

**MINUTES OF CITY COUNCIL  
SHEFFIELD LAKE, OHIO  
July 26, 2016  
www.sheffieldlake.net**

The regular meeting of the City Council was held Tuesday, July 26, 2016. Council President Rick 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, Mayor Bring, Smith, Kovach, Gee, Erdei, Cizl, Wtulich, Stark,  
Finance Director Smith, Law Director Graves  
Absent: Superintendent Hastings (excused)  
Attending: Videographer Eric McElheny, Park Board Gee, Concerned Citizens,  
Members of the Media

**READING OF THE MINUTES:**

**Council** - \*Motion by Kovach/Second by Gee to accept the minutes of the July 12, 2016 meeting with any corrections. Yeas All.

**Council Worksession** - \*Motion by Kovach/Second by Cizl to accept the minutes of the July 19, 2016 meeting with any corrections. Yeas All.

**CORRESPONDENCE: None.**

**PRESENTATIONS: None.**

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**CITY COUNCIL REPORTS**

**Roads, Drains, Water, Sewer and Refuse: None./Safety: None./Buildings, Lands, Vehicles & Equipment: None./Ordinance: None./Finance & Audit:**

**None./Council Representative to the Joyce Hanks Community Center:**

**None./Council Representative to the Park Board:** Member Kovach reviewed the minutes of the July 18, 2016 meeting. Mayor Bring advised I am going to wait until Mr. Hastings gets back from vacation and we are going to run over to that place and buy that tree. Member Kovach advised the children's Art Show was last night and I will let Rosa speak to that. Councilperson Gee advised it was quite successful and we would like to thank Mayor Bring and we would also like to thank the Council members that were able to attend. We had a large amount of students this year and the event turned out great. We are considering each year now and this is our third year that we have done this, each year the amount of children that have joined has increased by quite a bit and we are planning on doing this again next summer. We are assuming that it will increase in students again so we might actually even need more room than what we had this year. We wish to thank

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everyone that has donated and everyone that helped and hope everyone enjoyed and help make this such a wonderful success. Councilman Cizl stated I think on the second page where it says Ferndale Park, is that supposed to be Freedom Park? Mayor Bring answered yes that is Freedom and Member Kovach concurred. They did take the hoops down but they are going to be putting fresh ones back up. Councilman Wtulich asked I was wondering if those pavilions have electrical or if there is a plan to run electric to them? Mayor Bring answered the one at Guenther Park has it and I would imagine that we are going to do something over here at Gary Green Park for lighting or whatever and then we are also add the charcoal grills. As a matter of fact, we were just talking about that, we are going to put 2 at the Guenther Park and 2 at Gary Green Park. So we are going to concrete those into the ground and they have pins in them so that we will be able to lock them into place./**Council Representative to the Planning Commission: None./Council Representative to the Zoning Board of Appeals: None.**

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### ADMINISTRATIVE REPORTS

**MAYOR/SAFETY:** Mayor Bring reported the only thing I have is I would like to thank Mr. Kovach for Community Days and the good job that they did. Our Police Department we had basically 0 problems for that. Our fireworks, we had a tremendous amount of people and I don't know if any of you guys showed up over there but it was packed and that went off without a hitch and was a beautiful night. It was very successful and the parade, the kids were all lined up and that had a good time. We need more of those kinds of things going on in the city and it was just a lot of fun and I had a lot of fun walking and passing out candy. Motion by Erdei/Second by Kovach to accept the report. Yeas All./**SUPERINTENDENT'S REPORT: None./FINANCE DIRECTORS REPORT:** Councilman Erdei stated there has been a lot of questions among Council on purchasing a lease agreement for the plow truck and everybody is kind of doesn't know where the finance is going to come from, whether it is coming from that 208 or any other ones that were mentioned in my meeting. So can you clarify where this is coming from so it will clear the air with this? Finance Director Smith answered it can come from any of the road funds, I have kind of earmarked some money out of 207 because I heard there was some resistance to taking the funds out of 208. So that is actually in the next year's budget and if we want to proceed with the truck this year and I understand there is a possibility of a truck that is at a reduced rate then we will look at other options. I have no concern we will be able to find the money if need be or there is different lease plans as well. You can get the vehicle now and not pay until next year. They are very flexible with the lease plans that are out there today and I don't have a concern, until we can nail it down what we really want to do is when I can get you more information but right now we don't have anything firm on anything. I didn't want to hold anybody's feet to the fire until we had a good idea what we were going to do. Councilman Erdei stated Pat and Dennis said they are

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going to have something altogether for us by August 23<sup>rd</sup>. Finance Director Smith stated prior to that I will know more about what we hope to do and then I will give you options on what we can do. I don't see a problem either way. Mayor Bring clarified what we talked about when I said we have money in the account and that was for next year's budget. So we are getting some prices on a truck and we found one that is \$13,000.00 less than that truck that we had out there as a demo model. We aren't looking for bells and whistles, we are looking into a plow truck – it is not a toy, it is a apparatus to clear snow off the roads. We had our mechanic look at that and get all the stuff heavy duty, he wanted to get the things that he thought were necessary and we eliminated the other stuff so it is \$13,000.00 less. So if we did get that and what we are trying to work on right now is we would get that sometime in December and the first payment would be sometime in the first part of January. So that is how we are trying to plan this but it is not out of 208. President Rosso stated to get a truck at the December or early January, this legislation would have to be passed in August. So do your homework, do your due diligence or if you have any questions or concerns raise them. If Council wants I would be more than happy to schedule a Worksession the week before the Council meeting in August to discuss it just let me know. But if it goes in September it probably would not arrive until February and there is a possibility of a concern that the prices would change. Councilperson Gee stated you said that you have received a lower price was that due to the fact that elimination of power windows and all the fancy inside things? Mayor Bring answered right it is pieces of equipment that yes, it is nice to have on these trucks, it is not a necessity and when you have those they have a tendency break and we don't need that. Councilperson Gee stated but the things that it will come with are the things that we need to plow our streets in our city. Mayor Bring stated if the plow heavier duty then what that one was even though that was a very good plow out there, some of the ways that the back gate worked and there was some other parts on it that the mechanic thought was worthy as far as beefing it up. When I did make a statement the other day about axel being 1600 pounds I misquoted saying that the rear axel was 1600 pounds and it was supposed to be the front axel that was 1600 pounds and that one out there was 1400 pounds. So that was a misquote by me, after I went out there and looked at the one. Councilman Kovach advised 16000. Mayor Bring clarified yes you are right but the rear end of that one that was out here was 16000 but we are looking at 16000 in the front end that helps with the plowing. It just makes it more heavy duty. Also I will tell you that we are actively looking to even reduce that price, now that everybody realizes that we are looking at a truck. We are trying to get even less money right now. We are not going to go forward unless everything is okay and if it doesn't then we stop. Councilman Smith stated for the record I am not against buying a plow truck at all. I am just against taking the money out of the income tax, as long as it doesn't come out of the income tax money we need a truck. That is my only argument, I am not against of buying a new truck just so we

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all know that. I want to clear the air so everybody knows where I stand.

Councilman Cizl stated I would just to reiterate that we get what we need – a new one and we lucked out last winter with late winter. Mayor Bring stated I would love to have 7 more winters just like that and never touch it but I don't think it is going to happen. Councilman Erdei stated all I was going to say is the truck is going to be used for other things besides plowing so just in case everybody knows right? Mayor Bring answered that one in particular because it is our lead truck will basically be used for plowing. We are going to use one of the other ones for doing some other stuff. We want to keep that as our lead truck so I would have to say that the majority of that is just going to be for plowing. \*Motion by Kovach/Second by Wtulich to accept the report. Yeas All./**LAW DIRECTORS REPORT:** Law Director Graves reviewed the legislation on agenda. He advised we did receive notice of a class-action settlement regarding the lakefront property owners and the submerged land leases, all of the communities are receiving notice of that. We have 2 and we will be filing our claims and I just wanted to make it known if anyone in the public who happened to might live on the lake who may have at some point obtained a submerged land lease you may be entitled to some funds to make a claim. Councilman Erdei stated David on this bid, when they were going through this and the last time I talked to Pat Hastings you guys weren't sure which route you were going to go on that Devonshire project can you at least let me know now what option you went with. Mayor Bring answered the lowest bidder I think was pipe bursting and I believe that is what is on that report. The whole process is that they are not tearing up the driveways, it is going to underground. Law Director Graves advised if you look at the language the bidders were all advised that the city might select certain portions of the project. So I have a list in there of the portions of the base bid and the alternate which is the pipe bursting component that we elected to do. \*Motion by Kovach/Second by Wtulich to accept the report. Yeas All.

***CITIZENS COMMENTARY:***

***Joe Gee, 272 Gayle Drive*** advised this past Saturday, July 23<sup>rd</sup> the Vietnam Memorial had a poker run honoring the 98 Vietnam Veterans that gave up their lives in Vietnam and it was hosted by the American Legion Post 118 in Amherst. The first stop on their poker run was Sheffield Lake at Memorial Park and it was a tremendous success and there were 94 motorcycles and 4 trucks making the 98 and they all wore the tag of one of the veterans around their neck. Like I said it was a tremendous success and I would like to thank City Council and I would like to thank the Mayor and present him with a commemorative coin for the poker run. President Rosso stated Joe I am sure you have done a lot of work and also Rosa who worked up there Saturday. So thank you and all the effort you put in in the city. Councilperson Gee advised every year when they do the motorcycle run honoring the 98 fallen of Lorain County, Sheffield Lake's Veteran's Park will be their first stop every year. As you all know we lost quite a few of our own from

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Sheffield Village and Sheffield Lake. So they stop here because we are the community that lost the most.

**Robert Barbiaux, 576 Maplewood Avenue** stated I was informed that the Service Department had a complaint about the chip & tar street so there was obviously 90-degree weather and we had a little bit of the tar. Fortunately, the Service Department did respond to it but unfortunately I think the cure was the worst then the problem. What I have here is number 10 screening and it is almost like talc on a hot day and every time a car would go down and every time a truck would go down it was just dust bellowing. It wasn't until I was walking my dog back home, car coming down and I had to go home and take a shower it was that bad. On our block, we have people such as myself, we also have children and animals but the main thing is inhaling or ingesting this. I didn't come here as a first choice and I want to apologize to Mr. Smith as I had no idea he was our Councilman until I came over. I informed him on a very short notice so he had no opportunity to even look at the problem. However, I did extend the invitation to take a drive down our street and see if your car doesn't need a wash job afterwards. The main thing is the primary purpose I would just like the street cleaned up. Now this is not my first choice, I went over to the Supervisor at the Service Department and I talked to the man in charge. Even though I told him that it was the dust that was really out of control, the solution was to send down the brushes. Well to me it was like I have a wound won't you rub some salt in it. It was all over the place but most importantly it didn't do a thing, it redistributed it very nicely on the road but it is still there. So I went on the computer and I am not a Lawyer but the 3745 Ohio Environmental Protection Agency says no person shall cause or commit in fugitive dust source to be operated, materials be handled, transported or stored without taking or installing reasonable available controls measured to prevent fugitive vessel becoming air born and this even applies to the roads, etc., etc. I don't know if it really even applies, to me it is fugitive dust – it is dust that shouldn't have been there. So I would like to see the street cleaned up but secondly for the rest of the Council members if they are subjected to this, this is cause somebody a problem. It says one of the way that you can minimize or eliminate it is to use water but in this kind of temperature it is not going to be there very long. There is also oils out there I guess that they can put on it and etc., but the main thing is you would have thought that my street was awash in tar. I am sure that it was only in spots and I don't know who called it in but all they would have to do instead is get out of the truck and don't dump it all and do the spot check and work it into the tar source and cover it and beyond. President Rosso advised this is really Administrative issue so you need to talk to the Mayor. Mayor Bring advised I will answer your question if you want an answer, we had a gentleman call down there and he said he put a brand new driveway in and he said the whole road was all full of tar and complaining up and down and said something has to be done. We told him the only thing that we can do is put some kind of stone on it and then we run it over. We

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were going to take the roller over there but the roller wouldn't do anything so when apparently you called they took the sweeper to sweep it up and that is what they did to try to help you out. You know we got one person complaining about one thing and we got another person complaining about everything. The guy was pretty adamant that we do something because of his new driveway over there. It was on the west end of that road over there and he has got a brand new concrete driveway and he said the whole road was tar. We had the Superintendent go over there and he said it was bubbling up in certain spots and he said the only thing that we can figure out is we put some screen down because we thought if we put stone down it is going to end up in everybody's yard and everybody is going to hit with the lawnmowers so that was our solution. Mr. Barbiaux stated well still it is covered. Mayor Bring advised I will take a ride down there, this guy was adamant that we do something. He had called 3 times and he said if we don't do something he was going to call the Law Director, blah, blah, blah so that is what we did. President Rosso stated I will let you speak to the Mayor afterwards as you are up to 6 minutes and someone else I am sure wants to make a statement./**UNFINISHED BUSINESS: None.**/NEW BUSINESS: Mayor Bring advised we had talked about drains on your end of town over there and we went over cleaned some more of those out and we actually found a bowling ball in the sewer over there. We find hammers and everything else and that is part of the reason why I tell you that sometimes when stuff floods, so far this year I think we have found 4 or 5 like bath towels and when you get those things in there and they plug everything all up but this time we found an actual bowling ball.

**ORDINANCES AND RESOLUTIONS:**

Council#040 – SECOND READING – a resolution of the City Council of the City of Sheffield Lake authorizing the Mayor to present an application for Round 31 of the Ohio Public Works Commission Capital Improvement funding for the City of Sheffield Lake, Ohio's projects and supporting the submission of such application.

Council#041 – EMERGENCY – an ordinance authorizing the Mayor to enter into a contract with Utilicon Corporation for the Devonshire Force Main Sanitary Sewer Project and the declaring of an emergency.

\*Motion by Kovach/Second by Gee for SUSPENSION OF RULES:

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

\*Motion by Kovach/Second by Cizl for APPROVAL:

ROLL CALL FOR APPROVAL: Yeas All – Smith, Kovach, Wtulich, Stark, Erdei, Cizl, Gee.

**Ordinance Passes#39-16**

**COUNCIL PRESIDENT: None.**

**MEETING ADJOURNED:** With no further business before this council, \*Motion by Kovach/Second by Erdei to adjourn at 7:35 pm. Yeas All.

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**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 July 26, 2016.

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**COUNCIL PRESIDENT**

*Rick Rosso*

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**MAYOR**

*Dennis Bring*