

**MINUTES OF CITY COUNCIL
SHEFFIELD LAKE, OHIO
July 14, 2015**

The regular meeting of the City Council was held Tuesday, July 14, 2015. Council President Rick Rosso called the meeting to order at 7 pm.

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

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

Present: Rosso, Mayor Bring, Cizl, Kovach, Stark, Erdei, McCullough, Wtulich, Finance Director Smith, Treasurer Zaborski, Law Director Graves, Superintendent Hastings, Fire Chief Card

Absent: Councilman Smith (excused)

Attending: Concerned Citizens, Videographer; Eric McElheney, Demo Board Chair Gee, Charter Review Board Gee, Service Dept; Kepic, Exclusive Balloons; Mrs. Kepic, Members of the Media; Chronicle and Morning Journal

READING OF THE MINUTES:

Council – June 23, 2015 - *Motion by McCullough/Second by Kovach to accept the minutes of the June 23, 2015 Council meeting. Yeas All.

CORRESPONDENCE:

Monthly report of court receipts for month of June 2015 - \$9334.00.

PRESENTATIONS: Mayor Bring submitted Fire Fighter Wesley Mariner for the position of Lieutenant for the City of Sheffield Lake Fire Department. Councilman McCullough asked Wes how long have you been on the department? Fire Fighter Mariner answered I have been on the department since 2006 and full-time since 2008. Law Director Graves advised he does stand first on the promotional list compiled by the Civil Service Commission. *Motion by McCullough/Second by Cizl to approve the appointment of Wesley Mariner for the position of Lieutenant in the Sheffield Lake Fire Department. **ROLL CALL FOR APPROVAL:** Yeas All – Kovach, Wtulich, Stark, McCullough, Cizl, Erdei.

Mayor Bring swore in Wesley Mariner as Lieutenant in the Sheffield Lake Fire Department.

Councilman Kovach presented the Bicentennial History of Sheffield, Ohio 1815 – 2015 by Charles E Herdendorf to Mayor Bring.

CITY COUNCIL REPORTS

Roads, Drains, Water, Sewer and Refuse: Chairman Cizl reviewed the minutes of the July 6, 2015 meeting. *Motion by Erdei/Second by Kovach to accept the report. Yeas All./**Safety:** Chairman Wtulich reviewed the minutes of the July 1, 2015 meeting. *Motion by Cizl/Second by Kovach to accept the report. Yeas All./**Buildings, Lands, Vehicles & Equipment:** Acting Erdei reviewed the minutes of the July 2, 2015 meeting. *Motion by Kovach/Second by Wtulich to accept the report. Yeas All./**Ordinance:** Chairman Kovach reviewed the minutes of the July 2, 2015 meeting. *Motion by Erdei/Second by Wtulich to accept the report. Yeas All./**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

MAYOR/SAFETY/SERVICE REPORTS: Mayor Bring stated Pat and I did have some discussions about the pump stations down at the west end of town and it is not so much the pump station, it is actually a pipe that is faltering. So we are looking into maybe getting the pipe realigned or something like that to take care of this. Otherwise we would have to dig up the whole street so that is something that we are looking into so just be aware. With these latest rains here, the northern part of the State of Ohio is suffering from these rains and we are right in there with everybody else. Everybody is complaining about mosquitos and standing water, you name and it's been overwhelming. I was out in Port Clinton today and we missed that round of rain because it was pouring down rain out there. Fortunately we didn't get any of that but we do have a problem right now with all this water and other problems with some of the infiltration. We are looking into all that. I think the county is coming out. Finance Director Smith advised Thursday or Friday weather permitting for spraying the mosquitos so hopefully that will help a little bit. Councilman McCullough stated there is signs posted in the city that it is tonight. Mayor Bring stated maybe they changed it. We have had numerous calls and we have done the best we possibly can and we are still working trying to do the drainage; Walker Road, Buckeye and all those other ones. Fortunately we haven't had much out on Holl over there but we are going to continue doing this. It all has to do with manpower and everything else plus we have had some more water line breaks up by Dock's Tavern there and we put a plate over that. That particular fitting over there is a lead fitting so any time we dig that up the EPA requires us to change that but to make that work for him, he is trying to find somebody because you have to have a special person to figure out how that fitting works. We have given him an opportunity to look into that and that is why it is sitting there right now. We haven't been ignoring it but that is what is going on. Otherwise he is going to have to dig up that line all the way to his business and

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repair that. One way or the other it has to be done but we will give him an opportunity to look into it but we aren't going to wait much longer. As I stated the roads are going to start getting grinded and paved, that is probably not going to start until the first part of August. He had talked about July 20th but with all the rain and they are behind a bit so we told him that we weren't in a dire need of doing it so we did give him an opportunity to take a couple of weeks longer than normal. We would like to get it done before the start of the school year. The pavilion in Guenther Park, if you go out there and look and see some material laying there – that is the building material for the pavilion. We are going to try to get that laid out and start working on that in the next couple of weeks here. The new police cruiser arrived here today that Mr. Wtulich was talking about. If you go out there it is the one with less markings on it and it is a Ford Explorer. That is sitting outside if anybody wants to see it. The grant that we also talked about over there, we did get feedback from Marcy Kaptur's office. We did get the filling station which is about forty some thousand dollars that we did receive in a grant and I think our match is a couple grand. Fire Chief Card did write that so I want to thank him for doing that. The biggest thing is we had the 4th of July fireworks and people around neighborhoods were blowing them off – it was a very, very busy night as far as dispatching but not only were the fireworks going off we had 2 OD's and we had domestic violence and a number of other things. So the Police were running non-stop, not just for the fireworks but I will tell you that our Police were just non-stop and it was very, very busy. It was the 4th of July and people were blowing off fireworks and we all know that and we know they are illegal but we can only be so many places at so many times. But we gave everybody warnings and that is how we handle that stuff. We had one gentleman that got a little out of hand and we brought him into the Police station the next day and he apologized and wrote letters to the policemen. We just recently had Community Days and we had some rain, we had a very successful Community Days and we got through the parade and had excellent fireworks there. I would like to thank Mr. Kovach and his wife for what they have done – the McFalls, this is a lot of work and it takes a lot of time and if you would have seen Steve on the parade night he was running from one end of town to the other. His wife was running around, it is a big event and I do appreciate everything that they do and I think we did pretty well with that. We had some nice grounds but the rain kind of cut it short a little bit but overall I think it went very well. Fortunately for the fireworks night we had a beautiful night for that and we had a good band and it seemed that everything went well. We did not have 1 arrest that night nor at any time during the Community Days so I would say that was a very, very good success. That is all I have unless anybody has any questions. Councilman McCullough stated touch on Pasadena so you can get it on record. Mayor Bring advised I passed that along today, we have been mowing that property and charging \$250.00 every time we do that. Mr. Smith is going to contact the County about the tires and see what he can do about that. Then the

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other rubbish; he is looking to find out who actually owns the property. Mr. McCullough called me this morning about a property on Pasadena, 800 block. The gentleman that lived there used to go around and pick up scrap and resell it and he passed away about 8 months ago. The property, actually that whole area over there/that end of Pasadena is low-lying and there is water. The lady called about water but in looking at the water Mr. McCullough also saw a bunch of tires back there. So there is about 100 used tires in the lot, so those are all sitting there. You know used tires collect water and then that also collects mosquitoes so we need to get those out of there. Then in looking at the empty lot, I looked to the right and there was a lot of debris that was neatly stacked but it was probably 20 foot long and 4 or 5 foot high and 6 or 7 feet out. So there is at least a dumpster load of that in there and that needs to be removed too. We are looking into that and I do appreciate when people call, we try to act as fast as possible but in turn looking at that we saw more problems so we are going to try to take care of it. The problem with that road is that a lot of the aprons with the driveway culverts are smashed from people so we are going to have to get over there and look at it and see if the people want to pay for that or how they are going to do that. That is the only way that water is going to get removed from that area over there. Councilman Wtulich asked can we get an updated road list? Superintendent Hastings answered I can provide it for you tomorrow. Councilperson Stark stated in regard as we had had the discussion about the gas company coming through, in regards to it; if they dig up somebody's sidewalk. Like on our street they actually went there and dug up part of the sidewalk on the tree lawn which is not – the homeowner is supposed to take care of that, are they responsible for taking care of that? They dug it up and then just dumped a bunch of rock on it. Superintendent Hastings advised that is for settlement but they contract Don Mould's for the follow-up concrete work throughout the County. Mayor Bring advised Leanna had asked me a couple of weeks ago about if they dig up the road are they responsible to repair that too. Superintendent Hastings advised yes and technically there is a road cutting permit that they would have to deposit with the city and I believe it receives \$300.00 to ensure that there is some capital behind the repair. *Motion by Cizl/Second by Kovach to accept the report. Yeas All.

FINANCE DIRECTORS REPORT: Finance Director Smith advised I have an appropriation ordinance for you this evening that I couldn't wait for Finance Committee. Unfortunately because we have a couple of things that we like to take care of right away. She explained other legal; we had several tidying up of negotiations this year so that tweaked into a normal yearly budget for Clemens and Associates. Some of these are anticipated through the end of the year so please keep in mind that we may not need them but I just want to have them there in place. The next one is grant expenses is for 2 separate grants; \$15,879.82 – Mr. Hastings got a leaf machine grant. That is the Solid Waste portion and we have to pay it up front and then we will get it back. This is just to put it in place so we can

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purchase it. Then you will see at the bottom on the 630 account; equipment and repair – the \$1850.00 that is our match for that leaf machine which will help keep our storm waters cleaned and that is really the idea of it. The other part of that \$56,500.00 is the \$40,572.00 which is the fill station that we will pay up front and get reimbursed as well. Property maintenance, again we have gotten more properties on the list this year to get mowed and we have had all this rain so the grass is growing like crazy and we are mowing like crazy unfortunately but those all go on the tax duplicates. We do eventually get that money back. The next 6 lines are just tidying up of some utilities. I have decreased an account that we don't need and just little bits here and there for materials and supplies in roads and refuse fund which is the 209. Then the 226 enforcement and education, the Police Department seized \$7600.00 in a criminal case and part of that money goes back and then there is a portion that goes to the County Prosecutor and a portion that goes to the Lorain County Clerk of Courts so I needed to appropriate that money so that we can pay those funds back out. That is all I have. Councilman McCullough stated \$7600.00 jumps out because where did that come in at. Finance Director Smith advised it came in on a seizure for a case. We actually already deposited that money into that fund – the 226 fund, now we have to pay out a certain portion of that money goes back to the defendant, a portion goes back to the Lorain County Clerk of Courts & Lorain County Prosecutor and then we the City of Sheffield Lake gets almost \$1400.00 out of that. That is what we can keep in that education line for other uses. Councilman McCullough asked did you just say that the defendant gets their money back from a drug deal? Law Director Graves answered yes a portion of it. Councilman McCullough stated what do they get the street value? Law Director Graves answered this is cash on a defendants person when he was seized and then that goes through a process, it was a felony in Common Pleas Court and then there is an order that comes out of Common Pleas Court as to how those funds are to be allocated. Finance Director Smith advised that was directed to us so we really don't have a choice. Law Director Graves stated we got the order and it splits it a lot of ways and we retain some of it for a law enforcement trust account and there is parameters on what we can use that money for. *Motion by Kovach/Second by Erdei to accept the report. Yeas All.

TREASURERS REPORT: report is attached.

LAW DIRECTORS REPORT: Law Director Graves reviewed legislation as attached. *Motion by Erdei/Second by Kovach to accept the report. Yeas All.

UNFINISHED BUSINESS: None.

NEW BUSINESS: Mayor Bring advised we have been talking about flooding and everything else I just wanted everybody to be aware if anybody looked in the paper or heard on the news the City of Rocky River has spent as of right now \$60 million dollars on their infrastructure and they have to spend another \$10 million dollars on their infrastructure and they are still having problems the water. Obviously we are not anticipating spending \$60 million dollars but I am just telling you that

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when you start going underground and starting to do repairs and then sewers and water. Everything becomes extremely expensive so we would be asking for help in any way we possibly can. I know Mr. Hastings is going to be trying to look for grants but amount of money is astonishing and it is not going to go away, you can't ignore this situation. We have not done anything for a long time and it is going to raise its ugly end here very shortly. So we are going to have to start thinking about this, just so everybody is aware of it. Councilman Cizl advised we recently had a dedication of our new school and I just want to let everyone know that it went real well. If anyone missed it and they would like to see it it is on our school website right now. Also Eddie Herdendorf from the Bicentennial Committee did a nice presentation of the history of Sheffield. So it is up there if you just go to the school website www.cardinaltv22 and click the link and you can watch it – it's like 47 minutes. Mayor Bring advised Mark did all the taping.

CITIZENS COMMENTARY:

ORDINANCES AND RESOLUTIONS:

Council#031 – EMEGENCY – a resolution approving and adopting the Solid Waste Management Plan for the Lorain County Solid Waste Management District and the declaring of an emergency.

*Motion by McCullough/Second by Kovach for SUSPENSION OF RULES:
ROLL CALL FOR SUSPENSION OF RULES: Yeas All – Wtulich, Stark, Erdei, Cizl, Kovach, McCullough.

*Motion by Kovach/Second by Erdei for ADOPTION:
ROLL CALL FOR ADOPTION: Yeas All – Cizl, McCullough, Erdei, Kovach, Stark, Wtulich.

Resolution Passes#31-15

Council#032 – FIRST READING – an ordinance authorizing the Superintendent to enter into an agreement with Brookpark Auto Auction for the purpose of selling at public sale five vehicles owned by the City of Sheffield Lake which are obsolete, not needed or unfit for public use and the declaring of an emergency.

Council#033 – FIRST READING – an ordinance amending sections 1371.03(a), 1371.07, 1371.18 and 1371.27 of the codified ordinances of the City of Sheffield Lake eliminating permits for temporary signs.

Councilman McCullough stated did I hear you say that garage sales are still going to have to get a permit number. Law Director Graves answered yes. Councilman McCullough stated I thought that we discussed that. Law Director Graves stated I wasn't at that meeting so if the intent of the committee was to include those.

Councilman McCullough stated I thought the whole intent was to slow everybody down so it was less work on our staff because I would imagine garage sales take up more than anything else. Finance Director Smith advised I think what we had talked about was that if we keep the garage sale permits it allows us to tell the

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residents no signs on telephone poles – it takes us a mere second to write down the number and give them the permit number but it allows us to give them some ground rules so we don't have issues later on and to remind them that they have 2 – 3 day sales a year. I think that is more of the thought pattern.

Council#034 – FIRST READING – an ordinance by the City Council of Sheffield Lake providing for the submission to the electors of the City of Sheffield Lake a Charter amendment amending Article III section 2 and Article V section 4 of the Charter and providing that the Mayor shall also serve as the Director of Public Safety and the declaring of an emergency.

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

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

*Motion by McCullough/Second by Kovach for ADOPTION:

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

Ordinance Passes#32-15

Council#035 – FIRST READING – an ordinance by the City Council of the City of Sheffield Lake providing for the submission to the electors of the City of Sheffield Lake a Charter amendment amending Article III section 4 of the Charter and providing for an Order of Succession to the Office of Mayor and the declaring of an emergency.

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

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

*Motion by McCullough/Second by Kovach for ADOPTION:

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

Ordinance Passes#33-15

Council#036 – FIRST READING – an ordinance by the City Council of the City of Sheffield Lake providing for the submission to the electors of the City of Sheffield Lake a Charter amendment amending Article V sections 3 and 6 and Article VIII section 4 of the Charter eliminating the Office of Treasurer and assigning the duties of the Office of Treasurer to the Director of Finance and the declaring of an emergency.

*Motion by Kovach/Second by Wtulich for SUSPENSION OF RULES:

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

*Motion by Kovach/Second by Erdei for ADOPTION:

ROLL CALL FOR ADOPTION: Yeas – Kovach, Wtulich, Stark, Erdei, Cizl/Nays – McCullough.

Ordinance Passes#34-15

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Council#037 – FIRST READING – an ordinance by the City Council of the City of Sheffield Lake providing for the submission to the electors of the City of Sheffield Lake a Charter amendment amending Article V section 2 of the Charter providing that the Director of Law shall be appointed for a term not to exceed that for which the Mayor is elected and the declaring of an emergency.

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

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

*Motion by Kovach/Second by Erdei for ADOPTION:

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

Ordinance Passes#35-15

Council#038 – 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 Kovach/Second by McCullough for SUSPENSION OF RULES:

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

*Motion by Kovach/Second by McCullough for ADOPTION:

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

Ordinance Passes#36-15

COUNCIL PRESIDENT: None.

MEETING ADJOURNED: With no further business before this council, Motion by Kovach/Second by Erdei 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

COUNCIL PRESIDENT

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 July 14, 2015.

MAYOR

Dennis Bring