

**MINUTES OF CITY COUNCIL WORKSESSION
SHEFFIELD LAKE, OHIO
November 18, 2014**

The regular meeting of the City Council Worksession was held Tuesday, November 18, 2014. Council President Rosso called the meeting to order at 7:09 PM.

ROLL CALL OF MEMBERS:

Present: Rosso, Smith, Kovach, Wtulich, Stark, Cizl, Erdei, McCullough,
Mayor Bring, Treasurer Woods, Finance Director Smith, Law
Director Graves
Absent: Service Director Smith (excused)
Attending: Members of the Media; Avon Lake Press

PRESENTATIONS: None.

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

**ROADS & DRAINS: None./SAFETY: None./BUILDINGS, LANDS,
VEHICLES & EQUIPMENT: None./ORDINANCE:**

Councilman McCullough stated I just have a statement to make, our Law Director – we talk about a lot of things at Ordinance if you haven't served on Ordinance before. We bring some things to Council and if you guys don't speak up we assume that we are moving forward with things and David gets bogged down with a lot of paperwork and then when it comes to Council we aren't so apt to maybe passing that. So from now on if we bring something up that is in the Ordinance and just in a report get that stuff out there before we have David spend a lot of time writing ordinances and looking up the law and points of law rather than he could be working on something else that may be even more pressing at the time. From now on we are going to ask you guys if we get something up from Ordinance Committee that comes to either Council or comes to Worksession, just stick it out there right away. Now we hammered on those water rentals for it seemed like 3 or 4 months and David kept doing more work and more work and we kept having him go get more things and then at the end nobody was really interested in doing anything about it. Well, if in the beginning or after the first couple of meetings if you have no interest speak up so we don't make David do all this work and it goes for naught. His time is valuable and I think we take a little bit too much advantage of him. So in the future if you guys have something that is in front of you guys and you don't agree with it just tell us you don't agree with it. Don't say nothing, I would rather hear a no then nothing at all. President Rosso advised not to forget that people don't make up

their mind right away until they go through all the work. That was a little while ago. Councilman Smith advised providing we get a copy of the ordinance of how it is read so that we can go over it because this one that we have tonight is the first time we have seen it. Councilman Cizl advised when we get an ordinance, then, I was thinking if we have an ordinance that we have a problem with to solve, so I am just kind of surprised by that. Councilman Smith stated I guess if we would have had it at Worksession it would have been easier than we would have known. But you get some questions on them when they just come up at the meeting ready for readings or passage that is all. Councilman McCullough stated when we make reports we have Worksessions and nobody says anything. That is all I am saying, not accusing but trying to streamline things at Ordinance that we ask our Law Director to do a lot of things besides write ordinances. I am sure the Mayor has plenty of other things that he wants him to be doing and not spending most of his time looking up points of law. President Rosso stated, we are sorry we ask you to do your job David. Councilman McCullough stated that is not it Rick that is not it at all. It is just I would like more discussions on things. President Rosso stated then bring it up and ask questions. The water rate thing is the only thing that I can think of that came out of the Ordinance and it never even came out of the Ordinance as on the agenda to be voted on, it came as a discussion. So we're doing our job. Now, that said based on Mark Cizl's comment and Alan's comment – this ordinance probably wasn't ready to come out of the Ordinance and go to the agenda I added it because I was trying to wrap things up by the end of the year and I knew we had 3 readings and a Worksession. So this one probably got added on a little prematurely so that I accept responsibility for that one. Councilman Smith stated that is why we have 3 readings so we can have discussions. President Rosso stated that is why no one saw it before it got on agenda because I was trying to get it wrapped up by the end of the year. Councilman Smith stated in all due fairness though we are at Worksession and you guys would probably say we had a discussion on this ordinance and everybody says okay, well we know why it is there and we know what you are coming up with and why you are working on it. So we really don't have any questions until you bring it to us. Or maybe these are the changes that we are putting in then we would have questions, but like this ordinance tonight the only reason I am saying anything is because the original reason it even came here and came up was never even changed. That was my only thing was trying to understand why that was and that was it. I didn't know that everything else needed to be changed, I thought it was just a complaint that we had about people coming knocking at your door at 9 o'clock at night. That is the only reason that this ordinance is even on Ordinance Committee but that part of it wasn't changed and that was the reason I was questioning it. Councilman McCullough stated, but in Ordinance Committee we also found that number 1;

people were being able to pay \$10.00 and sit there and mimeograph and have 30 people out there selling for an entire year. Councilman Smith stated, but when you would talk about it at Ordinance and then talk about it at Worksession's then I would assume that that is what you were talking about is changing the hours and pretty much going over the ordinance. Clerk Fantauzzi stated Dave has that in his notes to change, he was waiting for the discussion for any other changes.

/FINANCE: None./PARK BOARD: None.

*****ADMINISTRATIVE*****

MAYOR: None./FINANCE DIRECTOR: None./SERVICE DIRECTOR:

Mayor Bring advised we did use 40 tons of salt already and we have a pretty good capacity of that and we are just getting prepared for it. The biggest problem so far is that we had 4 more water breaks – 3 of them over the weekend again. This is something along with the water meters that the city is going to have to address at some time. This is going to be financially a lot of money so we probably got \$400,000.00 worth of clamps underneath the ground with repairing all of the pipes that have broken. We had the one street raise up about a foot and a half the other day and fortunately one of our Officer's saw it but it could have been a bad situation. The water pressure on half the city was down – people couldn't even flush their toilets and stuff. The pipes are outdated, they are breaking at a capacity that I don't think that we are going to be able to continue this process because it is also costing us a lot of overtime and we have a very short staff. The guys are out all weekend after working all week is becoming a problem too. So sooner or later it is going to have to be addressed and I am just bringing it up to you guys because, like I said financially it is going to be a huge burden on the city. Everybody keeps looking above ground and looking at buildings and looking at other things, but below the ground – infrastructure in this city is falling apart. We did have another meter company come in and they did do a presentation and we have got one more coming and there is another company sending some literature. So as soon as we get done with all that then I will get all that together and bring it you. President Rosso asked over the summer earlier in the year Mr. Harper was here and we talked about the ditch on Idlewood. We were going to get a company in and clean it out and then the union said they would file a grievance on that and they wanted to do it. I don't believe we have ever done anything over there or have we and I just didn't realize it? Mayor Bring answered no we have not. President Rosso stated I am just concerned come spring that we will have another issue over there and our answer is that these guys decided they were going to file a grievance. Mayor Bring answered, I agree with you 100%, but unfortunately there is nothing we can do about that. The season goes along and the next thing you know it is over with and it is very frustrating. Trust me, there were probably 25 things on that list and we probably got to about 5 of them. So yes, I agree with you, that list is still on-going

and if the weather breaks again and we are not out doing other things that is exactly what they are going to start working on. President Rosso stated we just got to figure something out, we don't have enough people to do everything and that is why we need to bring people from the outside in to do things and if they are going to stop us every time we turn around. Mayor Bring answered they are not stopping us every time, this is just something that was brought up and this is one of the biggies, but that is something that they are supposed to be doing – yes but we are very short-handed. Since that time we have done the bike path and we have patched. We were supposed to do crack-sealing, I wanted Lake Road all crack-sealed and that didn't get done. I keep reminding everybody that I hope this road doesn't fall apart because it is going to cost us a ton of money too. If you guys remember it was over a million dollars to do Lake Road and the city can't afford another million dollars to repave Lake Road. Yes, I have got a little list of things that I keep track of that I keep reminding everybody of and I am getting sick and tired of reminding them, but I agree with you 100% and I know the residents are thinking about all that stuff that hasn't gotten done too. But we can just do what we can do. President Rosso stated I understand, only disappointed. Mayor Bring stated it is really frustrating. Councilman Erdei asked is the city able to hire another person or a couple people in each department, are we financially set for that or is it a miracle waiting to happen? Finance Director Smith answered we are looking at that for next year. Mayor Bring added we have had some discussions on that and we will look into doing that – yes. Finance Director Smith added not a couple of people in each department either – maybe one. Mayor Bring explained right now individual health care is costing \$9000.00 and it just went up another 10% and if you have a family it is \$22,000.00 for health care. So you add that to your wages and everything else and then you start talking about retirement and sick time and vacation time. Those things add up very quickly, so you take a \$35,000.00 job and the next thing you know it is \$65,000.00. You take 2 at \$65,000.00 it is \$130,000.00. You take \$130,000.00 out of the budget each year it is a lot of money and if we have another situation where the state comes in and takes more money out of us and then we continue to have these water breaks and I have these meters that I want to bring to you guys that you are going to be shocked to see how much this is but it has to be done. Subsequently, when I get done explaining everything to you it's a no brainer, we have to go ahead. This city cannot go forward to work like this. Councilman Erdei stated so really it is cheaper to have an outside contractor come in than it would be to have to hire another person. Just like a lot of businesses, it is cheaper to have an outside contractor come in to do something than it is to hire 5 more guys. President Rosso stated right and then if you hire them and then down the road we get a cut and we have to lay them off – we pay our own unemployment so we lose there too. Finance Director Smith advised we

have to tread lightly when it comes to that. Mayor Bring stated the one thing I have been doing is that we are looking into getting some equipment in to handle some of these situations, which has helped out because being short staffed if you have better equipment, it does work. Even like a new snow plow truck, which we are looking at maybe next year, that is another \$130,000.00 and that is one truck. Everything that pertains to that kind of equipment or manpower costs a great deal of money. Councilman McCullough stated maybe we could ask Planning Commission to start looking into the infrastructure and start getting those ideas for the water and sewer and maybe try to start that way, at least it starts creating a buffer and let other residents know what is going on. Mayor Bring answered the problem is the Planning Commission with infrastructure, they don't actually know anything about it. I think if you give me an opportunity here, I will probably give you enough information and then if we want to have public meetings, I have no problem talking about that. I can have some of the guys come in and we can do that. Councilman McCullough stated I am talking about some of these water problems, it gives them something to do, but I know a lot of the things that I learned about building codes was when I was on the Planning Commission and a lot of things that I didn't know was because we kind of went out and found out about it a little bit more. I was just spit balling because it is a city problem. The other thing is how fast is our capital improvement fund going to get chewed up by this, is there enough in there to even get it started with a main line and go out or no? Mayor Bring answered no. The water problems that you are talking about and some of the issues that we are having as far as the water bills and stuff will be corrected with the new water meters, then instead of having 3 guys walking up and down the streets which everybody complains about – 3 guys checking water meters. We are doing it every 2 months as far as getting an actual reading – this would be getting an actual reading every month. That will all go away, that will be 100% better than it is then we can start working on some of the issues such as flushing and cleaning and doing a lot of this stuff because a lot of the problems that we are having right now is lack of maintenance; flushing and a lot of stuff that has been ignored for a long time. Back a long time ago when you saw Ferndale being put in, all the guys were over there putting pipe in. The infrastructure of the city has been ignored for a number of years and now it is catching up to us along with a lot of other things. We have to get back to what the guys are there for; doing maintenance and repair work. The meters will take a huge pressure off the 2 girls in there and it will take a huge pressure off the guys and plus the records will be much better. You are not going to save money so to speak because you are still paying the guys, but the guys will be able to free up to do what they should be doing. President Rosso stated more productivity out them. Councilman Cizl stated when you talk about infrastructure and meters, that can't be unique to Sheffield

Lake and I would be real interested in finding out how other cities are dealing with this. Mayor Bring stated Avon has got all new meters because of everything that has been built is all brand new. The new meters are far better, as far as working capabilities and as far as how it is recorded and it is all computerized and gets your information. The ones that we have now, some of these were put in in 1933, so these things are antiquated. For the most part they are fairly accurate, when we get them tested they are very, very close, but when you start getting that old it makes it very hard for the guys to read the meters and then they are in the pits. The infrastructure as far as pipes and if you talk to say the City of Vermilion as they have a lot of old areas; Oberlin, Wellington and stuff like that. Cities that have been around, they are going through the same process. We are not unique, there is no doubt about it. Finance Director Smith advised I think it was last year or the year before North Ridgeville bonded out and put all new water meters throughout their whole city. I could get more information on that. Councilman McCullough stated look at the Bellmar project in Avon Lake. That is an incredible project for that little bit of area and how much they are spending. Mayor Bring advised they did it in Lorain, they went down Oberlin Avenue and changed everything out and they have to tear the whole street up and cut all the trees down and that was just one street. We have got 3 or 4 streets that are bad and one of them is Harris Road, you got Lake Breeze, Ferndale, East and West Drives – we keep getting water main breaks. We had a water main break on Elm Street the other day which is basically a brand new street, so we dug that out the other day. We have got not only cast iron pipe, but we have got plastic pipe because they said plastic pipe a long time ago was going to be the new thing. Well the plastic pipe that they had a long time is not anywhere near what it is now and that stuff is breaking too, and when that breaks it is much more difficult to repair. We had one break, the other day we had all the valves coming into this one area and they are all broke right there. They had to change everything and that was very, very expensive. The one in Shoreway was expensive and this one was probably more than that. They went to turn off the valves the other day on West Shore and 2 of the valves wouldn't even turn so they had to go all the way down, almost a mile down the street to shut the water off. Just like the day Mr. Rosso and I were standing on the one, Rick lost water even though it was all the way down at Shoreway because the valve was bad and that is what we are running into too. We have got a special tool they made, didn't you do something with that Alan? That tool just to go on some of those valves? Councilman Smith answered no that is for the meter heads for pulling the covers off. Mayor Bring advised they made a special one because the heads are so rounded off, so this clamps on there. Councilman Wtulich asked in the Service and Water Department contracts, is there language in there when it is okay to use contractors or any kind of language in there of when it would be okay to bring a

contractor in? Mayor Bring answered we had a little bit of discussion on that not particularly that, but just for emergencies and stuff – it would have to be declared a very serious emergency. I don't believe there is anything in the contract that says something like that. Law Director Graves advised there is language in the contract that says we won't contract out for any work that is regular bargaining unit work or regular overtime. They have been reasonable, though. Mayor Bring concurred they really have. Law Director Graves advised there is plenty of work to do, it is not for the lack of work. In the past when the city has had to contract they have been pretty reasonable. But technically it is bargaining unit work./**SAFETY**

DIRECTOR: Mayor Bring advised one thing and I think David is going to bring it to you pretty quick here. I was talking to Mr. Campo, we will want to get one more car next year and the cutoff date for that is January 9th for a 2015 vehicle. So we have to bring that to you. Otherwise, if we miss that cutoff date we have to wait until 2016 to get another vehicle. That is how far behind they are. So we are anticipating ordering that in January and getting it sometime in July or August or something. Tony and I talked the other day and I asked Tammy so that was kind of our plan and the plan is probably doing 1 a year from now on. You know, a long time ago we talked, I remember Joyce Hanks sitting up here and saying we have to prepare for a new ambulance and I know not one dime was ever set aside for that and we have got to break that trend. We have to get on the stick here and start planning ahead and start thinking about that, we are extremely fortunate that Mr. Card got that grant for that ambulance or we would really be in deep trouble. So we have to start a process here and we have to start preparing that. But one a year, once we get these 2 new ones and we get 1 a year, then I think we will be in good shape. I know that David is going to write something up for that. President Rosso asked does that have to be ordered before the 9th or legislation has to be passed before the 9th? Law Director Graves answered you have to authorize the contract, we are waiting on the state bid quote and once we get that and then the legislation will be to authorize the Mayor to enter into the contract. You have to have the contract signed and submitted by 9th. Councilperson Stark asked did we send anyone out to Avon Lake for the Firefighter. Mayor Bring answered yes, actually our guys were the first ones over there and we are going to man part of the Fire Department to help out. I know Sheffield Village is helping out and I think North Ridgeville is helping out and also Avon is helping out when all of this is going tomorrow. I know that we offered the other day, but we were not needed./**LAW**

DIRECTOR: Law Director Graves advised nothing to report but would entertain any discussions on Chapter 772 revisions regarding peddlers and solicitors. Councilman McCullough asked David we were discussing an ordinance and what was the deal with the time we had to be careful about because we really wanted to make it dark and we couldn't do that and they claim that we are restricting them?

Law Director Graves answered you can't really restrict the canvassers for Charitable and Religious purposes, but we can restrict door to door sales, peddlers, solicitation. In re-reading through this Chapter, it looks like a lot of it dates back quite a ways and then it looks like it was just piece milled and kind of added to and updated through the years. I would almost recommend that we just come up with a new draft for the entire thing. What you have before you is a revision merely to 772.06 and that is for the intrastate commerce, but in looking at the entire Chapter, I think a lot of this probably needs to be rewritten. It is very clunky, there is sections where it goes into quite a bit of prohibitions and then says it doesn't apply to much of it – it is just clunky and I think the entire thing could be updated. Some of the revisions that we have done are that we are no longer going to have the 1 month, 6 months or 1 year permits. There will be a 1 day or 1 week permits, they will require an original signature by the Mayor rather than a stamped signature and we are going to make sure that every single person going door to door has a separate individual license. So if 10 people come in, that is going to be 10 – so if they want a 1 week, that would be 10 – 1 week permit/not 1 permit. Currently the time frame is 9 am to 7 pm Monday through Friday, not on Saturday and Sundays and not on national holidays. Councilman McCullough asked what are we doing about ice cream trucks. Are they even getting a peddlers permit now? Law Director Graves answered yes. Councilman McCullough stated so they are going to get restricted. President Rosso asked where do you see that. Law Director Graves answered under 772.06c hours of operation, this is the ice cream trucks which he read. He stated so that would to 9 pm. Councilman McCullough stated, but David if we take out and we only go to 1 week, they can only get a week permit to come in and sell ice cream. They have to come back every single week. Finance Director Smith advised that is going to be crazy. Law Director Graves continued under 772.04 which is not in front of you because the only revision was the .06 but that includes the time limit on canvassing and solicitation which would be from 9 am to 7 pm but then it says it does not apply to the Charitable/Religious as set forth in 772.01, 5, 6 & 7. So you start to see how this whole thing is kind of clunky. President Rosso asked is the 772.01 with the Charitable/Religious? Law Director Graves answered no it is all the definitions; canvassing, solicitation, solicitor, etc. President Rosso stated my question was going to be done, we define or is that under the state that defines charitable? Law Director Graves answered we define canvass for charitable/religious purposes which also includes education. President Rosso advised you won't see any of that in any of the paperwork that we have in front of us Alan. He continued I am just curious when you say that we can't restrict hours for religious or charitable, is that something that we set or is that something that came from the state? Law Director Graves answered that is because of their free speech rights as has been determined through the courts. President Rosso

commented okay, you're the lawyer not me, I would argue that I don't violate their free speech if I tell them they can't come knock on my door after 7 o'clock. Law Director Graves answered they have won that in District Courts. Finance Director Smith stated would anybody be heartbroken if we just stopped any sales? I am not talking about charitable, I am not talking about girl scouts, and I am not talking about ice cream trucks. I am talking about the guy with the spot remover who gets you while you are trying to wash your car and won't leave you alone. Or these ones that want to sell you a magazine – those sells that I think are really aggravating or door to door meat sales out of a truck. I know some cities don't have a lot of solicitation like that at all. President Rosso stated on the one in front of us David, what Kerry was talking about the ice cream trucks and things. This really doesn't prevent anybody from carrying something from door to door and trying to sell it. This has to be on the street. Councilman Smith concurred that is strictly motor vehicle. Hours of operation really doesn't impact someone carrying something door to door and trying to sell it. Law Director Graves stated what you don't have in front of you, hours of operation – 772.04 which he read for committee information. In 772.01, 5, 6 & 7 which is the Charitable/Social/Political or Religious. The time prohibition is at 772.04 which we didn't amend and that is 9 am to 7 pm Monday through Friday. President Rosso asked to recall when we are receiving complaints of people coming at night, does anyone remember who it was; was it a sales person? Councilman McCullough stated I thought it was the football players, I thought it was the cardinal card to be honest with you. Councilman Smith stated the problem is you get all kinds of people; I mean I don't know what is charitable and what is not charitable. President Rosso answered charitable has to go to 501.c3. Mayor Bring advised it seems like every time somebody goes to canvass the city we get complaints and we just had another complaint the other day about the guy going around with the meat and this lady was adamant about saying there is no way the city should let them do this and we told them we can't restrict them. Councilman Smith stated I just can't believe the city can't say you can't be canvassing trying to solicit stuff, whether you are a charitable organization or not – that you can't put limits on it, it just doesn't make common sense that you shouldn't be able to do that. Law Director Graves advised you can put reasonable restrictions on there, normally they will agree to not go out after 9 for the political, etc. Councilman Smith stated you are not stopping them from doing it, you are just saying doing it between these hours. I just don't understand why? Councilman McCullough stated, okay, I am going to equate it like this, I am going to take it down to the simplest form. I am not going to tell someone what they can and can't do to feed their family. Let me take it to the simpler form, then how come when I open my mailbox I am being solicited by ads – there is no difference. I can throw them away or I can say no thank you and close

the door. Councilman Smith stated as a city I can't believe there is no way of doing it. I know what I am going to do is put a no solicitation sign on my door, that is it, period, end of story. Councilman McCullough stated, but the thing about it is that does not preclude from somebody knocking on your door and telling you about Jesus Christ. Councilman Smith answered, I don't have to answer it. Law Director Graves stated are you talking about solicitation sales or are you talking about the canvassing? Councilman Smith answered both. Law Director Graves stated you can't treat them the same. One is just trying to sell something in commerce and the other they are spreading speech; it is political/religious speech which is highly protected and if you are going to restrict it. Councilman Smith interjected you are not restricting them, you are just restricting the times that they can do it. Law Director Graves reiterated the courts have made it pretty clear that you can't do that. Councilman Smith stated when you have a no solicitation sign on your door and they come knocking at your door, you mean to tell me that they have the right to do that? Councilman McCullough stated yes. Law Director Graves stated I am not sure about that, I think they would have to honor your no solicitation sign. Councilman Smith stated I am talking about who is coming door to door; all the kids that come around in vans with candy bars and the guy with the meats and the people want to do for energy, people get you to switch phone service. But if you have a no solicitation sign and they come up what recourse do you have as a resident to say hey, wait a minute and is there penalties for that? Law Director Graves answered yes, we have in our ordinance right here in 772.03 and I believe they have to respect your no solicitation sign. Councilman Smith stated I would say the easiest thing when you start getting all those cards of what we can't do – get a no solicitation sign and if they don't abide by it call the police. Councilman McCullough stated, but David I saw something in what we have talked about in the Ordinance and what we kind of agree to is something like an ice cream truck – they would have to come in every single week and get a permit. Law Director Graves stated, we can create an exception to that. Councilperson Stark stated David I think we need to redo the whole section, I think David has a point where it is chunky – legally it doesn't read altogether. I think you need to go back and redo the whole section and make it more cohesive that way where we have the whole thing in front of us. Councilman McCullough stated that is why this thing shouldn't be here. President Rosso stated I explained why it was here Kerry, what point don't you get on that. I explained why it is here. Councilman Smith stated I don't know if I caused all this? President Rosso stated you didn't cause any of this Alan. Councilman Smith continued I just know at the time it didn't come here to rewrite the whole thing, it didn't come here – it just came here to look at the time because we had the complaints. Law Director Graves stated I can tell you that is not how it was presented at Ordinance Committee. It was presented to look at

increasing the fee for the license or to restrict it somehow. Councilman Smith stated, all I know is why it came up and why it went to the Ordinance and that is because they had complaints. In fact Dennis is the one that brought it up if I am not mistaken, but he has had numerous, numerous complaints about people soliciting later at night and during the dark and it was actually a safety issue because of people knocking at your door when it's dark out and you don't know who the heck it is. That was the reason it came up, nothing was ever changed and I just didn't know why it wasn't – that's all. That was the only reason I was questioning it, I mean, if we can't change it, then we can't change it – let's just go forward with it. Law Director Graves asked do you want to change it to 7 pm for sales. Councilman McCullough stated we were trying to write it where it had to do with the sun and legally I guess we can't do that, but a half hour before sundown, you couldn't knock on a door anymore or a half hour before sun up you couldn't. So in the winter time at 4 o'clock – sorry you have to get off the street and then in the summer time, sometimes at 9:30 you are going to be out knocking on a door. Councilman McCullough stated what we are trying to do too Alan and what we discussed is number one increasing the fees and number two making it be an actual signature from Dennis or his designee – there is an actual signature that is in a different color ink that is right there that can't be mimeographed that says this has to be an original signature that each person has to have their name on that thing. What we are trying to do is legislate them out, don't go to Sheffield Lake there is too much paperwork. Councilman Smith stated here is my only thing; I sit up here and now I am going to put my other hat on and I am the resident sitting on my couch watching TV at 8:30 and there is a knock on the door of someone trying to sell me something. You are legally telling me that I can't legally do nothing because there is laws that say I can't. Law Director Graves stated that statement is not true, if they are at your door at 8:30 they are in violation of the ordinance. Councilman Smith stated not if they are a charitable group which most of them are knocking at my door at 8:30 trying to sell me candy bars to the juvenile people that are out with the kids that are in homes and stuff then I don't have no recourse. So now I do because there is going to be a no solicitation sign and I will be calling the Police. As a resident, I don't like it, but up here it is not whether I like it or not it is can we do something about it. So you are telling me basically we can't because most of them are all religious or charitable – most of them all are. So really there is nothing we can do with them because you say we can't because they are a charitable organization. Law Director Graves stated I could be wrong, but I don't think the complaints that we are getting are really for the canvassing, charitable, political, religious – it is the people trying to sell things. What they do is they say I want to pass out some literature and we also accept donations. Councilman Smith stated no, no these are people selling the candy bars. On Saturdays and on

Sundays, on any day of the week at 8:30 at night/almost 9 o'clock at night. But my recourse as a resident is to put a no solicitation sign in your window. That's all it is. Law Director Graves stated I never thought the purpose of this was to restrict the fundraising door to door. Councilman Smith stated it is not to restrict the fund raising. Law Director Graves stated the girl-scout cookies and the candy bars for the Youth Football – we never discussed it in those terms. Councilman Smith stated I am talking about sitting on my couch at 8:30 or 9 o'clock and people knocking at your door and you have to get up and you open up the door and I don't care what organization it is they are wanting to sell you something, solicit you something and as a resident you should have some sort of recourse to say why do these people keep bothering me. Is there anything that the city can do to do that? Law Director Graves answered yes. Councilman Smith stated so if there is not, then I get it, but there is and it is to put a no solicitation sign up. Then there is a method that a resident can say I don't like it and I don't want it and you do – the no solicitation sign. Law Director Graves asked, you are actually suggesting that if a student knocks on your door with a fundraiser at 8:30 because you have a no solicitation sign? President Rosso asked the political/charitable ones that are different, the charitable stuff does not fall under a solicitation does it because I thought you said they were under a different guideline? Law Director Graves stated the way it is defined in our ordinance and I think this is one of the reasons why we probably – I probably should have thought of this sooner, but the more I think about it this whole thing needs to be rewritten, but the way it is defined in our ordinance is it just lumps it all together; canvassing, canvasser, solicitation or solicitor includes people calling upon residences and businesses, it's under 1 or more of the following and then it has 1, 2, 3, 4, 5, 6, 7 and then it has restrictions and says this doesn't apply to 4, 5, 6 and 7. President Rosso stated if there is a charitable organization out selling to raise money; baseball, girl-scouts, whatever – would have to honor a no solicitation sign on a door. Law Director Graves answered yes. Law Director Graves advised I would like to take a shot at redrafting the entire Chapter. I think I got an idea of the direction everybody wants to go. A couple of questions; are we solid on the time frames – for sales; 9 to 7 Monday through Friday and religious; 9 to 9. No voices were heard. What about the ice cream truck? Councilman McCullough stated we need to rewrite that for them? Law Director Graves stated the last time we brought up something about making them carry badges? Each individual will have this license and they have to produce upon request with an original signature by the Mayor. So I don't think we need it. Councilman Cizl stated as far as the badges, I think something came up when that tree company came in and wanted to clear out trees and they were going door to door because they were in from Kentucky. As a resident, I wanted to make sure that they had gone through the channels, so whether it is a badge or an ID or

whatever, I am not opposed to them coming from another state clearing trees out. I want to make sure that they are official. Mayor Bring stated they would have to go through the Building Department and be registered and if they don't they are in violation. Law Director Graves stated that's interesting because they have to be licensed in the city, but if they are going door to door looking for business I think they still would need a door to door permit in addition. So they would have to have that as well. They have to have both, registered contractor and also door to door license signed by the Mayor. That is like the roofing company when we had the hail storm, all the roofers came into town saying the same thing. Councilman Cizl stated blacktop driveway people, they have done that in the past too. They will knock off a whole block at one time./**COMMUNICATIONS: None./OLD BUSINESS: None./NEW BUSINESS:** Councilperson Stark stated Mark had brought up during the earlier part of the year about doing a Committee, some community pride stuff. I just want to throw it out for thought now, I know the city doesn't have the money to do PR. We don't have public relations, we don't have a communications department, but sitting through a couple of elections and listening to people I really think that we as a city need to think about – it is great that we have the website up, don't get me wrong. But the image and the message and how it is getting out to people, I think we need to work on how we are communicating better. I am sure John Edwards would even tell you, we need to get that more positive on the outside and I think that is something we need to think about whether it be a committee and we are having citizens involved in doing stuff or whether it is a parade or whatever, but I think we need to give that some serious consideration with elections coming up and other stuff that we might need in the future. We need to message better and I think we learned that lesson through the Fire Department and how they helped out. Just putting it out there that with water meters and roads and stuff, if we are going to have to start going to the public for stuff we might need to start thinking and planning ahead about messaging. From a big city perspective instead of a small city perspective, it is something that we need to look at. So give it some thought.

ORDINANCES AND RESOLUTIONS: Councils Agenda –

Council#056 – SECOND READING – an ordinance amending Chapter 772 of the codified ordinances of the City of Sheffield Lake regarding solicitors and canvasses.
Council#057 – EMERGENCY – an ordinance providing for the establishment and increase and decrease of certain funds within the annual appropriations ordinance of the City of Sheffield Lake, Ohio and the declaring of an emergency.

MEETING ADJOURNED: With no further business before this council, Motion by Kovach/Second by Stark to adjourn at 8:05 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 November 18, 2014.

and/or

COUNCIL PRO TEM
Alan Smith