

**MINUTES OF CITY COUNCIL WORKSESSION
SHEFFIELD LAKE, OHIO
April 15, 2014**

The regular meeting of the City Council Worksession was held Tuesday, April 15, 2014. Council President Rosso called the meeting to order at 7:10 PM.

ROLL CALL OF MEMBERS:

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

Absent: Councilman McCullough (excused)

Attending: Concerned Citizens, Fire Lt. Davis, Demo Board Chairperson Gee, Members of the Media

PRESENTATIONS: None.

*******COMMITTEES*******

ROADS & DRAINS: President Rosso asked I noticed on the water bills they have the pick-ups, you know the weeks they can put anything out (bulk pickup) but they are last year's dates. So we should update them to this year. It is the third full week of the month but we need to change that. Councilman Smith advised the easiest way to remember it is it is the third Monday of the month. Service Director Smith advised I know we had calls on when the leaf pickup starts which is April 15th through November 15th. **SAFETY: None./BUILDINGS, LANDS, VEHICLES & EQUIPMENT: None./ORDINANCE: None./FINANCE: None./PARK BOARD: None.**

*******ADMINISTRATIVE*******

MAYOR: Mayor Bring advised it is something that we need to discuss and Mr. Smith will probably do a little bit more detail in his report. We are actively looking into doing and I know that you had asked me if the last one was paid for and yes it is, so that is taken care of. I did talk to Lisa about this, she puts a lot of time into this and like I said I think after it is all said and done and by the time we figure out the guys hours and the use of the vehicles with gas and repairs – there is many other factors. I think it is going to surprise you on how much money we put into that effort of reading meters. This will mean they will get an actual water reading every month when they get their bill. Mr. Smith has already got one company that has approached him and he will get some more stuff and he will get an idea to tell you how much each one of those meters costs and how long it would take to do this and so on and so forth. I think it is time we start looking to move forward on that. There was another thing that was brought to my attention the other day and

again this is up to you guys and this would refer back to Ordinance Committee – we have some non-profit people that come into this community and do soliciting and we cannot stop them but the fees for doing that is like \$10.00. We get a tremendous amount of complaints about these people going up and down the streets and they have got my signature on it even though I don't sign it, it is a stamped signature saying that I okayed it. In my thoughts and it is up to you guys but I think maybe we should raise that rate up to about \$100.00 or \$150.00 just to make it less friendly to come in here. I haven't talked to David about this but every time they come into this community and like I said that is their choice and they are allowed to do that, it just seems that we get many phone calls whether it be the Police Department or down here at City Hall for complaints of these people walking around. We get a list of those people's names and they want to get in and out of here in 24 hours so we don't really have the opportunity to do background checks on these people. It is just a little concerning on my part and I think that there are a lot of people in the neighborhoods that have the same thoughts and I have gotten several emails of why do you let these people in here. We can't stop them is why. I just think that if we raise the fee up a little it might help out a little bit. Again it is just my thoughts and again it is up to you guys and David could probably give you a little bit more direction on that too. Law Director Graves answered the one point that I would make is that there is a difference between a solicitation versus canvasser and you can put a lot more restraint a solicitor versus a canvasser who is someone who has a lot of free speech; spreading of literature and the spreading of information. A lot of free speech protections. If they are selling things we can put a lot more restrictions. Service Director Smith advised Avon Lake doesn't allow solicitors right. Finance Director Smith advised there is a different fee for the length of time and it is very old, it is probably 40 years old and probably should be looked at again. A non-profit group we don't charge, unless they are soliciting a product or something like that. Law Director Graves stated this peddler is going door to door selling things too and most of the time they are smart enough to not come right out and say we are selling things. They are saying we are conveying information and if you want to make a voluntary donation and you have to be careful about putting a restraint on that. Mayor Bring advised like I said I don't know if there is so much of a restraint but we could up our fees and I don't think there is anything that stops us from doing that. Clerk Fantauzzi stated this last group looked really ragged. Mayor Bring concurred they got out of this truck and we were like holy cow. President Rosso stated I understand but you can go in reverse and what are you going to tell that kid that is a Sheffield Lake Youth Baseball selling candy bars or those Girl Scouts selling cookies, you got to cover them all somehow. Mayor Bring stated that is why I am giving it to you guys. President Rosso stated that is where we get our slippery slope when we focus on

the bad guys and all of a sudden. Finance Director Smith advised we can be more descriptive in the ordinance. Councilman Cizl stated somebody was coming by a couple weeks ago passing out business cards to cut trees down and they are from out of town and they came in and were going to door to door and they did do some work. Mayor Bring stated but they have to be registered. Finance Director Smith advised there is people that don't check with us too. Mayor Bring stated if they are not registered and Jon catches them they are going to get fined. Service Director Smith stated Jon brought in a lot of money this month from catching a lot of people. We were just talking about that because we had an influx of tree people and he checks on them whenever he can. We all kind of keep of an eye whose around and whose not. Mayor Bring stated you hear the chain saw or see the trucks or whatever but Jon still catches them and if they are not registered they get fined. If he catches them and they are real nice then he just makes them pay the fee. But if they want to be a pain in the butt then he fines them. Service Director Smith advised we do get meat solicitors, people that go door to door selling meat on a regular basis. Councilman Erdei stated the ones that come to my place I will ask them did you touch base with the city and they will flip open this thing and like Dennis said it isn't a real ink signature. Mrs. Gee advised a man was at my house the other day last week, he knocked on the door and I always ask for the city permit and he showed me an outdated one but at the same time the reason I asked to see the paper was he told me he was authorized by the Mayor for me to show him by gas bill. I told him and I told him I know the Mayor did not authorize him to see my gas bill. Finance Director Smith advised we can revoke their license at any time as well which I have done before. Mr. Edwards stated instead of a nominal fee for solicitors, could we do a nominal fee plus the costs of a background check? John Hunter last night was talking about the same situation and the Village requires that they have a background check before they can door to door. President Rosso stated Dennis this is in your court to work with David and come up with something. Mayor Bring stated this comes up about 3 times a year, maybe 4 and every time they go out we get numerous phone calls. It is not the kids selling candy, it is not the Girl Scouts. We get a list of people and we don't have time to run a whole background check plus I don't even know that we can do it with LEADS restrictions. **REFER TO ORDINANCE – SOLICITATION ORDINANCE.** Councilman Cizl asked Len when we talk meters can you supply us other cities that have them. Service Director Smith answered I plan on doing that. President Rosso stated on that I will make one statement and I know it is way down at the end once you do all your due diligence and you come to Council for approval, we have to have some sort of schedule/plan to execute and get them implemented because I do not want to be here for 3 more years saying "soon" or I did 3 houses over on the west side and I am testing them for 7 months. That is not

directed specifically at you Len, I am just saying we have to say this is what it is going to take and this is what we are going to do and you are going to have to report every week that it is getting done. Mayor Bring concurred I couldn't agree with you more because you and I sat up there for 3 years and that is all we asked every Council meeting and finally I got the answer I didn't want to hear. President Rosso stated you got to the truth./**FINANCE DIRECTOR: None./SERVICE DIRECTOR:** Service Director Smith stated starting with the meters, the new systems are radio read systems but they are called radio read fixed and that is not driving up and down the road with a wand or walking up and down with a wand and recorder, etc. It is a collector at the top of the water tower and the whole city transmits to the collector or to collectors and those transmit directly to the Water Department and it is compatible with CMI programming. All of them have it and the actual radio reads are on their way out. The fixed systems are the thing that they are doing and they have several different types of fixed systems. They are divided by kind of how many things you can do with a fixed system, such as; the Cadillac systems have remote turn offs – so the girl in the office can just turn off someone's water right there. The radio read actually transmits the back to the individual home address/residence. My recommendation is going to be fixed read. One of the things I would like to elaborate on that has to do with the costs that we don't always calculate. Direct costs savings; labor, no estimates. He explained savings and advised when all details are collected will bring back. He also advised these transmitters that go into the pits, on a flat surface can transmit up to 100 miles. There was a lengthy discussion on systems and costs savings. He continued sand removal transport dump and grade is complete. We will have the docks in in the next few days. We didn't have as much sand as we did last year so we were able to work everything out. Councilman Erdei asked how much for the dredging? Service Director Smith answered came right out at 6000.00. He advised for us to do it in house would probably have been 4000.00 more than that and 4 to 5 weeks longer. Mayor Bring advised last year costs us in house about 10,000.00. Service Director Smith advised Pat and I had a meeting with Joe Faga and Mike Zani; Ohio Edison concerning telephone pole at Civic Center. The bottom line after negotiating was we cut the asphalt and dig the trench and they will take care of rewiring everything there. They also were at Shoreway to replace the pole that was pulling the service off of Chase Bank so they will be up there doing that to include changing a pole out also. Kiwanis's were in Saturday at the Bowling Alley. The annual bid will be advertised in the paper on April 20th and the 27th, bid close is May 2nd and the following week we will have our opening. There was a brief discussion on work at pole at Civic Center which is still being coordinated. /**SAFETY DIRECTOR:** Mayor Bring stated we did get 726 back up and running via Rob our mechanic, if we would have taken it into shop it would have been

\$2000.00 and Rob did it for parts costs at \$562.00. So that cruiser is back in service. There was a pole that went down across from Dock's Tavern so they came in and put a new one up and also took care of a tree that went down across lines. Service Director Smith stated another thing that Ohio Edison is doing and Pat is coordinating with them, they are going to be going through the whole city straightening all the crooked poles. So they are going to stage some of their trucks here on our lot for the summer. We have been getting poles from them too which we use in the parks and Shoreway; things like that./**LAW DIRECTOR:** Councilperson Stark advised of signs from the school on park property – Guenther Park./**COMMUNICATIONS:** Mayor Bring the news coming home today. They had her on the radio talking about it./**OLD BUSINESS:** Council#017 – rental rates for Community Center. Councilman Cizl stated we have been going back and forth with the language under section c of the rental rates. I personally is \$100.00 and that is what everyone's is. Does it have to be read the Community Center Manager may charge – can't it just say the refundable security deposit will be _____. I know the current puts the power to the Community Manager? Law Director Graves stated the intent of that provision and whether you want the Community Manager to have that discretion. Councilman Cizl stated I think it is assumed, that is what I am saying because who else would charge it. Law Director Graves asked for clarification. Councilman Cizl stated is there any obstruction to just simply saying security deposit will be \$100.00. Law Director Graves stated that would take away his discretion then he has to charge it. President Rosso stated I think some of the non-profits and local groups and things that Pat spoke about that he doesn't charge that \$100.00 deposit for those type of events. Finance Director Smith advised funerals, lunches – those types of functions. Service Director Smith advised ones that benefit the community. Councilman Erdei stated on prime nights; Friday and Saturday nights I would want the \$200.00 automatically that is refundable. Finance Director Smith advised I guarantee you that he gets the deposit on all of those always. I don't know that he ever waves those. When it is a graduation or a wedding or a larger event he makes sure that is covered and I sure will continue to do so. Councilman Erdei advised I think the wording is good. Change the "shall" to "may". President Rosso advised right now his discretion is \$200.00 or nothing so there won't be these people that during the week or whenever or even on a weekend that he says he used to only charge \$100.00. So the concern is it would it chase away business. Do we break it down and say on a Friday or Saturday he may charge \$200.00 and the rest of the days maybe a tier type deposit. Councilman Erdei stated he is using his judgment like that, I would say keep it at \$200.00 and he can use his knowledge of if he wants to charge more than \$100.00. Councilman Kovach stated wouldn't it be just as easy to say "up to", in other words may charge a refundable booking deposit up to \$200.00. That would cover everything. Law

Director Graves advised if you use the words up to then that opens the door to him charging any security deposit he sees fit. Now whether he would do that or not is not really relevant and if that were to happen then you have issues of why is this organization paying this security deposit versus this one paying that security deposit. In my opinion it either has to be all or nothing. You may want to make it even more specific as to when and how that should be applied or you can leave it totally to the Manager's discretion. President Rosso asked Mayor Bring, didn't Pat say he did not go to picking a number – he didn't want an up to? Mayor Bring answered he is absolutely dead set against that. It makes it very difficult.

Councilman Cizl stated I don't know how it happened or why but to double the security deposit would be an indicator that there is a lot of damage going on and there isn't so I think it should go back to the \$100.00 deposit. Councilman Kovach asked David is it illegal or appropriate for us to be escrowing these funds. Law Director Graves asked for clarification. Councilman Kovach advised Tammy brought this up a couple of weeks ago and she said that she has been keeping deposits years and years on these people. Can we legally escrow deposits without having legislation to back that. We had to have legislation to escrow sidewalk money. Law Director Graves stated that is because the sidewalk money is a relief from the requirement that they put in a sidewalk. However if it is refundable we have to put it in somewhere and where it goes is a temporary escrow account and every effort should be made to refund that. Councilman Kovach stated these people are the ones that have the same party every year. Finance Director Smith advised there is people who rent the center often enough that they just say hold my deposit and that is actually their choice and it is not a huge number of those people. Also the Auditor requires us to keep a special fund – it is called a trusted agency fund group and there is one fund just for deposits. That is all it does and it is fund 859. Law Director Graves advised there is nothing wrong with that. After a brief discussion, *Motion by Cizl/Second by Wtulich to modify Council#017 to original language of refundable deposit of \$100.00. ROLL CALL FOR SO NOTED CHANGE: Yeas All – Kovach, Smith, Wtulich, Stark, Cizl, Erdei.

NEW BUSINESS: Mayor Bring stated we spend a tremendous amount of time on pump station alert calls which happens when we get a heavy rainfall like we had last night. We get constant call out on those pump stations down there. Those stations are very antiquated as far as the way they are set up, the guys have to go down and physically turn off the machines and start them back up, etc. In speaking with Bramhall about this situation they do make a computerized system that can be run strictly from a desk; so no manpower on alerts and they would not have to be checking the pumps all the time. Those costs are pretty high but this is another thing after the meters that we should look into as far as saving money for the city. This cuts down on manpower and we are not talking about ever getting rid of any

of these guys – this just frees them up to do other things within the city which we need to be doing. In the next month or so I will get together with Bramhall and kind of get a costs on what that would take to change those over. He reassured me that just about everybody is doing this now and that that is the way to go. There was a brief discussion.

ORDINANCES AND RESOLUTIONS: Councils Agenda –

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

Council#021 – EMERGENCY – an ordinance approving the recodification, editing and inclusion of certain ordinances as parts of the various component codes of the codified ordinances of Sheffield Lake, Ohio and the declaring of an emergency.

MEETING ADJOURNED: With no further business before this council, Motion by Kovach/Second by Erdei to adjourn at 8:10 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

MAYOR
Dennis Bring

COUNCIL PRESIDENT
Richard Rosso

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 WORKSESSION of April 15, 2014.

and/or

COUNCIL PRO TEM
Alan Smith