

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

The regular meeting of the City Council was held Tuesday, November 11, 2014. Council President Rick 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, Smith, Wtulich, Cizl, Stark, McCullough, Mayor Bring, Finance Director Smith, Law Director Graves
- Absent: Councilmen Kovach and Erdei, Service Director Smith, Treasurer Woods (excused)
- Attending: Concerned Citizens, Members of the Media; Avon Lake Press

READING OF THE MINUTES:

Council – October 28, 2014 - *Motion by McCullough/Second by Cizl to accept the minutes of the October 28, 2014 Council meeting with any noted corrections. Yeas All.

CORRESPONDENCE: Monthly report of court receipts for month of October 2014 - \$6794.15.

PRESENTATIONS: None.

CITY COUNCIL REPORTS

Roads, Drains, Water, Sewer and Refuse: None./Safety: Chairperson Stark reviewed the minutes of the November 5, 2014 meeting. *Motion by McCullough/Second by Cizl to accept the report. Yeas All./*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: None./FINANCE DIRECTOR REPORT: Finance Director Smith reported I did drop a copy of the tentative 2015 budget for all of you to take a look at. We will maybe discuss further if anybody has any questions next week at Finance or Worksession and we will have a public hearing on the following

Tuesday at 6:45 pm. *Motion by McCullough/Second by Stark to accept the report. Yeas All./**TREASURER REPORT:** report was attached and copy available through Council./**SERVICE DIRECTORS REPORT:** Mayor Bring reported we did have another meeting the other day concerning the water meters from another company – Badger and Pat and Len and I think Lisa might have sat in on it too. We have got 1 more company coming in and then we are going to make up our minds of the 3 and then we will come to you and let you guys know what is going on from there. The other thing is obviously if you have looked at the weather we are supposed to maybe get that snow event here at the end of the week. We are I think for the first time in I can't even remember how long, our trucks are already to go. Rob DeChant has done a tremendous job getting these trucks ready. I just can't thank him enough for what he has done back there. It has been a long time since we have been this well prepared. I will say that and probably the first day we will go out there and 2 of the trucks will break down. I am quite pleased with the way everything is going back there. Councilperson Stark asked did the Board get a hold of you, I know they said the grant got finalized for over at the Community Center. They need to have a contractor or somebody come out and look at it, have they contacted you yet? Mayor Bring answered they probably would contact Pat first and he has not said anything to me so I am assuming no. *Motion by McCullough/Second by Cizl to accept the report. Yeas All./**SAFETY DIRECTORS REPORT:** Councilman McCullough asked when are the vehicles due? Mayor Bring answered we have no clue. We called, but they won't even return our calls. Councilman McCullough stated they have our money though, that is par for the course anymore. Finance Director Smith answered no they do not have our money yet. Mayor Bring explained Cleveland Police probably order 200 to 300 vehicles at a time and we order 2. There are other cities that order a lot of vehicles. So what they do is wait for everybody to get all of these orders and then they make them because these are separately different from everybody else's going down the line. So they make these in a completely different time than when they make all the rest of the vehicle. But when you call there they won't give the answer to the salesman and then in turn he doesn't have an answer for us. We have been in contact with them and they have asked about the colors of the emblems on the side and asked about the radar and all the other stuff. Everything is ready to go and we just don't have the vehicles to put it into. *Motion by McCullough/Second by Cizl to accept the report. Yeas All./**LAW DIRECTOR REPORT:** Law Director Graves reported in regard to 2 pieces of legislation for your consideration. Council#055 – Mr. and Mrs. Debottis have generously offered to donate 4 Fido Pet Waste Stations for use along the Brookside Nature Trail along with I guess several thousand bags - value is at over \$1000.00. So we would ask Council to consider approving that donation to the city. Secondly Council#056 – this was recommended by the

Ordinance Committee and it is a change to the way we license door to door sales. This is only going to be in regard to door to door peddlers and sales. We really can't do too much in regard to canvassing for political or religious purposes. Basically the changes, I don't have the draft in front of me for the marked changes. But there is not that many, we are underscoring that everything single person that goes door to door has to have their own license. So if 20 people walk in here from the same company each of them has to get a license instead of 1 license for the whole entity. Also, we are limiting those licenses to a daily or weekly license. There will be no more monthly or 6 month or year license. Those I believe are the primary changes. So we are going to do daily or weekly and underscoring that everyone will get their license. The fees or rates did not change. So that would be for a first reading tonight for your consideration. Councilman McCullough stated didn't we also put in there a provision about a waiting period – it just can't happen like immediately? Law Director Graves stated thank you for helping me to remember – they all need an original signature by the Mayor. There will no longer be the Mayor's signature stamped on there and then each license will require an original signature. So if the Mayor is not available – they are going to have to wait until they are individually reviewed by the Mayor and signed individually. That will automatically involve waiting while that occurs. There was a brief discussion. Councilman Smith asked did they do anything with the time because that is originally why this ordinance came to Council for? It was about peddlers being out knocking at your door at 9 o'clock at night. That is what it originally came here for. Councilman McCullough stated, we discussed that and I think there is a legal precedent, we cannot stop them up to 9 o'clock. Councilman Smith stated I just remember people complaining that 9 o'clock at night there are people banging on somebody's door. Councilman McCullough stated I don't like it after 8. Law Director Graves stated this could be considered just a draft, we could do something with the time strictly for sales. When you get into limit of time from door to door canvassing; passing out literature for religious or political purposes, then you get into a lot more free speech protection. Councilman McCullough stated one more question and it has to do with Council#055. Do we have an ordinance about cleaning up after your dog? Law Director Graves answered, I believe so. Councilman McCullough stated that would fall under the stormwater utility right since it goes into the ditches and such – there is a big campaign pushing and what I am saying is they were kind enough to donate these things, is there any way we can get small ordinance signs drilled for those posts that says you must clean-up after your dog. Law Director Graves advised I believe it is under Parks. Finance Director Smith stated we could probably find a way to put a sign. Councilman Cizl stated regarding Council#056 is there anything in there for school functions? Councilman McCullough answered yes, it is written in there, and they are a

charitable organization. Law Director Graves answered yes, that would fall under non-profit. President Rosso asked for clarification – so non-profit don't have to get a permit right? Law Director Graves answered, correct. President Rosso asked this hour of operations only impacts selling of food or beverages from a vehicle or a cart of some kind. This doesn't cover carrying it door to door right? We can talk about it at Worksession, it is just a first reading tonight. President Rosso stated there is an advantage to having this legislation tied up by year end. So tonight – first reading, it would be done year end. That is why I put on tonight's agenda because I knew it was just a first reading and we had another Worksession and another Ordinance. *Motion by McCullough/Second by Cizl to accept the report. Yeas All.

CITIZEN'S COMMENTARY:

Romolo Debottis, 868 Lake Breeze stated I wanted to make a suggestion with the door to door people. I don't have a problem with them coming as long as they are registered. Is there any type of a universal badge or name badge or something that – like one came over the other day and he had a name badge, but I wasn't sure if we gave that out or if the company gave that to him to wear? I don't mind listening to the speech as long as they are registered and I don't mind even buying from them as long as they are registered. That is just something that I was going to suggest. Finance Director Smith clarified it is just a certificate with a seal on it that they should be showing you if you ask for it. Mr. Debottis asked do they wear it around their neck. Finance Director Smith answered no it is an 8-1/2 X 11 piece of paper. Mr. Debottis asked so if I ask them, they should be able to show me that? Finance Director Smith answered absolutely. Mr. Debottis asked if they don't what do I do? Finance Director Smith answered, then you say please leave and you call the Police if you would. We would appreciate if everybody calls the Police if you get solicitors that won't show you that or won't leave your property. Otherwise, we can't track them down. If we give somebody a license and they are obnoxious – we automatically pull it. We don't care what they paid or whatever – we just pull it and that is what we have done in the past. Mr. Debottis stated I was just wondering that maybe they are putting those badges on and I didn't read it that well, but to make it look more official maybe they are not registering. It had their picture on there and it had some writing on it and I was more interested in reading what that was then what he was trying to sell me. President Rosso stated that is probably more than likely from the company that they representing probably gave them a badge. Councilman Cizl stated I had one come to my door probably 3 or 4 months ago and I asked him do you have something from the city. This guy answered, oh I left it in the car. I told him okay, you go get it and come back. He didn't come back.

UNFINISHED BUSINESS: None.

NEW BUSINESS: None.

ORDINANCES AND RESOLUTIONS:

Council#055 – EMERGENCY – a resolution authorizing the City of Sheffield Lake to accept and approve the donation four Fido Pet Waste Stations from Romolo and Kathy Debottis and the declaring of an emergency.

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

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

*Motion by McCullough/Second by Smith for ADOPTION:

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

Resolution Passes#56-14

Council#056 – FIRST READING – an ordinance amending section 772.06 of the codified ordinances of the City of Sheffield Lake.

COUNCIL PRESIDENT:

President Rosso reminded we have a Public Hearing on November 25, 2014 @ 6:45 pm for next year’s budget.

MEETING ADJOURNED: With no further business before this council, Motion by Wtulich/Second by Smith to adjourn at 7:25 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 November 11, 2014.

MAYOR

Dennis Bring