

**MINUTES OF CITY COUNCIL  
SHEFFIELD LAKE, OHIO  
February 9, 2016  
www.sheffieldlake.net**

The regular meeting of the City Council was held Tuesday, February 9, 2016. 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, Smith, Stark, Kovach, Gee, Erdei, Cizl, Wtulich, Superintendent Hastings
- Absent: Mayor Bring, Finance Director Smith, Law Director Graves (excused)
- Attending: Videographer Eric Elheny, Concerned Citizens, Exclusive Balloons: Sheila Kepic, Service Department: Tom Kepic, Zoning Board of Appeals: Matt Harper, Park Board: Joe Gee & Lisa Prokay, Members of the Media: Avon Lake Press, Chronicle

**READING OF THE MINUTES:**

**Council** - \*Motion by Kovach/Second by Cizl to accept the minutes of the January 26, 2016 Council meeting with any corrections. Yeas All.

**CORRESPONDENCE: None.**

**PRESENTATIONS:** Monthly report of court receipts for month of January 2016 – receive and file.

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**CITY COUNCIL REPORTS**

**Roads, Drains, Water, Sewer and Refuse:** Chairman Cizl reviewed the report of February 1, 2016. \*Motion by Erdei/Second by Kovach to accept the report. Yeas All./**Safety:** Chairman Wtulich reviewed the minutes of the February 3, 2016 meeting. \*Motion by Kovach/Second by Gee to accept the report. Yeas All./**Buildings, Lands, Vehicles & Equipment:** Chairman Erdei reviewed the minutes of the February 4, 2016 meeting. \*Motion by Kovach/Second by Cizl to accept the report. Yeas All./**Ordinance:** Chairman Kovach reviewed the minutes of the February 4, 2016 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 Park Board: None./Council Representative to the Planning Commission: None./Council Representative to the Zoning Board of Appeals: None.**

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**ADMINISTRATIVE REPORTS**

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**MAYOR/SAFETY: None.** (Fire Department's 2015 annual report was attached.)

**SUPERINTENDENT'S REPORT: None.**

**FINANCE DIRECTORS REPORT: None.** (Treasurer's January 2016 was attached.)

**LAW DIRECTORS REPORT: None.**

**CITIZENS COMMENTARY:**

**Theresa Toth, 851 Irving Park** stated we were just notified last week by a Police Officer that we have gravel in our driveway and that we would have to pave it and of course we can't afford to pave the driveway. But my neighbor was ticketed and I called city hall and they told me that my driveway was grandfathered into that new law that requires you to pave your driveway. President Rosso advised somebody can correct me here but I am not aware of anything that requires your driveway to be paved. You cannot park on an unpaved surface so gravel is considered – you can have a gravel driveway, you cannot pull in your front lawn or park in your front lawn on grass and you cannot put gravel in your front yard or pave it over but your driveway does not have to be paved. Mrs. Toth stated well it was stated to me by the Police Officer well this looks new. Well that was there when we moved in, the only thing that we have done and we bought that house in 2008 I believe, the only thing that we have done is kept up the conditions and added some landscaping and added more gravel to make it look good. We keep it cleaned up and keep the gravel swept up out of the street and off the sidewalks. So if we are going to have the Policeman coming to our door and knocking on doors and leaving tickets how do they know that we are grandfathered into this law. President Rosso stated that is probably a good question for the Law Director or the Mayor and they are not here, so I would basically say you need to speak to one of them. Mrs. Toth stated no I am going to leave that with my Councilman who I found is Alan Smith. Then my neighbor too, she has received a ticket so I will let her speak next. I had a lot of people ask me a lot of questions and I had to ask for a lot of people. President Rosso asked are you sure you are not parking in your grass? Mrs. Toth answered no we have one strip in our driveway and our driveways are short – that is concrete. The other strip was gravel which was there when we moved in. The only thing that we do is upkeep it and like I said landscape with flowers and timbers and such so that it looks nice.

**Sharon Demartinis, 840 Irving Park** stated and shared this is Sheffield Lake Police official communication, I got this ticket for parking on the side of my driveway which is graded and graveled. I have been there 20 years and this is the first time and there are 15 houses like that all up and down Irving Park but I was the only one that got a ticket. I want to know how I go about repealing this ordinance. President Rosso stated the only suggestion would be is if Council would take it under consideration in Ordinance to repeal it that would really be the only way to do it. There is no way other than that. Mrs. Demartinis stated can we get signatures, now I went online and it said to repeal to an ordinance you need

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signatures from the community where you live. President Rosso stated I am going to recommend that you talk to David because I do believe if you get 60% of the registered voters that voted in the last gubernatorial election you can put something on the ballot but I don't know the exact specifics but it is more than 15 or 20 you have to get a certain percentage that voted in the last governors election. Mrs. Demartinis stated I am sure that we can. Councilperson Stark stated it has to be registered voters from the last election, you have to have it in approximately 60 days before the election so we wouldn't be able to do this one because it is March this year. You would have to file with the Board of Elections but I would ask David for details. Mrs. Demartinis stated what does Ordinance committee do? Councilman Kovach stated I would be happy to invite you to our next meeting which is scheduled for March 3, I don't know that this would come up for any vote. It can be discussed in Ordinance, without looking at it it is not in the Charter because Charter change would require a vote. I don't see where an ordinance couldn't be discussed. Your first chain of action I would invite you to my March 3<sup>rd</sup> meeting at 7 o'clock. Mrs. Demartinis stated besides this one the parking ban that is on our side streets from 2 to 6 every day, there is no place for people that have maybe 3 cars in a family to park their cars. President Rosso advised that was all brought up and discussed when that passed and that was voted on a while ago. Mrs. Demartinis stated well that is voted on by the people though. President Rosso stated it was voted on by the elected officials whose job is to pass it and do those ordinances. But there was public hearings for months. Mrs. Demartinis stated I don't know if the people didn't realize that this meant that if you have a concrete driveway and you have room on the other side of your yard that if you park on that other side of that concrete driveway you are going to get a ticket. We were told by city hall that people who have lived here are grandfathered in but that seems to be wrong. President Rosso stated I can't answer that, David will have to give the legal opinion on that. I don't know if that is true or not. Again I don't know of anything that forces you to pave your driveway with concrete or asphalt. A lot of people have gravel driveways.

***Lydia Taylor, 689 Irving Park*** stated I used to live on Lynne Drive and we had free parking and now I bought a house over on Irving Park and there is no street parking. Why was the street parking done away with? President Rosso stated there has been no parking years ago. There has been no parking on Irving Park for a very long time. Clerk Fantauzzi added several years. Mrs. Taylor stated on the rest of the city Council voted to limit/prohibit it between the hours of 2 and 6 in order for several things; make a the city look better and not have cars on the streets all the time and to make sure cars weren't blocking any Service vehicles and again I think that was 3 years ago and probably 3 months worth of discussions and 2 public hearings. Mrs. Taylor stated so what do people do that have small driveways. President Rosso stated you can't park in the street and that is all I can tell you. You are not the first to come up and ask that question, 3 years ago people asked it but

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Council voted to put that into place. Mrs. Taylor stated but the people didn't vote on it though. President Rosso stated that is not anything that goes for public vote, that is what you elect your Council people for and Council voted to pass that.

***Lisa Prokay, 765 Lafayette*** stated I wanted to put the date out for the Picnic in the Park before all the dates in June are taken. So I was hoping to grab June 25<sup>th</sup> for the next one. President Rosso stated that would go before Park Board. Councilman Kovach stated that should be no problem. Mrs. Prokay stated I know at the last meeting there was some dates in June that some other things were happening. Alright I will talk about that at the Park Board meeting. She continued water pressure, what is up with it? I keep losing water pressure. Superintendent Hastings advised we are still actively now working very closely with Avon Lake who has monitors on our hydrants throughout the city. We have also had them contact Ford Motor Company to make sure that they weren't drawing an unusual demand which they are not. So there is still some mystery about it. We have a meeting Thursday to begin underground investigation of water leaks. Sometimes next to a big storm sewer they don't make it to the surface and we suspect there might be 2 spots where that is the case. So we are still working on it and it is occurring every 8 days and the time is diminishing but it is not yet solved but we actually are working very closely with Avon Lake who has been most helpful with the equipment. Mrs. Prokay stated is there any way of keeping us updated like on the water bill or something or is it being posted on the website just to let us know this is an ongoing issue. President Rosso stated that is probably a question for the Mayor. Mrs. Prokay stated I don't know if you guys talked about the signs that were changed in front of the school that says restricted hours versus it used to be between such and such time and 4 pm and now it says restricted hours. How do we know what the restricted hours are? Superintendent Hastings stated are you talking about Oster Road? Mrs. Prokay answered on Oster by the school. Superintendent Hastings answered that was actually done by the Village but the restricted hours are pretty much standard throughout the country as far as motor vehicles uniformed training code. So they all follow the same protocol. Mrs. Prokay stated so we should just assume that it is going to be at least until 4 o'clock. Superintendent Hastings answered yes it is generally 6 am to 4 pm but we didn't change them, incidentally that is in the Village the sign you are referring to. Mrs. Prokay stated just in terms of what is going on with the parking, maybe we should just build a garage versus another Dollar store.

***Barb Miller, 891 Harris Road*** stated I just want to invite everyone to the Sheffield/Sheffield Lake school endowment steak fry that is going to be Saturday, March 12<sup>th</sup> over at St. Teresa's Hall. We have a DJ and alcoholic beverages provided and you have a choice of steak or chicken. The tickets are \$25.00 each and I have some tickets with me this evening if you all brought your check books with you that would be awesome. Also I have 50/50 raffle tickets and those are a \$1.00 each or 6 for \$5.00 so even if you don't have the \$25.00 tonight everybody

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has got to have a buck I am thinking. It is March 12<sup>th</sup>, Saturday and starts at 6 until 11 or 12. Also the raffle we are having for a getaway to Amish Country and that could be a 1 or 2 night stay depending on which cabin that you pick and that includes also \$150.00 gift card that you can use for dining while you are there or whatever you can think of and those are \$10.00 a piece and I have them with me.

***Theresa Toth, 851 Irving Park*** stated my question is for the people that such as my neighbor who has received a ticket needs to use the parking area that she has used for the last 20 years, she went to the Police Station and they told she will continue to get tickets. Who does she talk to, does she talk to her Councilperson? President Rosso stated that is up to the Law Director or the Mayor. Mrs. Toth stated how do you go about doing that, should she just call city hall, leave messages and leave her number. President Rosso stated the Mayor is usually here every morning for 3 hours or so and David is here most every day except for when he is in court. But you call and leave a message they will return you call. Mrs. Toth stated I should also call and find out because as I said I got a warning. President Rosso stated I would, that is my recommendation to get the absolute right answer. Mrs. Toth stated as far as the parking on the street goes, can that be repealed. President Rosso stated the only way is if Council decides to repeal it and as we spoke there so many signatures for a referendum on the ballot. Mrs. Toth stated it is a hardship on people with small driveways and it is a big hardship when my kids come and they spend the night as I have a son that lives in Lakewood and a son that lives elsewhere and there is nowhere for them to park. President Rosso stated you can and the Mayor has said this many times since it started, if you have someone coming from out of town just call city hall giving them your name and address for 2 or 3 days and he will let the Police Department know and you won't get a ticket. Clerk Fantauzzi stated except with snow, there is no exemption with the snow ban. President Rosso stated again the Mayor has said that many times. Clerk Fantauzzi advised there is a list that we keep.

***Lydia Taylor, 689 Irving Park*** stated let me ask a question if I park on the apron of my driveway, can I get a ticket. President Rosso stated you have to talk to the Law Director. Councilman Kovach stated I am going to say yes especially if they are blocking the sidewalk. Mr. Taylor stated say the car is small enough and you are not blocking the sidewalk, you are on your own apron of your driveway and not on your grass. President Rosso stated again I would ask the Law Director to get an official correct answer. I could sit here and tell you no and you go home and do it and they will give you a ticket and then you will come in and say this guy at Council told me I could do it. I would ask the Law Director, he is the only one that is going to give you the official answer.

**UNFINISHED BUSINESS: None.**

**NEW BUSINESS:** Councilman Cizl advised just to let you know we are putting our video's up but we are revamping since we have a new Councilperson, if anyone in the community or audience would like to donate pictures that will

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beautify our website or our video's I would love to see them. We have some but by all means send them to the city, send them to Tammy Smith and we will imbed them into our video's of our meetings.

President Rosso stated I would just like to make a quick comment and this is really for Park Board. I got a phone call the other day about the Memorial area at Shell Cove from someone who wanted to buy pavers for any of his deceased class mates from the class of 67. I ran into Mark Kudron and I guess now they are talking about maybe expanding it a little further as they are getting such a great response is all I wanted to say. They said once the article appeared in the Chronicle people were calling up and I think it was the class of 74 or 75 but he wanted to donate a \$1000.00 to it. So people are getting behind and Park Board is doing a good job supporting them so I just wanted to mention that I got a little feedback on that. Councilman Kovach stated I know its not my Board but just go ahead and add that to the agenda - **Memorial at Shell Cove**.

Councilperson Stark stated just a reminder election day because it is a Presidential did get moved up to March 15<sup>th</sup> so if you have not registered to vote you have probably until the end of this week to verify and if you had a change of address since the last election you need to verify it by the end of this week. After that we will start early voting at the Board of Elections and at that point you will not be able to register to vote. We do not have until April or May like we have in past years. If you live in Wards 1 or 2 you will vote over at the Community Center Wards 3 and 4 vote across the street at VFW.

**ORDINANCES AND RESOLUTIONS:**

Council#08 – FIRST READING – an ordinance repealing Chapter 159 of the codified ordinances in its entirety.

**COUNCIL PRESIDENT: None.**

**MEETING ADJOURNED:** With no further business before this council, \*Motion by Kovach/Second by Erdei to adjourn at 8:44 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.

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CLERK OF COUNCIL/COMMITTEES

*Kay Fantauzzi*

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 February 9, 2016.

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COUNCIL PRESIDENT

*Rick Rosso*

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MAYOR

*Dennis Bring*