developed here over the last 10 years. The process of how we do it and how we work with volunteers, etc., etc. I think that was a very positive thing and she said that I helped her a lot and I hope that that continues and that she takes an aggressive role in the areas which she is trying to help. We will be bidding out the bike trail stuff hopefully by the end of this week. I had a very productive meeting with the city engineer concerning the Nature Works grant. We need to finalize a few things which we did this afternoon and we got things pretty much going in a great direction so hopefully by the end of the week that will be in the paper for the scope that is going to be bid out. Both city beaches have been cleaned, graded and drift wood and dead fish removed. The Lorain County Health Board has been in there and we ordered special signs and we get daily reports 4 days a week. We can flip the signs to “swimming not recommended” or “swimming allowed” and that is going real good. We have gotten nothing but compliments and the guys have been real busy. I have had the road guys grating sand and getting all the overgrowth out of there for the people who like the beach. Basically getting the beach back from the spring overgrowth, the rain has kind of held us at bay for a long time. Jerry just got his 2 county workers, we have a county program going on where the county pays for workers to come and they work in different departments and it doesn't costs us anything as the county takes care of their wages. It is a work program for them and we have been real lucky this year, we got some really good workers. So Jerry has been able to start getting totally caught up on spring/summer growth and that is working out real well. I urge you all to take a good look at the parks as they are looking really really nice. Especially the beaches and like Steve had mentioned they are getting lots of use. I have had a lot of input about the cleaning of the beaches and the bacteria counts posted and stuff like that so I have been taking the time to explain to residents how that works. Everything seems to be going great. The heavy rains of May 12th of this year are not forgotten. I am in the process of applying information on our storm water bottle necks so they can be looked at. You know where we have our problems in our city as part of an area wide solution search that is affecting the surrounding communities. I believe this is on-going with the area Mayor's, they have taken the helm at this but at the same time we are supplying information to

the engineer so they know what we are dealing with internally within boarders. I believe each community is doing that. Like I said Jerry has been sprucing up the parks especially for movie night. He has been paying close attention down there on the east side. He told me that he would have it looking really good and it is – it's looking great. I have had several positive remarks about movie night from citizens and I have had to give credit where credit was due. A lot of people think it is a great cause and they are anxiously looking forward to going. The Road Department is continuing with driveway pipe installations, ditch grading along with pot hole patching with the use of a regular weekly schedule. So that we don't omit things and stop things, we have these regular things being done every week on certain days. Then the other things we are mixing in back and forth. All in all it has been pretty productive for us over the last several weeks and we hopefully will continue with that. Councilman Erdei asked have you come to any conclusion on what they are going to do with the pump stations, has Bramhall done that? Service Director Smith answered we are in that process with discussions with the Engineer and part of our pump stations questions are going to be the first part of our finished sanitary sewer modeling. The hydrological modeling that we have done, we are going to look at the pump stations through that scope. The force mains, we are also going to look at the effect of the forced mains and the problem that we have down there with the one that is off through the modeling and that was discussed this morning with the City Engineer. Councilman Erdei asked have you gotten any more selections on water meters? Service Director Smith answered I have another company that is requesting a meeting to come in and make a presentation on their goods and I will bring that forward as we get time. Right this second I have been playing catch-up with some of the tasks and the scheduling. Councilman Cizl stated Len you were at the graduation when I reported about the Community Center leaking on the west side, were you aware of that. I want to make sure? Service Director Smith advised Pat is the Manager and handles that directly with the roofing company but I can check on it if you would like. They also come in and do preventive work too and they check the roof out because it is under warranty. Councilman Cizl advised when I was driving down to meet tonight – by the way Holl Road looked great, it was flowing and everything. But the 900 block of Warwick I saw 3 or 4 adults – the water was over the curbs and up to the sidewalks. So you might be getting some phone calls, I am not sure. But for whatever reason I don't know it is not flowing. I seems like the manholes are above the water level. Service Director Smith advised my street was under water too and I got ditches on both sides. I am going to have the curbs swept. That is something that I am working on right now on having all the curbs swept by an outside contractor. Dennis and I discussed this especially over the last couple of weeks and then we are going to test them to see if it is going to be efficient enough

for us. That way it eliminates our need to house the stuff on site and pay for our hazardous manifest, pay for hazardous disposal through Allied Waste and pay for covered containment of the thing that you put your sweepings in. This way they handle it all and they come in with different vehicles. We are going to give that a try and that should get the issues of drains of people who just don't want to go out – they see a pile of leaves on their drain and they don't want to go out. They call the city and say come out and clean the drain off it is causing my house to flood but they won't go out and kick the leaves off themselves. I have had 3 calls this week alone where people want the Service Department to come in after hours to come and clean their drain out that is out on the road. We obliged the next day but I am not making it an overtime issue. Councilman McCullough stated talking about drains because I noticed that Lake Breeze was kind of backing up so I kind of drove through it and it actually got the thing loosened and started flowing. Is there we can mark those drains in the street so when they do get filled we can see it? Service Director Smith advised our sweeper broke. Councilman McCullough stated no that isn't it, when the rain comes down as fast as it comes down sometimes it is taking stuff out of people's yards. Like I said my ditch I found a garbage bag in my ditch. Is there any way we can mark those drains where you can see them. I kind of guessed where it was at and put my van through it and it did wash it out. Service Director Smith advised if the roads are swept, if the curb streets are swept the drains are free. Then any problem we pull the lid and vac it out with the vac truck. As far as seeing them Kerry, they are pretty visible. Councilman Smith advised when you do go to do the sweeping of the streets, we did that quite a few years ago and there was such a issue with parked cars on the road during the day that they were trying to do it that nobody ever notified them and the sweeper missed half the streets because of all the cars were there. So that is just something to keep in mind because that happened the last time. Councilperson Stark stated going south to north over on like Gayle, Thelma – where we just did all that new pave and everything. Service Director Smith advised that was on Erieview. Councilperson Stark advised it is still backing up down on that end, like even tonight it is backing up and it is still backing up into their houses. When we look to eventually possibly pave that end of town, is there a way we can lift road up so that it is even and not draining towards that end? Service Director Smith advised that road has curb drains in it and gutters. We will clean it and jet it and vac out. If I may let's take all the streets off of Irving Park; all those streets off of Irving Park have curb drains. My guys every time it rains has to go out there and have to clean the grids because the residents will sit there and stare at a pile of leaves, hamburger wrappers, kids toys, everything stuck in the cover of the clean-outs. They won't lift a finger to go out there and kick it off like Kerry wanted to do himself – kick the stuff off, just kick it off with your foot. They will call us and

they will file a complaint. They say you need to get your people out. We talked about this recently because we are going to redo some of our service calls. Nothing worse than a guy gets called in for overtime because he has a flooding situation and you get out there and it is something that the homeowner caused themselves. I mean you are going to get that no matter how you look at it, we are service oriented. But there has got to be a certain amount of common sense. Sometimes it just doesn't come to the surface that way. When Kerry brought up his question and the reason I hesitated is if you got a clogged gutter and it is full of water call the Service Department and say there is a gutter full of water in the 800 block on the east side. Our guys will go out there and they know where every gutter is off the top of their head. They will sit there and go right to where the catch basin is and that is what they will target right off the bat. It is just like the sewer guys, the sewer guys know right where the laterals are and they know right where the clean-outs are. That is the fastest way and that is what we asked John if he would put it in his report about people calling us to help us identify troubled locations. We went through that with 4048 Ivanhoe across from your house Kerry with the lady across there. No one wants to call us and say we have a problem over here. When we get a heavy rain like this that identifies the problem. This week it is this catch basin and next week it is one 3 houses down. So we will look at that when we go to do the road, most important on a rain like now. We had a heavy surge with an inch and a half of rain. I don't think we had any massive flooding issues, we are under a flash flood warning for a reason. We will take a look at that and will identify where some more bottle necks are. We will keep documenting it and getting the information to the engineer. Councilperson Stark stated I feel bad because the gentleman that is down there goes out and scrapes his off but because of the way the road is slanted my end is completely dry and all the people around me their stuff is flowing down onto his end and he is having to go scrape it out. He calls you guys but if it is at night he will do it himself, that is why I thought I would mention it now especially since we just paved with all that water puddling down there. Service Director Smith clarified you are saying where it connects to Gayle? Councilperson Stark answered yes both ends. Service Director Smith asked there is gravel there, isn't there in an exposed area where they haven't covered over where we had the water break? Councilperson Stark answered I am talking the other end, on the north end of Thelma/Gayle. Service Director Smith stated okay where the turn off is on Hawthorne. Councilperson Stark answered yes. Service Director Smith stated I will look at it. President Rosso stated regarding your comment about the grates in the sewers have leaves and wrappers and why don't these residents go out and clean them because that is not their responsibility. That is what they pay taxes for, that is our job. Should they call – yes and I agree with everything else you said but to say hey don't call me go out there and clean it yourself that is not

what we should expect our residents to do. That is not their responsibility that is our responsibility. Do I expect you to go overtime for someone that calls in – absolutely not. They call in and say hey I saw a problem – then you get when you can. Service Director Smith concurred and stated that was the nature of what I was saying. President Rosso stated somebody will call and complain instead of just going out there and cleaning off a gutter; is it great when they do it – absolutely. Have I done it – absolutely. I know Kerry has done it and I am sure we have all probably done it at some point. Service Director Smith concurred your point is well taken and I didn't mean it that way, it came out wrong. I meant that it is causing overtime situations. President Rosso concurred I agree – we should not go out on overtime. Service Director Smith stated that is why I made that statement – I am not sending people out when they call at 10 after 4 and say my grate is clogged and I got rain coming tonight. President Rosso stated I agree with you 100% on that – it is not worth overtime. Mayor Bring advised we are still getting the same problem though that people are cutting grass and blowing it out into the streets and if there is leaves in the grate or if something falls out they blow it out there and that is what the problem is and that is why we are getting a lot of the calls. In the fall if you go down Thelma and Gayle and everything – every one of those streets are completely filled up with leaves. You can't even drive down the streets but then they want us to clean the streets. That is where we are getting a little issue. We can take down the snow plow and pile all the leaves right back in their driveway if we want but that is why we are getting all these problems and it stays there and it stays there and stays there. We go back and pick them up and then something gets in their tree lawn and they blow them right back into the street and it is an on-going problem. Treasurer Woods stated the guys are doing a good job down there at the Boat Launch but people are wondering if there is anything we can do with all the goose crap being on the dock? Service Director Smith answered Jerry has been down there and we have had the Fire Department go down there and wash it down. It depends on how busy we are is what it comes down to. *Motion by Stark/Second by Kovach to accept the report. Yeas

All./SAFETY DIRECTORS REPORT: Mayor Bring stated we had a gentleman complain about no parking signs and he was correct, there was no – no parking signs because they were stolen. We ask if you see these people please call us so we can catch these people. We have probably had 25 or 30 cones stolen in the last year and a half and those are \$50.00 a piece. We have had street signs, stop signs, manhole covers – you name it. These are all problems that we are having. They are selling the signs at garage sales. So if you go to a garage sale and see a sign that says that it is probably one of our signs. President Rosso stated a stop sign is a serious offense isn't it? Mayor Bring answered yes it is. President Rosso stated that is not a standard. Mayor Bring stated right and we have had several of those stolen

too. Councilman McCullough stated I have struggled with some things and the biggest thing I have struggled with has been that Chief's vehicle and I was looking for something that we could do on that Chief's vehicle that sets my mind better. The other day out of the clear blue screwing around on You Tube I find Ohio Bureau of Workers Compensation puts a You Tube video out of Zenia's Fire Department who they gave a grant to buy one of those cot's and it was a 3 to 1 grant and when I checked on it it is still available. We meet some of the criteria, one of them is if we have had a back injury and we meet that and a couple of other things. Did we look into this, can we look into this for this cot? Mayor Bring advised I think you were at the meeting but I don't know if you can recall this but when Mr. Erdei asked about are we actively looking for grants and I said yes we are but there are certain things that I am going to move forward with and this is one of them. If you recall we did discuss that and if you didn't recall that then that is when you should get the minutes and read them. We had a gentleman off last year and it costs us \$39,000.00 and that would pay for the cot. I am not going to wait a year and a half for it or find out if we are going to get a 15% chance and right now we don't have a grant writer. Like Rick said at the last meeting, I thought we had all these discussions and we were ready to go. If you want to vote that way then you vote that way. That is up to you but I am tired of talking about it. Councilman McCullough stated don't take it personal. Mayor Bring answered I do take it personal because we talk about it all the time and you guys don't pay attention. President Rosso stated they pay attention he did some research and had a question. As I said over the last meeting we can always ask questions we work our way through we answer them and we move on. He votes how he votes. Mayor Bring advised I get tired and tired of talking about things and you get minutes that is what that young lady does all the time. She makes the minutes out and if you don't go to a meeting then read the minutes. Councilman McCullough stated I must have missed it Dennis I did not read into the fact that this grant was available. Councilman Smith stated I wasn't really struggling with the cot but I do only because I understand what Dennis is saying and I understand what Kerry says. Not to wait – I understand that part of it too. But it just doesn't sit right fiscally responsible in times of need not to look into every avenue. I have to kind of agree with Kerry and I can justify it both ways. Councilman McCullough stated I can too Alan I can justify it both ways. Councilman Smith stated it just doesn't seem fiscally responsible. Mayor Bring stated so do you want to wait on police cars, do you want to wait on everything else because there is a grant for everything. Do you want to wait 5 more years? Councilman Smith stated this is my bad because I missed the only meeting that we had to really talk about spending \$632,000.00 which 1 meeting to discuss the spending of \$632,000.00 I don't think is enough time to discuss – it was like discuss it, get it over with and be done on \$632,000.00.

Mayor Bring asked how long have we been talking about the levy, we have been talking about this for almost 3 years. Councilman Smith stated the levy is not a windfall of money we still have to be fiscally responsible. Mayor Bring stated yes and we are. If we aren't fiscally responsible then we aren't going to have police cars and these guys aren't going to have anything to drive around in. There was a debate over proposed purchases in which Mayor Bring left the meeting.

Councilman Smith stated this is the problem to have one meeting to discuss \$632,000.00 and it is my bad for missing it. He advised he was against the purchase of a vehicle for Fire Chief and would rather buy an additional police car.

There was a brief discussion on proposals. President Rosso advised we are not spending \$632,000.00. Finance Director Smith stated it was \$648,000.00 but \$402,000.00 is for equipment. There was a brief debate on personalities and positions. *Motion by Kovach/Second by Cizl to accept the report. Yeas All.

/LAW DIRECTOR REPORT: Law Director Graves reviewed the legislation on the agenda. He advised I did attend the mandatory public records training yesterday on behalf of the newly elected ward Council people and also Council-at-Large Cizl so that was taken care of. I continue to work on a number of projects that Council is aware of and would be happy to answer any questions.

Councilperson Stark advised thanked Law Director Graves for doing your part to help get Walker Road on that end at least mentioning it to them to get it fixed. I know they have been out there. Law Director Graves advised on the Avon Lake side. Councilperson Stark stated yes they are paving so those of us who live over by Guenther Park hopefully here in a few weeks when it stops raining will have a nice road to actually drive out of our city into. Councilman McCullough stated on Council#026 which is our third reading tonight – declaration of an emergency which is the addendum to the current contract and the amendment. Is this for sure the best deal that we can get from anybody, this doesn't need to go out for a bid – this is good and this is where we are at. The prior bids that came in when you did this years ago they were by far and away the best? Law Director Graves explained it is not required to be bid, we could bid it but I believe that the amendment that has been negotiated is very favorable for the city and I think that if we were to bid it that this would be the best. Councilman Cizl asked David the parking lot at city hall, what part of our parking lot is going to be paved. Service Director Smith answered the front part here. The main entrance but it is a little more expensive because of the fact fuel trucks, fire engines, etc., ride on it so it has got to be 4 inches. President Rosso stated we are pretty much talking about replacing what is paved now. They are not going to go into the gravel area. Service Director Smith concurred that is correct. *Motion by Stark/Second by Erdei to accept the report. Yeas All.

CITIZEN'S COMMENTARY:

Matt Harper, 4146 Holl stated my question is to Lenny and actually it was going to be to you and the Mayor. But the ditches that are running north and south along Sheffield – has anything been done about that, cleaning or anything? Service Director Smith answered we are still formulating how we are going to handle that. That is not city owned property, it is privately owned. Law Director Graves advised we do have the right to enter into that – it is a city drainage easement and our obligation is to make sure that the storm water flows freely and if it is flowing. Service Director Smith advised we have several issues that we are going to do and have been discussed with the engineer and with the Road Department. We have sedimentation that we are to remove from under the bridge and then we have to get with the engineer about which trees need to be removed because it is critical that you don't remove too many from what I understand because then the whole ditch is compromised on the grade and the course of how it is done. I know it doesn't make sense but a lot of the ground on the banks and up top are not affecting the flow of the water. It is the root balls of the trees that are coming out of the water that are affecting the flow of the water or the rotten trees and branches that have fallen down into the creek. I had a meeting with Mike Bramhall last week concerning this and that is during my report – that is what I meant when I said dealing with specific hot spots or areas that bottle neck with the engineer so that it can be looked at the right way. Mr. Harper asked have you looked at it yet? Service Director Smith answered oh yes I have been down there. Mr. Harper stated it is pretty bad. Service Director Smith stated we have notified the owners and we have done our due diligence in that. We haven't come down and actually cited them yet but there is only so much that we can do. It wasn't until recently that we have had more of an open legal ruling on allowing us to get in there. But this has been an on-going battle for us; to come with the funding to do it and the legal ability to go on there and do it. So it is something that we are dealing with and I wish I could give you an answer. Mr. Harper stated my biggest thing is we flooded 3 years ago and somebody said it is a 100 year storm and we flooded again 2 months ago and now it is a 50 year storm. My biggest thing is I don't know how long we are going to wait. I am not trying to get on you about it because it sounds like you got a lot going on with behind schedules and such and that is fine. Service Director Smith explained this project you have to understand we had 6 inches of rain, 6 inches of documented rainfall. Mr. Harper stated I understand that. Service Director Smith continued well that 6 inches of rainfall, if we were anywhere but 26 feet above Lake Erie – your house would have 6 feet of water in it. That is my point. President Rosso stated his real question is and we have talked about it Len and you are working on it. We have a plan and he has jetted the sewer line and yes we are working on the ditch and the one gentleman that was here at the last meeting who

said hey I think it is up too high. Len got the engineer out who said yes there is a sediment buildup and we are working on a plan to get that all cleaned out. So we have not forgotten you if that is the concern. We are trying to make it sooner then later. Mr. Harper stated the guys came out and I was already told that the people came out and they are jetting the street – that is great, you guys are getting on top of it. My biggest issue is all the flow is going to that creek and if there is no way for it to flow, it doesn't matter how clean the sewers are if there is nowhere for it to flow. Service Director Smith advised with the 6 inches of water that ditch is going to overflow and if we get another 6 inches of water it is going to overflow again for the simple reason we do not have the capability – that ditch was never designed to handle 6 inches of rainfall – it just wasn't designed for that. Not even the box culverts were actually designed for that when you get down to it. This situation over on Holl, everyone wants to pick out what's the cause of it. I have residents who say it is the sanitary sewers are clogged – no. We have I&I over there and we also have combination sewers up and down Holl Avenue. Most of those houses have footer drains; illegal footer drains but footer drains that were legal when the houses were built but now contribute to the sanitary sewer system getting infiltrated with storm water. When the ground water comes up and overpowers the ditch which is by the way in Sheffield Village along the railroad tracks both sides and overflows into those backyards. Mr. Harper asked both sides of the ditch are the Village? Service Director Smith answered yes sir. When it overflows into the backyard and it makes its trail towards the road, it is hitting around your foundation and then it is dropping through the slag around the foundation if you have a split or underneath the stone that is underneath your slab. At that point it is not getting into the sewer though, it is just surrounding your basement walls should be coming up along your sump pump if you have a sump pump or coming in the cracks at the bottom of your basement floor. But the sewer drain itself is a separate issue. When the I&I or the infiltration/inflow from storm water gets into the system and it gets inundated there is nothing that we can but just wait until it goes down. We come out and we jet it and we make sure that it is clear, if clear its clear but 6 inches of rain just totally overcomes our system. I don't know what else to say, we are trying to do our best to do preventative things. I knew Holl was free and clear with their sanitary sewer. We knew that because we can watch it flow in the water and that wasn't the issue but we jetted it anyways for peace of mind for everybody. We jetted the whole length from its connector on Lake Breeze all the way down to Idlewood. We pulled every manhole cover and we looked and inspected what was at the bottom of each manhole cover because we had a Councilman who pulled the manhole cover and saw that there was some bricks in there and we ended up pulling every single one of them. Two years ago I did the ones on Sheffield that is how I know that they were all encased, we had them sprayed and lined for I&I

several years ago. So that line we have looked and that ditch we have looked at it is just that the amount of rainfall that we had when your basements flooded was the big issue. Mr. Hart stated so pretty much I can expect to get water into our house every time rain falls. Service Director Smith advised no expect that if there is 6 inches of rainfall you are going to have a flooded basement, so am I and so is everybody else. We can't handle 6 inches of rainfall as a city, we can't. Neither can North Ridgeville and neither can the other communities that surround us. Mr. Harper stated I thought we had money in an account that was set for sewers. Service Director Smith answered we have a stormwater utility which generates water to handle storm water issues. That money is a revenue source that we are looking at. We have been looking at, it is a source tree money can come out of but you got to have money in there to do it. Right now we are paying on a bond for the outfalls that we didn't have 10 years ago. Finance Director Smith explained we borrowed originally to set up that whole utility we borrowed 2-1/2 million dollars and that set up the whole city and that is what created most of the infracture we have today that we didn't have. We are way ahead of North Ridgeville, Avon, Avon Lake – any of the surrounding communities as far as stormwater. Like Lenny said that last rainfall was just too much for I think any city and we are paying a bond with the revenue that we get which is what you pay on your water bill; the \$4.85 that is going to pay for the bond. Now I re-negotiated the bond and got it lowered as far as percentage rate and I think we have 7 more years to pay on that. Once that is paid off then we will either have the ability to borrow more money on it or start building that revenue up to do larger improvements. I am vying for that we are probably going to have to borrow more money by then to do some larger projects because that is what we really need. President Rosso stated really Matt your concern is you don't want to get another flooded basement. Mr. Harper explained I don't want to put another \$10,000.00 into my basement. President Rosso stated Len's comment about hey we are never going to be able to handle a 6-inch rain which we probably never will be able to handle a 6-inch rain but our plan is to improve that drainage so the next time we get a 6-inch you don't get whatever you got – 4 feet in your basement. Hopefully maybe it will a little but you will be able to handle the 3 inches or 4 inches of rain – things like that and it will definitely be an improvement. I think Alan made the statement the last Council meeting – there is always going to be a number that we are not going to be able to handle no matter what we do. Mr. Harper stated that is understandable. I don't want to spend the money to do it and then this happen. That is my concern. Service Director Smith stated I understand that. Mr. Harper stated and I know I am not the only one and I know there is a lot of people that have gone through this. I just don't want to spend the money and this happen again – that is my biggest thing. Service Director Smith stated I understand it and I feel for you. I know that

if we clean the trees and we clean that sediment out and we get a 4-inch rain you are going to have an issue. The issue has to do with the drainage, the amount of water coming creating head pressure and the amount of water coming out of the ditch. I have never seen the ditch overflowing into the backyards completely like it did on the 12th of May. But it was just as bad on the south side of the railroad tracks as it was on the north side of railroad tracks. Everyone seems to forget we send people over there during that rain just to take note of that, just to document; verbally, visually see what is going on on both sides of the tracks. So it was nothing that we have all had in Sheffield Lake that no one else had. They had the same issues in Sheffield Village and they had issues in Avon, North Ridgeville had how many homes under water. My point wasn't to be sarcastic Rick and I am going to stand tall about that. My point about the lake was if we weren't 26 feet above the lake level. Mr. Harper asked can with you and Tony to discuss on what we can do that I can that to code. Service Director Smith answered yes I would love to sit down and take you in and show you in and show you what we are doing. Mr. Harper stated not even that it is what I can do right now around – I can do that. I mean it is insured but something. Service Director Smith advised I wasn't being sarcastic if your water saturation is at a certain level, the ground is totally saturated and the water level is at a certain place. If our houses were lower and we weren't sitting 26 feet above the lake plain we would all have flooded walls that would probably meet FEMA criteria just like Ridgeville had but we are sitting so high up in elevation that our ditches are the ones that carry the water and they are the ones that overflow. But I would be glad to. Mr. Harper stated if we could just discuss maybe what I could do with my sewers the way it is supposed to be and maybe a better chance I won't receive the water. Councilman McCullough stated while you are there, 2 things – we talk about people cleaning a drain; here is a guy wanting to clean the ditch and at least he is being proactive and that is what we have asked for. Number 2 so that it is on public record during a Council meeting, Tim – did Matt do something over in the Fire Department? Fire Chief Card advised Matt brought us some glass write boards and he hung them in our station. They are very expensive boards from what I understand and he donated to us for free and he donated his time to come and install them. (applause throughout Chambers for Matt's generous donation of product and also the installation of boards). President Rosso stated Matt thank you very much, that is really great.

UNFINISHED BUSINESS: None.

NEW BUSINESS: President Rosso stated I am going to make a couple of statements here. I hate to be cliché and say we are on the cusp but I truly believe as a city we are headed in the right direction. Are we close to almost being where we want to be – no, but I really think we are headed in the right direction. I do have

trust and respect for the Administration; Tammy, Len, Dennis, David and the Chief's as I do with everyone on this Council. We take the time to analysis but one thing and I believe that works in our favor is we all kind of know each other and I have always felt we were free and open for any discussion on any topic whether we agree or disagree and it has got to be that way. It has got to be that way because I am sure that we have all been in that spot but yes, we might not agree and we might not vote the way you want us to vote but Tammy and I had this discussion a couple of weeks ago. We as a Council have the right to ask questions and deserve answers. I will actually say I agree with what Alan said I think Dennis flew off the handle tonight and over-reacted and I absolutely agree that we need to treat everyone up here as we need to treat everyone out there with respect and keep it moving because we do not need to go back to the old days where it was nothing but fighting and nothing getting done. I think Alan was right he asked a question and deserved an answer. We do have legislation that we can add tonight regarding some of these expenses. I just want to make a couple of points; it is entirely your decision of which ones to add and don't add. But if you added everything on this agenda tonight to pass it spends \$262,000.00 so we are not tonight spending \$600,000.00 or whatever the number is. These are the items – there are the vast majority of these items that I will say are no brainers. We need the police cars, we need the utility van, etc., there is still discussions about some of the other items and you don't want to add them to tonight's agenda – that is your prerogative and I don't have an issue with it. Let's not cut off our nose to spite our face and not get some of the stuff we need going. Councilman Smith stated that is twice that that has happened to me, okay for expressing my opinion. That is so unprofessional to do that, it is hard to sit up here wanting to express your opinion when you do that. That is twice and we all know that that is Dennis, that is the true Dennis and everybody up here knows it and nobody wants to say it that is the true Dennis Bring. But tomorrow will be a different story because he will be over it and everything will be fine. This time it is not fine, I am done with it. We can't keep saying that is him, everything will be good tomorrow. I am not doing that no more. I am too old and I have been doing this too long to be treated like that. I put my time in this place for over 12 years now and I will be darned if I am going to sit here and take that from him. I don't deserve it, not with the time that I have put in to this city and I won't.

*Motion by McCullough/Second by Kovach to amend the agenda to include Council numbers 034, 035, 036, 037, 038, 039, 040 and 041.

ROLL CALL TO AMEND THE AGENDA TO INCLUDE SO NOTED: Yeas All – McCullough, Kovach, Wtulich, Cizl, Stark, Smith, Erdei.

ORDINANCES AND RESOLUTIONS:

Council#026 – THIRD READING – an ordinance authorizing the Mayor to enter into the seventh amendment to contract with Browning-Ferris, Industries of Ohio, Inc., BFI and the declaring of an emergency.

*Motion by McCullough/Second by Kovach for ADOPTION:

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

Ordinance Passes#34-14

Council#034 – EMERGENCY – a resolution approving the use of submerged lands at 5501 East Lake Road, 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 – Erdei, Smith, Wtulich, Stark, McCullough, Cizl.

*Motion by Kovach/Second by McCullough for ADOPTION:

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

Resolution Passes#35-14

Council#035 – an ordinance authorizing the Mayor to enter into an agreement with Walt Sweeney Ford, Inc. for the purchase of a Fire Department Utility truck and the declaring of an emergency.

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

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

*Motion by McCullough/Second by Kovach for ADOPTION:

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

Ordinance Passes#36-14

Council#036 – EMERGENCY – a resolution authorizing the Mayor to enter into a lease agreement with Linda Suveges, DBA the Driftwood Café for the premises located at 4116 Lake Rd., 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 – Wtulich, Erdei, Smith, Stark, McCullough, Cizl, Kovach.

*Motion by McCullough/Second by Kovach for ADOPTION:

Councilman McCullough stated this is great that this is going in there but David do you know if they have applied for a liquor license or is it going to be a family style? Law Director Graves answered I don't there is going to be a liquor license. If there were we would have to do that as well.

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

Resolution Passes#37-14

Council#037 – 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 resurfacing of the Joyce Hanks Civic Center parking lot and the declaring of an emergency.

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

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

*Motion by Kovach/Second by Cizl for ADOPTION:

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

Ordinance Passes#38-14

Council#038 – 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 resurfacing of the Sheffield Lake City Hall parking lot and the declaring of an emergency.

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

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

*Motion by McCullough/Second by Kovach for ADOPTION:

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

Ordinance Passes#39-14

Council#039 – EMERGENCY – an ordinance authorizing the Mayor to enter into an agreement with statewide Ford Lincoln for the purchase of two Police Department vehicles and the declaring of an emergency.

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

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

*Motion by Kovach/Second by Erdei for ADOPTION:

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

Ordinance Passes#40-14

President Rosso stated before we go onto the next two, I just want to point out something. You added them Kerry and we talked about we could table them but we can also do nothing and just let them have their first reading. So, either way; if you want to leave them on and we could discuss them again in Worksession or whatever. We could just not do anything if we wanted to, we don't have to table

them to stop them. So whatever pleases Council. Councilman Kovach asked how does that work with them having the emergency clause. President Rosso answered we don't vote on them, we don't vote on anything. Law Director Graves clarified remember the emergency clause is waving the 30-day waiting period, it is not the three reading. President Rosso added we don't suspend the rules and we don't vote on it. Councilman McCullough added because if you suspend the rules and you vote on it and it doesn't pass.

Council#040 – EMERGENCY – an ordinance authorizing the Fire Chief to enter into a contract with R.S.V.P., Inc. for the purchase and installation of a Power Ambulance Cot and Power Load System and the declaring of an emergency.

Councilman Smith stated where I was so unexpectedly cutoff I was saying, my point was basically whenever we don't look into any types of grants and I don't care if we have a Grant Writer or not. Who wrote the last grant for the cot? Fire Chief Card answered me. Councilman Smith asked who wrote the grant for the squad? Fire Chief Card answered me. Councilman Smith asked who wrote the grant for the Fire Truck? Fire Chief Card answered Conrad. Councilman Smith stated so Grant Writer – I don't care whether we have one – they can still write the grants. I am just saying to not look into it is just fiscally irresponsible but and this is where I got cutoff but I understand the need and being that it did costs us on a workers comp claim last year almost the amount of the cot I can justify to myself on that end being fiscally responsible and that is what I was going to say. Just so everybody knows and it is on record it is not that I am against it, I was never against the Police Cruisers. The only thing that I am really against truly – I was at first but until I found out with the money and the workers comp claim I justified it. I justified it myself that is being fiscally responsible as a Councilman up here representing the people. I am just against and Tim this is not personal – I am just against him getting his Chief's vehicle because I personally would rather as a resident and a Councilman have an extra Police Cruiser that we can depend on for safety. We don't have to have a Chief's car, we have to have Police Cruisers and that is where I am going with it.

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

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

*Motion by Kovach/Second by Stark for ADOPTION:

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

Ordinance Passes#41-14

Council#041 – EMERGENCY – an ordinance authorizing the Mayor to enter into an agreement with statewide Ford Lincoln for the purchase of a Fire Department Chief's vehicle and the declaring of an emergency.

Councilman Kovach stated we have talked to this particular dealer and what is the delivery time on these? Fire Chief Card answered 120 days. Councilman Kovach stated that is for the Police or Fire? Fire Chief Card answered yes both of them. It is also the same I believe for the utility vehicle. Councilman Kovach stated personally I don't have a problem with this car but for other reasons on the financial end but I can justify it but that is irrelevant but I think we should probably sit on this one for another Worksession.

No voices were heard, Council#041 failed to a first reading.

COUNCIL PRESIDENT: None.

MEETING ADJOURNED: With no further business before this council, Motion by Kovach/Second by Erdei to adjourn at 8:48 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

COUNCIL PRO TEM

Alan Smith

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 June 24, 2014.

MAYOR

Dennis Bring