

**MINUTES OF CITY COUNCIL
SHEFFIELD LAKE, OHIO
December 17, 2013**

The regular meeting of the City Council was held Tuesday, December 17, 2013. Council President Rosso called the meeting to order at 7:02 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, Erdei, Smith, Mayor Bring, Treasurer Woods, Finance Director Smith, Law Director Graves
Absent: Councilman McCullough, Service Director Smith (excused)
Attending: Concerned Citizens, Fire Chief Tim Card, Firefighters; Davis, Kozlowski, Demolition Board Chairperson Gee, Members of the Media

READING OF THE MINUTES:

Public Hearing 2014 Budget – December 10, 2013 - *Motion by Elliott/Second by Stark to accept the minutes of the December 10, 2013 Public Hearing meeting. Yeas All.

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

CORRESPONDENCE: None.

PRESENTATIONS: Phil Gauer, Second District VP for OAPFF stated what I am here for really is just to kind of tell you where we have headed, we have talked to the Mayor and the Finance Director; Scott Kozlowski and myself and because the levy went down we want to try to redo the same levy but put a little more emphasis in it so what I bring to the table to help is the International and the State Association we have a PR group that can help with getting out the literature, making whatever we need and everything would be run through you guys to make sure that what we are putting out there is correct but we have a particular department at the International in DC and that is what they do, so in times with levies or anything like that we send them the information and in this situation Scott and I would work with them back and forth over the phone and the internet to develop a PR campaign on how to go about it. We would also bring in Jeff Moore who at one time was a Fire Fighter here, he is over in Avon Lake Fire now and what he brings to the table is if we send him to a legislative which is who he is up here for me; the legislative guy for this district up here and he has also been to

school on how to go out and campaign, how to do these levies. So that is the big thing. I think we have come to an agreement that we want to try to re-introduce the same type of proposal; income tax increase and I believe at a ½% and try to go the same route and what we talked with the Mayor and the Finance Director about is some of the ramifications if we didn't get that. Where the Fire Fighters are going to come into play – I guarantee you we will make every door step, we are going to get it out 2 or 3 times which is our plan right now. Typically by emails or mailings to start with and also get out and get some of these people that aren't registered voters. So we could go out and help them register, if there are people that can't get out to vote we can help them with absentee ballots that a lot of them seem to not even know anything about but you do have to sign up and get that mailed to you. So I think that going together and working together we can get something done, we can get the PR out there and we can get the information because I know Scott heard from a lot of people "well I didn't even really know about it" and I will give you that is their vault for not being informed about it. However I think if we go out and we hit every door and at least every registered voter it is going to really help and also give them some positive feedback. Here is what this is actually doing, I know some people had heartache with there is a little clause at the bottom and any other things. Then we need to do that through the PR campaign to explain that. That isn't just a free get-out of jail card – here you go I can take this money and do whatever because there is reasons at times that come up that you would need that money for other causes. You try to get that information out; good positive information out to the people I think that will be very helpful to try to get this campaign off. I know Jeff Moore had the same thing over at Avon Lake if some of you are familiar with that, the EMS levy got voted down the first round and then they got it together and got a good PR campaign out, got the information/solid information out – not a battle between anybody. Here is the information, here is the positive information and here is what you are going to get for this dollar and here is what is going to make the city better. So that is what I just wanted to bring to you and let you know where we were going with this and as we develop this we are going to get it back to you too, before we actually go out and give out the information – it will all come back to the Mayor, Finance Director and whomever – all of you to make sure that this is what you want and this is sound information. Councilman Erdei asked why didn't you help us the last time, were you informed of what was going on about this levy through Scott? Mr. Gauer answered no I didn't know about the levy, we had a number of levies that were going on through the district. I guess you would have to ask Scott about that but I am here to help however I can now that I have been informed so those are some of the things that we can get that won't costs you guys anything. We have a department that does that, that would come typically out of their union dues that pay into the

International. That is how we fund it and then all the Fire Fighters across the country. Councilman Kovach asked you guys are going to be shooting for May? President Rosso answered that is the earliest we could put it on so we would have to make a decision by the end of January. Mayor Bring advised we invited him here today just to let you guys know that we are working together with these guys to make sure that this does come about and Mark asked why didn't we do this before and obviously we did the best job we thought we could and this is just another step/another avenue to make this go forward again. We had a great meeting with Phil and the union so we want to continue this openness and make sure this thing goes forward and he has come with a lot of experience and I really appreciate what he has done and like I said this gives you guys an opportunity to find out that yes we are trying to get this thing to move forward and the public to know that this is where the funds are going. Just like we had talked, everybody has to know the direction of what we are trying to get passed here. This is not just for certain – this is for the Police Department, this is for the Fire Department and for some of the Parks and stuff. The majority is going to these guys and they know that, so he is here to try to help us and get this thing passed as well as we possibly can. Mr. Gauer stated sometimes every city has the nays and the yeas and all the hoopla and the people that don't really ever look for the true answer of what is going to happen and what is going to go on. Sometimes and the OAPFF will endorse this and will endorse all the material that we hand out. Sometimes just coming from the outside to back something, sometimes that gives you a little more support too. It tends to help and it did help over in Avon Lake with Jeff Moore and his fight on the EMS levy. If you have any questions just contact Scott or I will leave you my business card so you can just call me. President Rosso stated I would like to say thank you for your time and for coming up and getting involved, I think it is really good for us to get someone with experience and your organization, Jeff Moore and Avon Lake is really going to help us. As Dennis said we did the best we knew in what we could do and you are offering us some more ideas and more importantly some help. So thank you and thanks for taking the time.

CITY COUNCIL REPORTS

Roads, Drains, Water, Sewer and Refuse: None./Safety: Chairperson Stark advised minutes are attached. *Motion by Kovach/Second by Elliott 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: *Mayor Bring reported just on the vehicles on the Police Department for Safety; one of the cars has 54,000 miles on it and one has 145,000 miles on it and another one has 33,000 miles on it and the other one has 59,000 and one other one has 41,000 and the last one has 142,000 miles on it. On the snow ban parking which went into effect this past weekend, a little discrepancy is that the Mayor or the Service Director have to call this but actually with 2 inches of snow it actually goes into effect but I did show up Saturday at the Police Department and made sure the Officers went out and gave out some warnings to start off with and then they ended up ticketing people but they did go out with bells and whistles up and down the streets and we still ended up ticketing 15 people. A couple of those people were very irate with what happened but for the most part it went very well. The guys in the snow plow said it was probably the first time that they can remember in years that it went that smoothly as far as keeping the cars off and then plowing so that was kind of a major event. That event alone costs the city \$7,125.00/overtime was \$2000.00 and material was \$4725.00 and we had a hydraulic hose repair that was \$400.00. So just that one event costs the city a little over \$7000.00. The parking ban, a couple of people that got cited did not understand that once the street was plowed that they were allowed to go back on there – again that is not correct. We had a lady that was very irate about that, stated that the end of her street was plowed and she went back on and parked in the street. Again they have to continue the maintenance on the event and that is the whole issue. The other part is we are not salting all the streets, we are salting the main streets and if you go down some of the side streets; they are slippery so if somebody loses control and run into a parked car – it is dangerous and they are going to keep them off those streets. The Officer that was in charge of doing the warnings on the junk vehicles and stuff is going to be off for the next couple of weeks so that process will start again after the first of the year. The parking ban notice will go into effect January 15th like we stated last time and that will be on the next water bill. I had the girls put that on the water bill so that will be on there. I do have a copy of an ordinance, we had a gentleman state that he has been here 30 years and he never heard of a parking ban for the snow and he said it is not posted and it is posted at every entrance of the city and this was revised in the year 2000 – the snow parking ban was originally the Ohio Revised Code and they changed a couple of things on it but it was revised in 2000 and has been in effect for a number of years. For some of the stuff on the Water/Service end; they completed 1/3 of the 600+ fire hydrant flushes. We suspended that for the season and will resume that in the spring. Winter will now include maintenance repair and hydrants identified with a problem; approximately 43 hydrants need attention*

for minor to hard to operate to major broken stems. We had water break repairs recently on Irving Park and Gayle and during the snow storm we got called out for the snow storm and then we also had a water break on the same day. The sanitary cleaning in Sheffield and Knickerbocker area, empty contents of the building that we are tear down off of Lake Road there; took the scrap and put that aside and we are having the electric company disconnect that and that will be demoed here shortly. That will be after the holiday because that is near a residence and we don't want them screaming and yelling at us during the holidays during Christmas so we will wait until after Christmas. We are doing the manifest for the sewer cleaning program beginning January 2014 and run concurrently with the hydrant repair program. The general task of meter reading and service calls and pump stations. We did get signs for the new parking ban for the 2 am to 6 am, those are going up. We started to put those up and then it started snowing so we had to take the guys off of that. Again we are continuing to do some of the other projects that we are doing. One of the other things that I did find which was actually on the news the other day, the EPA is actually mandating that people do not park on tree lawns because of the oil and gasoline leaking out of the cars that actually goes into the dirt and goes into nearby lakes. The City of Vermont which has a lake there – the EPA has stated they should not do that because that is going to pollute the waterways. We live next to the lake and that is another reason for us to make sure that these people do not do that. They have to be on a hard surface and that is what the stormwater is all about. That was actually on the news 2 weeks ago and I just brought this up on the internet tonight just so everybody knows that this parking on the tree lawns is more then just aesthetics, it also affects the environment.

President Rosso asked when a snow ban goes into effect, when does it end? Mayor Bring answered when either the Service Director or myself declare it to stop. In the last snow event there was 15 citations with all the people that are in this city, I was pleasantly surprised and actually 1 of those citations was a gentleman that got 2. Just remember the snow ban ticket is \$25.00, people have been upset about it but very, very few. So it is working and it has been very good. Councilman Cizl asked have we determined the hard surface; whether it is gravel, concrete and the other question I had was when they plow out their front yard how do you determine if there is snow? Mayor Bring answered the hard surface; we had a couple of people call and I had 1 lady in particular that was not a very happy person. She said that she had 2 concrete people over there saying that if they did their concrete now that they would have to re-do it in the spring time because the concrete would crack because of the cold weather and that is not necessarily 100% true but I said that is okay. I gave her the option of putting gravel in for now and she would have to sign stating that it would be a hard surface; if she had concrete in the driveway it would be concrete and if you have an asphalt driveway then they can do asphalt. That is

*their option and she did not think that was a very good option and was not very happy with me or David. Everybody has to understand that we are trying to correct this problem. I did have several people email me thanking us for this but in one aspect it is working and in another aspect if people have to do stuff then they are not happy with it. She has a house over there off of Marion Street and they took their garage and turned it into a useable room so they had 3 cars and she said she could not park all 3 cars in the driveway and that was her issue. That is a lifestyle choice where they changed what they had and they have 3 cars so they have to figure that out. *Motion by Kovach/Second by Erdei to accept the report. Yeas All./FINANCE DIRECTOR REPORT: **None.**/TREASURER REPORT: **None.**/SERVICE DIRECTORS REPORT: **None.**/SAFETY DIRECTORS REPORT: **None.**/LAW DIRECTOR REPORT: Law Director Graves reviewed legislation. I would ask Council for an executive session tonight to discuss collective bargaining and current and pending litigation. *Motion by Stark/Second by Elliott to accept the report. Yeas All.*

CITIZEN'S COMMENTARY: None.

UNFINISHED BUSINESS: None.

NEW BUSINESS: *Motion by Elliott/Second by Cizl to amend the agenda to include Council#060. ROLL CALL TO AMENDA THE AGENDA: Yeas All – Erdei, Cizl, Stark, Elliott, Smith, Kovach.

ORDINANCES AND RESOLUTIONS:

Council#058 – SECOND READING – an ordinance amending Chapter 1395 of the codified ordinances of the City of Sheffield Lake regarding permitting public nuisance and the declaring of an emergency.

Council#060 – EMERGENCY – an ordinance providing for the current expenditures and other expenditures for the City of Sheffield Lake, Ohio during the fiscal year ending December 31, 2014 and the declaring of an emergency.

*Motion by Stark/Second by Elliott to wave the 14-day waiting period between the public hearing and the adoption of the budget. ROLL CALL FOR WAIVER: Yeas All – Kovach, Smith, Cizl, Stark, Elliott, Erdei.

*Motion by Elliott/Second by Stark for SUSPENSION OF RULES: Yeas All – Elliott, Cizl, Erdei, Kovach, Smith, Stark.

*Motion by Elliott/Second by Erdei for ADOPTION: Yeas All – Stark, Kovach, Elliott, Erdei, Cizl, Smith.

Ordinance Passes#58-13

*Motion by Elliott/Second by Kovach to go into executive session for the discussion of collective bargaining and current and pending litigation.

ROLL CALL TO GO INTO EXECUTIVE SESSION: Yeas All – Cizl, Smith, Kovach, Elliott, Erdei, Stark.

*Motion by Elliott/Second by Kovach to return to regular session.

ROLL CALL TO RETURN TO REGULAR SESSION: Yeas All – Kovach, Smith, Elliott, Stark, Erdei, Cizl.

Law Director Graves advised let the record reflect that the City Council of Sheffield Lake did adjourn to executive session for the discussion of on-going collective bargaining negotiations and current and pending litigation.

MEETING ADJOURNED: With no further business before this council, Motion by Kovach/Second by Stark to adjourn at 8:45 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

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 December 17, 2013.

MAYOR

Dennis Bring