

**MINUTES OF CITY COUNCIL
SHEFFIELD LAKE, OHIO
September 8, 2015**

The regular meeting of the City Council was held Tuesday, September 8, 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, Kovach, Stark, Smith, Erdei, McCullough, Cizl, Finance Director Smith, Treasurer Zaborski, Law Director Graves
Absent: Wtulich (excused)
Attending: Concerned Citizens, Videographer; Jack Petrucci, Demo Board Chair Gee, Civic Center Advisory Board; Nicola, Park Board; Prokay, Members of the Media

READING OF THE MINUTES:

Council – August 8, 2015 - *Motion by McCullough/Second by Kovach to accept the minutes of the August 8, 2015 Council meeting. Yeas All.

CORRESPONDENCE: None.

PRESENTATIONS: None.

CITY COUNCIL REPORTS

Roads, Drains, Water, Sewer and Refuse: Chairman Cizl reviewed the minutes of the September 1, 2015 meeting. *Motion by Cizl/Second by Kovach to approve the sewer credit of \$50.25 for 5263 Edgewater Drive. Yeas All. *Motion by Cizl/Second by Kovach to approve the sewer credit of \$988.25 for 3940 Lake Road. Yeas All. *Motion by Erdei/Second by Kovach to accept the report. Yeas All./**Safety:** Councilperson Stark reviewed the minutes of the September 2, 2015 meeting. *Motion by Kovach/Second by Erdei to accept the report. Yeas All./**Buildings, Lands, Vehicles & Equipment:** Chairman McCullough reviewed the minutes of the September 3, 2015 meeting. *Motion by Kovach/Second by Erdei to accept the report. Yeas All./**Ordinance:** Chairman Kovach reviewed the minutes of the September 3, 2015 meeting. *Motion by McCullough/Second by Erdei 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:** Council Representative Erdei reviewed the minutes of the August 20, 2015 meeting./**Park Board: None.**

ADMINISTRATIVE REPORTS

MAYOR/SAFETY/SERVICE REPORTS: Mayor Bring reported we do have that open house on September 12th and I would like as many people as possible to come there and especially the younger kids who will enjoy that to see some of the Fire equipment and we will have a couple of the new Police cars out there and then one or two pieces of our equipment from the Service Department. It is always fun to see the kids get excited about that. But we will take the shot guns out of the Police cars. That is September 12th and on October 11th I will just keep reminding you and also Rosa and Joe are giving you updates on the Memorial Park which is going quite well and that should be a wonderful thing when this is all done. I really appreciate both of them for all the work that they have done. The new Police car that is on for you tonight is going to be for next year and this is what we are going to do annually and that is the plan to do one a year. I think we are just going to do another Ford Explorer which seems to be working very well and I talked to other departments and they seem to be very happy with those. So we will order one more of those for next year. The new radios that we had and the cameras that were in the cars, we had problems with those. The cameras we sent back to the company and they reissued us new ones and that was interfering with actually some of the computer problems in the car and that has been fixed. The other problem that we had is the radio frequency, we were having a little bit of problem with the Police calling back and forth to Dispatch so we extended the antennas on cars. If you see the cars now the antennas have been extended from about 2 foot and 4 foot. That has helped out but we are still having a little bit of an issue so we are going to extend the radio tower that we have over here to 45 feet. So that will be done here very shortly and that should solve all the problems but it is a lot better than it was. It is a safety issue and I don't want the Police out there and not be able to communicate with Dispatch or visa versus with themselves. We want to get that taken care as fast as possible. We did have a bank robbery the other day and we do have pictures of the gentlemen that did that and our Police Chief is actively looking into every avenue to find out who this person is. We do have the FBI involved and knowing Tony the way I do he is not sleeping well because it is driving him crazy and I would expect him to figure this out pretty soon I hope. It is averaging one a year and we do have the cameras pointing over that way and we did get a good picture of some of this stuff and I will be adding another camera over in Shoreway which is actually a remote camera that will actually pan back and forth all the way up and down Shoreway Shopping Center with zoom due to shoplifting issues. I am getting a quote on that and will get it done for added safety. We did add lights to the pavilion over there in Guenther Park, we have LED lights under there and we also put 8 florescent lights that we will interchange throughout the seasons. Right now we are going to have orange underneath there for Halloween and then for Christmas it will red or green and will change throughout

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the year. We also have some outlets over there and we also are adding an outlet at Memorial Park to give us access for power as needed. As Mr. McCullough did say we did discuss the fact that our infrastructure is very, very antiquated. We have been having discussions with our engineer and we have been quite involved with that lately. We are looking at grants and we are talking to several people about how to proceed with this. This is going to be an on-going thing. That part for Devonshire, I think Mark Erdei asked me about that and that will probably be started next year sometime and it will probably be towards the middle of the summer that some of that project will be started. Like I said it is very extensive so we will be doing a little bit more study on that. Councilman McCullough stated this Police car says 2015. Mayor Bring stated that is the same thing it said last year when we did that if you recall. Councilman McCullough stated it is going to be added to the calendar year 2016. Mayor Bring answered remember we had that discussion. Councilman McCullough stated I thought you said you were going to start leasing after these 3? Mayor Bring answered no. *Motion by Erdei/Second by Kovach to accept the report. Yeas All./**FINANCE DIRECTORS REPORT:** Finance Director Smith advised I have an appropriation ordinance before you that I was going to try to hold off until next week but I really need some of these things changed as soon as possible which she explained. Councilman McCullough asked on appropriation 5131? Finance Director Smith advised Law Director Graves advised on that last month, it is a settlement. That is just squaring up a line to allow for payment of that. Councilman Erdei asked on the roads overtime, is that just for precaution? Finance Director Smith answered yes pretty much. We are going into the fall and winter and who knows when we are going to get a snow storm so better safe than sorry. *Motion by McCullough/Second by Kovach to accept the report. Yeas All./**TREASURERS REPORT: None./LAW DIRECTORS REPORT:** Law Director Graves reviewed legislation as attached which he explained. *Motion by McCullough/Second by Kovach to accept the report. Yeas All.

CITIZENS COMMENTARY:

Ann Marie Woltman, 649 Sheffield stated how are we doing with collecting the back taxes? President Rosso advised the Service Director went through and identified all the properties that had back taxes but all he can do is forward that on to the county to try to get them to collect it. Ms. Woltman stated are we going to advertise the open house for the Fire Department, can we put up on the Apple sign somehow or someplace else? Councilman McCullough confirmed it is on the Community Center sign and I have seen it at various places. Finance Director Smith advised it is also on the website as of today. Ms. Woltman stated I didn't know if we were going to put something at the end of the road just that day like a cardboard sign or something, inexpensive like people do for sale signs. We might get more people. The other thing is a couple of months ago, they said something about they have a list and supposedly I was the last one on the list for clearing the lines according to the Mayor. But I asked a couple other Council Members about

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the list and they said they didn't know of any such list and I left a message many times at the Service Department and never got called back. President Rosso clarified are you talking about the ditches? Ms. Woltman said yes. So are they going to do anything about it or not? Mayor Bring answered Mr. Hastings got your phone call and we do have a list and we are working on it but again there are a lot ahead of you and then lost probably half of our manpower so we are still actively in the process of doing all of that. We may not get to that until winter time, we don't know yet.

Don Rieder, 888 West Shore Blvd. stated my concern is the culvert that runs from Harris Road over to beyond Idlewood west end of Ferndale Park north. The place is starting to look like a forest for cleaning, I can't how water is even running there. I have seen water go over on the walking path a couple hundred feet and people can't walk on it. You are supposed to be cleaning that thing at least once a year, what is going on? Mayor Bring answered actually the EPA wants you to leave the cat tails in there because that is a requirement and we will not mow the inside of that ditch, we will do the outside and most of that is Metro Parks. We do do it anyway. Mr. Rieder stated the Metro Parks came down there just once or twice and just done around the walk path and they haven't even been down to do the sides and it is not cotton tails I am talking trees in there down further west of Idlewood. I can't see how things run. Mayor Bring stated most of that was dug out not that long ago but 90% of that is cat tails and I walk down there so I look at all that stuff because we had gotten your call and I went down there to check it all out. The Superintendent agreed that it needs to be mowed but like I said we just haven't got to that part but most of that is through the county but the cat tails in the middle of that will not be mowed. Mr. Rieder stated okay I do understand and I attended the meeting when they first started that thing and that is when they enacted the \$4.85 and it was my understanding that most of that was going to go to clean out and it ain't being done. Mayor Bring stated other than the cat tails there is not much left in there though, the water flows quite well. Mr. Rieder stated I disagree with you. Mayor Bring stated okay and you can disagree with me but I am just telling you. President Rosso advised storm water utility wasn't designated just for cleaning ditches. Mr. Rieder stated they changed the terminology on that when they went from the little cards to the mail envelopes, they changed the terminology. President Rosso stated it has always been storm water utilities. Mr. Rieder stated I would have to go back and look at that but I think you did. President Rosso stated I don't think so. Mr. Rieder stated so bottom line is you are not going to do nothing. Mayor Bring stated not with the cat tails no. Mr. Rieder stated I am not talking cat tails. I am surprised that somebody else hasn't complained about it. Mayor Bring stated like I say the EPA actually wants those in there because it filters the water out. Mr. Rieder stated it is not the cat tails.

Paul Alexy, 575 Buckeye stated I am asking each and every one of you for your help. I moved to this town after living here 27 years, going away and coming back

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to be with my grandkids. My grandkids can't have a sleepover at my house because for 2 summers the neighbor north of me never fenced in his pool. I am the one that went to the Ordinance Committee and said please change your current ordinance which I have here says that you fence the yard with a spring loaded gate that opens out, 4 feet high with a trigger 6 inches above that or you can put a fence on top the pool. A pool is a death trap and if a kid who doesn't always listen to the grandparents gets into this yard because there is no fence and the steps may not get picked up, the grandkid can go up the steps even though there is a fence around it. I printed up the State of Ohio's law and it says fenced in yard, spring loaded gate, trigger higher than the fence and if you have a fence on top of the pool and you have steps that can get tipped up and down you still have to fence in that step area. I have those ordinances here. The way Sheffield Lake ordinance reads now it is not safe for kids and we do not need another grandchild. I need your help please change your current ordinance, if you match the State of Ohio and I will leave this with somebody – the law. If they choose to put a fence on top the pool, tip steps which may or may not get tipped up and down you have to fence in that area with a spring loaded gate. You cannot depend on a teenager picking them steps up after he is through swimming, it is an invitation to a 4, 5 or 6 year old. So please make the change I went and changed my rules, I went and spent money and put up a fence. I need my grandkids to have sleepovers that is why I am in this town again. I am back because of them and I took care of the problem for me but I will bet you there are other pools around here that aren't protected safely if they follow the ordinance. One other point, I brought this to the attention of the Building Inspector and he gave the neighbor 4-1/2 weeks to fix the problem and my answer was if he doesn't have money for 4-1/2 weeks to put whatever kind of fence, drain the damn pool. Nope they kept swimming in and out of that pool for 4-1/2 weeks and my grandkids couldn't come over and now the summer is over. So please help me change the ordinance, it cannot be left the way it is. President Rosso asked for the printout from the state code. We will discuss it at Worksession next Tuesday and see what we can do to address the issue. Mr. Alexy stated I am only asking you to do it expeditiously, not something for next summer. Just one other thing for those who do have an interest I took a picture, his fence around the pool left a 5 foot space where his steps go up and down and next to the steps is a 2 foot space without that fence.

William Patrick, 576 Maple Avenue stated I have 2 issues, one I think hasn't already tabled since I brought the problem to the Police Department's attention and the Building Inspector's attention an ordinance for people who like to clean debris out of their yard and into yours. I am being told that it is bio-degradable so they can get away with it. I am watching them start at their front door and blow it straight out to the sidewalk and across it and over through their ditch and out on the street and into mine and it is okay because there is no ordinance. President Rosso stated are you talking leaves and everything? Mr. Patrick answered I am

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talking leaves and everything else that he can blow. Law Director Graves answered they are not allowed to do that. Mr. Patrick stated the local Police Department did not cite them, went over there and warned them and said that there was no ordinance on this and I was even instructed to come here and talk to you about it. I thought that maybe this guy would quit by now but a talking to doesn't do anything. Law Director Graves advised your grass, your leaves, your snow is yours and you can't throw it in somebody else's yard it is not permitted so we will clear that issue up. Mr. Patrick stated is there a fine for this? Law Director Graves advised I will look into it I don't know if there is a fine but you are not allowed to do it. So we will clear this issue up. Mr. Patrick stated I was told it is bio-degradable and I looked at the Officer and said well so is crap, do you want me to take a dump in his driveway and I can get away with that too. I am just saying because I used to be in law enforcement. Law Director Graves stated I just told you it is not permitted so I agree with you so you don't have to talk like that. Mr. Patrick continued the next thing is we are not allowed to fill our ditches with dirt to stop water from running are we? Mayor Bring stated not without putting pipe in. Mr. Patrick advised the neighbor to the north of me has done that to the section of ditch because I have 2 driveway entrances to my property and one is not being used it is just a double wide lot but the spare lot is actually mine and there is a culvert that runs through it where you can actually drive over it but there is not a driveway there. He started from that section and went to his driveway and filled that with dirt so the water from the corner of Richelieu to my house which if the very next house passed that house going north the water cannot run/cannot flow because his ditch is filled with dirt almost clear to the top of the concrete drain pipes that we have in our aprons. I brought that to the Building Inspector who told me about the people across the street who built their house clear to the edge of their property with a variance because people allowed him to do so. That is why he is blowing his debris out and I hand dug my ditch out so I could get water to flow and this guy fills his with dirt. The water has nowhere to go and my ditch is constantly flooding. My ditch never dries, now the people to the right of my home which is on the corner of Richelieu and Maple Avenue they have actually put in a drain in their yard and have taken advantage of the digging I have done. Now their yard stays nice and dry because it drains into their ditch which runs downhill into mine and can't go past the next guys because it is full of dirt. He came to my house the very next day after I called the Police Department for the debris incidents and he said I will bring that to so and so's attention and he wrote it all down and that same dirt is still there. Mayor Bring stated the Building Inspector although he does a lot of that stuff, you are better off actually contacting me and we will get the Superintendent over there and I will take care of it. Mr. Patrick stated I thought you would be too busy for that kind of stuff so I never bothered you. Mayor Bring advised that is why I am here. I will take care of it.

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UNFINISHED BUSINESS: Councilman Kovach advised back in August Kerry, Mr. Erdei and myself we were able to pull off our one movie this summer. It was a very well received movie and we had in attendance for the movie somewhere in the neighborhood of 80 people attending. We did have a few cars parked that were trying to use it as a drive-in theater and it kind of worked. We cornered off an area and a good portion of people were just sitting on lawn chairs. It went pretty good and we didn't get eat up too bad by the mosquitoes and other then a minor glitch when we first fired the generator up. The scene came down momentarily but that just added a little excitement but like I say it went off very well and hopefully we will get off 2 movies next year. He asked Rosa Gee to update on Memorial Park which she gave. Councilman McCullough thanked the Pride Committee for setting up barriers and things at the movie night. The stage worked pretty well. Councilman Erdei stated we mentioned that we had Kerry's generator over there and we looked at hookup on electrical box and maybe in the future before next year/next movie we could hook something up to where we can just run an extension cord instead of running generator.

NEW BUSINESS: None.

ORDINANCES AND RESOLUTIONS:

Council#050 – FIRST READING – an ordinance authorizing the Mayor to enter into an agreement with Statewide Ford Lincoln for the purchase of one Police Department vehicle and the declaring of an emergency.

Council#051 – 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 McCullough/Second by Stark for SUSPENSION OF RULES:

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

*Motion by Stark/Second by McCullough for ADOPTION:

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

Ordinance Passes#50-15

*Motion by McCullough/Second by Cizl to amend the agenda to include Council#052.

ROLL CALL TO AMEND: Yeas All – McCullough, Smith, Kovach, Stark, Cizl, Erdei.

Council#052 – FIRST READING – an ordinance authorizing the Mayor to enter into a joint self-insurance Health Care Benefits Program agreement with the Council of Lorain and the declaring of an emergency.

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

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

*Motion by Stark/Second by McCullough for ADOPTION:

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

Ordinance Passes#51-15

COUNCIL PRESIDENT: None.

MEETING ADJOURNED: With no further business before this council, Motion by Kovach/Second by Stark to adjourn at 8:01 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 September 8, 2015.

MAYOR

Dennis Bring