

**MINUTES OF CITY COUNCIL
SHEFFIELD LAKE, OHIO
September 24, 2013**

The regular meeting of the City Council was held Tuesday, September 24, 2013. Council President Rosso called the meeting to order at 7 pm.

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

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

Present: Rosso, Elliott, Stark, Kovach, Cizl, McCullough, Erdei, Smith, Mayor Bring, Finance Director Smith, Law Director Graves, Treasurer Woods
Absent: Service Director Smith (excused)
Attending: Concerned Citizens, Demolition Board: Gee, Members of the Media: Avon Lake Press

READING OF THE MINUTES:

Council – August 20, 2013 - *Motion by McCullough/Second by Kovach to accept the minutes of the August 20, 2013 Council meeting. Yeas All.

Council – September 10, 2013 - *Motion by McCullough/Second by Elliott to accept the minutes of the September 10, 2013 Council meeting. Yeas All.

Council Worksession – September 17, 2013 - *Motion by McCullough, Second by Kovach to accept the minutes of the September 17, 2013 Council Worksession meeting. Yeas All.

CORRESPONDENCE: Clerk of Court Francine Shover – monthly report of court receipts for month of August 2013 - \$5778.00. Receive and file.

PRESENTATIONS: Mayor Bring submitted Mr. David B Smith as member of the Demolition Board. *Motion by McCullough/Second by Kovach to accept the Mayors appointment of David B Smith as member of the Demolition Board. **ROLL CALL FOR APPROVAL:** Yeas All – Smith, Elliott, Stark, Erdei, Cizl, Kovach, McCullough.

Mayor Bring swore in Mr. David B Smith as member of the Demolition Board.

CITY COUNCIL REPORTS

Roads, Drains, Water, Sewer and Refuse: Chairman Elliott reviewed the minutes of the September 9, 2013 meeting. *Motion by Kovach/Second by Erdei to accept the report. Yeas All./**Safety:** Chairperson Stark reviewed the minutes of the September 4, 2013 meeting. *Motion by Kovach/Second by Erdei to accept the report. Yeas All./**Buildings, Lands, Vehicles & Equipment:** Chairman Kovach reviewed the

minutes of the September 5, 2013 meeting. *Motion by Elliott/Second by Stark to accept the report. Yeas All./**Ordinance:** Chairman Smith reviewed the minutes of the September 5, 2013 meeting. *Motion by Elliott/Second by Stark to accept the report. Yeas All./**Finance & Audit:** President Rosso conferred with Law Director Graves who advised minutes must be produced; technical difficulty – no tape. Clerk advised she could fudge them then./**Council Representative to the Joyce Hanks Community Center: None./Council Representative to the Zoning Board of Appeals:** Representative Kovach reviewed the minutes of the August 21, 2013 meeting./**Council Representative to the Planning Commission: None./Council Representative to the Park Board:** Member Kovach reviewed the minutes of the August 19, 2013 meeting.

ADMINISTRATIVE REPORTS

MAYORS REPORT: Mayor Bring advised just a couple of things. Obviously we had our fall festival here this past weekend. Friday night was a little interesting about 8:45 as we had a nice thunderstorm come in and knock some of the tents down but overall it was a nice event. We had a lot of people come up to me and comment and thank us for doing this. It is the first time for this type of event so it is a learning experience but I think it went very well. We had 0 problems and that was part of the reason for fall festival and the way it was set up a little bit different then what Community Days and some of the other things. The crowds were a little different and the kids got to enjoy the rides. If we could have had a little bit better weather we probably would have done a little better but like I said it was pretty neat. My wife spent several of my dollars over there buying jewelry. (laughter) Today we had a little bit of a hiccup for the garbage pickup because on the water bill is actually said that we were going to pick-up the bulk garbage and that was a misprint and should have never been on there so a few people calling us about that and basically I think it was our fault. We don't have the dumpsters to pick-up this stuff so we are trying to work with the people and I think overall everybody was okay with it but they were very disappointed. We are still dealing with that. The little project we did over here on Lafayette, basically that was finished today and the reason we did that was because the water to the south over here was actually being blocked by the road and the water could not go through and the gentleman on the corner right there house flooded several times. So we cut across and put a pipe in there and connected that and cleaned that all the out through and we have had some rain since then and that all is finished and worked very well. We had a couple of flushing's to do down at the other end as far as the pipes to get it really good but that project should be done. We started a little bit on the South Street, we had some trees removed and we are going to go over there and dig that up. I had Frank go over there with our skid-steer with that grinder, he has got some more to do with that but if you go down there you will see that is all wide open now which is never was but we have had several people comment on that and said they are very happy. After we dig the ditch and get all that done, that will be much better and get that water flowing over there. Mr. Kovach eluded to the grindings, we are probably

going to finish the rest of those either the end of this week or beginning of the next week and the rest of those will be removed from the Shopping Center so we won't have to deal with that anymore. The one salt truck we had – the whole back of the bed was failing. If you went around this past winter, there was several piles of salt in the road which we thought the guys were actually sitting there and running the back of the truck and spreading the salt. We found out that actually the bed of the truck was rusted out and it was actually falling through so that was all rebuilt and we got that done today. So that truck will be ready to go, so we will have 2 working trucks. We have 1 truck that is down that needs extensive repairs and that was the best truck we had before when we had 2 green trucks. But we have a lot of work to do on that but right now we have 2 of the large trucks that are finished and they are ready to go. We started the hydrant flushing program again so the guys are going around and taking care of that, so you will see them out there opening up the hydrants. That hasn't been done since Mr. Conrad was here. So it has been several years and we are going to continue that and get every one of the hydrants this year. The other thing is Mr. Grave will probably do more under his report but we did need to have you guys look at that mixed use zoning for the city because we do have some people who are looking to do some stuff in the city but without that we can't move forward. Councilman Erdei stated on Shoreway Shopping Center with the bar closing and that, can we offer any kind of incentives for like a 6-month period or something to get someone in there? Mayor Bring answered we have actually had several phone calls here lately, I have been showing that. I showed it last night, we have showed a couple of them the other day and I have got somebody else looking at the Post Office. We have got people that want to rent partially out for the drive-thru so there is quite a bit of activity right now. So yes that is what I am doing and that seems to be the way to go and I think that is going to work out pretty well for us. But all of a sudden we have just had a lot of interest. President Rosso stated I guess I would just like to reiterate what Dennis said, I only had the opportunity to go to the Autumn Festival one day on Sunday. Well I went a little bit late Saturday night and I talked to 2 or 3 of the vendors and I talked to some of the people that were operating the rides and they all wanted to come back next year and they were all hopeful that we would continue to have it and give a chance to build. I think it was really nice and to me it was more for the younger kids – the little ones. I know my son and daughter-in-law took our grandson up there all day Sunday to ride those rides and it was really nice. I am hopeful that we continue on with it and let it build. Mayor Bring advised I had one gentleman email me about the obnoxious music and it was very loud and he felt that he was very disappointed that he had to put up with the Community Days and now he has to put up with the fall festival. I emailed him back and tried to be as nice as possible and explain to him that the bands that he heard were basically local bands and some of the bands were from our school system and their parents were in attendance. I told him that those kids were very proud of their music even though he didn't like it and that I did not have an answer for him as far as making him happy but I tried to explain to

him very nicely that there is 365 days in the calendar and if we offended you for the 8 days then I apologize but unfortunately there were several thousand people that come between the Community Days and the Autumn Festival to our city and that I would hope that he could understand that. So that was my email back and I have not gotten a response from him. Councilman McCullough stated I was wondering about all that too but the way they had that thing set-up all that sound got funneled back to Apples. I don't know where he was at but he was complaining about loud music, I was home every night and I never heard it, I never heard it. I mean I had to go outside to hear it, you couldn't hear it in the house. Mayor Bring stated a gentleman did call at 7 o'clock I think on Saturday complaining and I went up there and told Mr. Campo to tell them to tone it down just a little bit but it wasn't even very loud. They instantly turned it down just a little bit but they were done by 7:45 and that was Saturday night. I told them that every night that we tried to have everything such as all the music toned down or off 8 o'clock. Councilman McCullough stated like I said if they got a complaint that can't be a complaint. President Rosso stated Kerry our houses got to be about the same distance and you couldn't hear it in my house and you couldn't hear until I got halfway walking up to the center. Councilman McCullough stated I have that tunnel coming through. Councilman Smith stated I think it went my way (Hollywood), I heard it but it wasn't obnoxious or anything – it was just music.

*Motion by Elliott/Second by Kovach to accept the report. Yeas All./**FINANCE DIRECTORS REPORT:** Finance Director Smith advised I have 2 ordinances that I brought before you at the Finance committee meeting last Tuesday that I would hope to get on for tonight, Council#040 and Council#041. One is several appropriation changes and the Council#041 is for the transfer that we spoke of last week. I brought another one forward because our fire truck; both of our fire trucks have to go through safety checks and we had the one fire truck with the right brake calipers was hanging up. They had to repair that and as soon as they got that repaired, the left one went. So we are down to very little money to try to fix these. Mayor Bring advised \$1700.00 a piece, each side. Finance Director Smith advised so I have a Fire Chief who is ready to panic because he doesn't have any money and the Mayor suggested that we appropriate a small amount out of our capital improvement fund; the 106. He is suggesting that we appropriate about \$5000.00 for now and that will pay for the one caliper and it will leave us a little leeway for any other repairs that we might have and that could be Police or Fire but it is nice that we have a little buffer in the event that something happens and that is Council#039 that I have before you and that is all I have before you. *Motion by Elliott/Second by Stark to accept the report. Yeas All.

/TREASURER REPORT: Treasurer Woods advised you will find the report attached and Rose is I am sure having fun sailing in the rough waters. Councilman McCullough stated Jim we were doing a really good job with these checks and now they are creeping back up again. Treasurer Woods stated yes I am going to walk back over and check with the Water Department. *Motion by Elliott/Second by Kovach to accept the report. Yeas All./**SERVICE DIRECTORS REPORT:** Mayor Bring stated

I think for now we have covered everything./**SAFETY DIRECTORS REPORT:** Mayor Bring reported actually it has been relatively pretty quiet, except for the truck and we are sending the other one to get tested but everything else knock on wood has been relatively kind of quiet here in the last weeks. We had 0 problems at the Festival, we had nothing – it went very, very well. Councilman Kovach advised too cold and too wet. Mayor Bring stated I made 3 pets out of the goats that were there and they had goat fudge and that was some of the best fudge I have ever had. Councilman Erdei stated before you jumped to this one I had a question about the Service Department. Did you hear anything about the pump stations, way back when Len was here he was having them analyzed or whatever to see what was going? Any new information on that? Mayor Bring answered not right now, everything else has been alright with that stuff. We do have actually an extra person now as far as reporting to the EPA – Mr. Pat Hastings is now an additional person so we have 2 people that are licensed to report to the EPA. We send emails off to that and both of them are able to fill out paperwork on it which helps because if somebody was on vacation or whatever. We did have the pumps go off the other day, it something to do with the electrical system but we took care of that. Councilman McCullough stated a follow-up on Mark's question, I don't know if this is what he was asking or what he was eluding to and it has now peaked my interest and I was waiting for the answer. Len had Bramhall looking into this great big study, where is Bramhall at on that? Mayor Bring answered Mr. Bramhall and I talked just briefly about 2 weeks ago and to be honest with you he had asked me if I needed anything right now and I told him just to wait another couple of weeks because I was a little bit overwhelmed there at first. So I will sit down with him and go over everything. He had contacted me and I just said right now I don't need to talk to you. *Motion by Elliott/Second by Kovach to accept the report. Yeas All./**LAW DIRECTOR REPORT:** Law Director Graves reported I am working on a number of projects that you are aware of, some new developments; have been approached by Chase Bank in regard to exercising their option to extend their lease. Their lease currently expires in August 2014 so we are negotiating some terms and I will keep you apprised of that. But things look good in continuing a long term relationship with Chase Bank at the shopping center. I have also been in discussions with Mr. Fowler who is the Safety/Service Director for the City of Lorain about amending and revising our current sewer contract with the City of Lorain. As you recall we did extend that last year for a 2-year period and we are looking into various ways for a long term extension. Right now we are just looking at the language in regard to any proposed annual increases to treat our waste water. As you also might be aware the city did not receive the CHIP grant again and there is a meeting next week in Columbus; a representative from Patty Lines Office who is our outside consultant on the CHIP program will be attending that meeting on our behalf. We will start the process of applying again, it is getting more and more competitive for those dollars and Ms. Lines isn't sure if she is going to continue in that line of work. So I am pushing her to make that decision so we know whether we need to work with someone

else in the future. I continue to work on drafting housing studies that the city can enact a CRA district; Community Reinvestment Area so that we would be able to offer tax abatements on new construction expansion especially at the shopping center. The issue the Mayor touched on I think is of paramount importance, we really need to consider seriously getting a mixed use zoning district proposal together. As you know this would be a zoning change, it has to go through the lengthy zoning change process including the 60-day referral to Planning Commission, public hearing, etc. The thing is the people that are interested in having the property zoned this way can't even begin that process until we have that district created because they don't have the final product that they would be applying for. So we need to really think about moving on that. Also at Council it has been pointed out Ordinance Committee is looking at some very important issues in regard to expanding the role of Planning Commission for site plan review for any commercial development and updating our Industrial Use District which hasn't been updated in quite some time. There is a Civil Service meeting Thursday at 4:45, I believe Tri-C should have conducted a test on our behalf so hopefully we will have some results and a list of potential candidates for the Police Department so that if the funds come available we will be able to bring in some full-time people potentially. He reviewed the legislation on the agenda for tonight. Councilman McCullough asked Rite-Aid's doors, are they pressing us for those yet? Law Director Graves answered we are working on that and we have throughout the year to do that. Finance Director Smith advised Mr. Hastings has already contacted the door company and everything is already in motion. Councilman Smith advised David talked about the zoning changes that are on the agenda at Ordinance so we will be discussing those. *Motion by Elliott/Second by Stark to accept the report. Yeas All.

CITIZEN'S COMMENTARY:

Ann Marie Woltman, 649 Sheffield Rd., stated we were told that we could put announcements in the water bill, are we going to announce the voting for the levy? Mayor Bring advised we cannot do that. Mrs. Woltman continued the other thing, this has to do with the balloons that are going to be down in that building at the center and I was wondering if maybe we could maybe have a Halloween contest with minimal prizes announce that also in the water billing because it seems like when Elyria or anybody else has any kind of Halloween costume contests it brings out the family. So that is going to be there anyway; the balloons. I thought the music was great, the only thing I would have liked and I went on the internet to see if I could find a schedule and maybe I didn't look at the right place? I would like to have seen a schedule rather than have to call someone because if you go on the internet and look at the fish, duct tape or whatever festival they have a list of the entertainment; the bands and that might bring people out. Finance Director Smith advised next year we are going to probably have a website that will have a lot more of that. It was to kind of feel our way around on this one to see how well and how we are going to organize it but for next year we will have a link from the city's website to the festival website that would give you a lot more of those details and actually we will probably do that be-

ginning of this coming year because we want to get ahead of the game and get vendors. Mrs. Woltman stated the other thing that I don't know if you thought about offering it to social service agencies, rather than vendors selling things. You know with their brochures and such. Finance Director Smith advised they are welcome to come, absolutely. Councilman McCullough stated I think you will see a better execution next year. Ms. Woltman stated but the music I think it was dependent on which way the wind was blowing because I could hear it sometimes and the music wasn't really that loud. You know what is loud is when that apartment building had some sort of a band outside, that was very loud.

UNFINISHED BUSINESS: None.

NEW BUSINESS: Councilman McCullough stated I would just like to thank Rosa and Joe Gee for all the efforts they put in this weekend and this week on issue#18 – thank you. I wasn't feeling good and Joe toughed it out and trucked by himself and then all weekend they were over, every time I went over and I get out of bed they were over at the festival and passing out and representing well so thank you guys. Mrs. Gee advised we had a blast and the Mayor showed up every day and helped so that went off really good. Councilman McCullough stated when you get one of those vote for issue#18 and you end up like in Avon Lake over like Kenilworth stick them on their little 6-packs they use – great advertisers. Mayor Bring also thanked Rosa and Joe Gee and also thanked Heather, her mother, her husband and their children – they were there all day those days. One other thing is I talked to our Service Director the other day and he is doing laps in the hospital so he is getting stronger and doing much better and he sounds terrific! He is very excited and I think he said he is going to be about a week and a half yet but he is getting stronger every day and he is very excited. Just wanted to relay that back. President Rosso stated great because it is great news from where we were 2 weeks ago! It is really great to hear! Mayor Bring stated and we actually have minutes, thank you Kay. Mrs. Rosa Gee stated you were missed dearly. Finance Director Smith stated it is cute how we have no clue what to do without you. President Rosso stated thank God Mark was the audio guy at the High School because he was a key player. Councilperson Stark stated just a reminder early voting starts October 1st and I believe the last day to register to vote is Monday the 30th. So if you haven't registered to vote you have until Monday and I suggest you go to the Board of Elections in person – please don't mail it in as it has to be time stamped and also they are keeping the voting wards where they will be. But we are making some adjustments to how things will be done so do not be surprised if you walk into your old polling place and it doesn't look like a polling place. We are contemplating that it will make it a little easier for everybody. So please get out and vote.

ORDINANCES AND RESOLUTIONS:

Council#039 – 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.

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

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

*Motion by Elliott/Second by Stark for ADOPTION:

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

Ordinance Passes#38-13

Council#040 – 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.

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

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

*Motion by Elliott/Second by Stark for ADOPTION:

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

Ordinance Passes#39-13

Council#041 – EMERGENCY – an ordinance providing for the transfer of \$2,520.00 from the general fund to the sidewalk escrow fund within the 2013 annual appropriations ordinances of the City of Sheffield Lake, Ohio and the declaring of an emergency.

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

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

*Motion by Elliott/Second by Stark for ADOPTION:

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

Ordinances Passes#40-13

MEETING ADJOURNED: With no further business before this council, Motion by Kovach/Second by Elliott to adjourn at 7:50 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

COUNCILPRESIDENT

Rick Rosso

and/or

I, Kay Fantauzzi, duly appointed Clerk of Council of Sheffield Lake DO HEREBY CERTIFY that this is a true and exact copy of the Minutes of COUNCIL of September 24, 2013.

COUNCIL PRO TEM
Eric S Elliott

MAYOR
Dennis Bring