

**MINUTES OF CITY COUNCIL
SHEFFIELD LAKE, OHIO
September 27, 2016
www.sheffieldlake.net**

The regular meeting of the City Council was held Tuesday, September 27, 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, Cizl, Kovach, Gee, Erdei, Wtulich, Stark, Finance Director Smith, Law Director Graves, Superintendent Hastings

Attending: Concerned Citizen, Members of the Media

READING OF THE MINUTES:

Council - *Motion by Kovach/Second by Cizl to accept the minutes of the September 13, 2016 meeting with any corrections. Yeas All.

Council Worksession - *Motion by Smith/Second by Gee to accept the minutes of the September 20, 2016 meeting with any corrections. Yeas All.

CORRESPONDENCE: None.

PRESENTATIONS: None.

CITY COUNCIL REPORTS

Roads, Drains, Water, Sewer and Refuse: None./Safety: None./Buildings, Lands, Vehicles & Equipment: None./Ordinance: Chairman Kovach advised we did spend a good portion of last Worksession discussing revisions to article 1345.01 and that will be an on-going discussion for next month's Worksession.**/Finance & Audit:** Chairperson Stark advised the only thing we did at the September 20th meeting was talk about the Library Levy appropriation which we did add to this evenings ordinances. *Motion by Erdei/Second by Kovach to accept the report. Yeas All.**/Council Representative to the Joyce Hanks Community Center: None./Council Representative to the Park Board:** Member Kovach reviewed the minutes of the September 26 meeting. The first portion of the meeting under the Superintendent's report was in regard to a grant that we had received and there was a meeting of appropriation of money in regards to Coastal Management grant for Shell Cove Park. That is going to be for restructuring the deck and a lot of other work over there. The Park Board approved the appropriation of the monies that was going to be needed for the match and we will keep you updating as that moves along. Also the Mayor and Superintendent reported that they have some additional

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equipment on order; several grind rails and grind box for the kids for the bikes, skating, etc. to keep them busy in the parks, out of the shopping center. Next, Debbie Suarez from Civic Pride Committee approached us and we are sponsoring this year's Halloween Contest and she also reported on the plans for the Christmas Tree Lighting. Councilman Cizl advised I love driving down Ferndale and seeing a packed bike track and basketball courts and everything. Even over at Freedom Park – great job, it is well worth the work that is appreciated by the kids. President Rosso asked are they going to have some sort of ceremony when memorial walkway is done at Shell Cove? Member Kovach answered no one has said anything to us and I guess we could check. President Rosso stated well maybe they won't but I would like to definitely give a great job, a salute to Annette Corrado and Mark Kudrin who were the driving force on organizing it. That is very nice over there, I see the lights out there now. Mayor Bring stated I did stop and talk to him the other day but they are still working. Member Kovach added it is a work in progress right now. Perhaps in talking to the group when the project is done which won't be until spring or summer with the new deck and everything else that is going to go on we could have a rededication of that particular park and a thank you for that beautiful monument that they put in. President Rosso stated it is very nice, I noticed and I am making an assumption here when I drove by on Saturday, that parking lot was packed with double/triple parked. I know the Class of 1966 was having their 50-year reunion and they looked elderly out there walking around. So it might have been those guys. That is when I really first noticed it, a light was up and it was really crowded. They did a fantastic job so Dennis if you see Mark or Annette. Mayor Bring stated I stop there and talk to them quite a bit but Annette has a ton of ideas and we did talk about incorporating the path but again we have to follow what we have from our grant. I think eventually as it all goes along we would like to tie that in because they want to put a winding walkway down to there but I said it has to be handicap accessible but they kind of want to match what they have. We will have to look at finances and see what is going on. It makes sense and it would be really nice but again X-amount of dollars so we are going to have to figure out how we are going to do this. President Rosso quipped I am glad our neighbors to the south didn't want to be bothered with it, it is really an asset to the city. Mayor Bring quipped the Canadians haven't complained about it. President Rosso stated I was curious if they were going to have something./***Council Representative to the Planning Commission: None./Council Representative to the Zoning Board of Appeals:*** Representative Kovach reviewed the minutes of the September 15, 2016 meeting. We had one request/application regarding a family that wants to add a garage onto the end of their house but due to yard limitations it required a few variances and after a lengthy discussion, the variance was approved and they will be building their new garage. I think everybody was very happy about with that as it was going to enhance the neighborhood and make things look a lot better. That was the only issue before the Board that evening.

ADMINISTRATIVE REPORTS

MAYOR/SAFETY: None./SUPERINTENDENT'S REPORT: President Rosso asked they have already started on the Devonshire Force Main? Superintendent Hastings answered yes and they should actually be bursting the pipe tomorrow. They have dug a series of what is called bull pits and then they will move from Tennyson and Devonshire south up about mid-block, we will do it in 300 to 400 foot runs. We did change order since you mentioned and in excavation by the station we discovered a series of fittings where the pipes did a 45-degree angles in a series of turns to get under older mains. I had the engineer come out and we abruptly changed that to be a straight pipe because that probably contributed to the water hammer albeit 50-years later the damage to that. So it was always charged with water and that is a benefit to the operation./**FINANCE DIRECTORS**

REPORT: None./LAW DIRECTORS REPORT: Law Director Graves advised I was contacted today by another individual who wants to donate a 40-foot parcel to the city and this is located in the woods on the unfinished portion of Mapleview, while we are considering accepting these parcels; we can talk about that one as well. He reviewed the legislation as noted below. I would also ask you for what I assure it will be a brief executive session following ordinances and resolutions for the discussion of collective bargaining negotiations. President Rosso advised Dave and I talked a little bit before the meeting started and as Steve mentioned about the discussion we had on the ordinance with the driveways. In reading through the minutes and thinking about it there was always the word "opinion" which came up quite a bit no matter whose opinion it was. I thought it and quite honestly the only opinion that we need to care about is the Law Director's written legal opinion of what the ordinance says and how it should be interpreted. So I told David I was going to ask during his report to write a legal opinion on what constitutes new construction, does an extension constitute new. Mr. Cizl had the question does a driveway, is it considered part of the 35% in overall coverage. Your driveway can't be more then 35% of your lot. Law Director Graves answered it is considered a structure, yes for purposes of ground coverage. President Rosso stated if you could give us your legal opinion because then that is our starting point to figure out where we want to go and what we need to do to get there. I asked him to have that for us for Worksession since that will be the next time we talk about it. *Motion by Erdei/Second by Kovach to accept the report. Yeas All.

CITIZENS COMMENTARY: None./UNFINISHED BUSINESS: None./NEW BUSINESS: None.

ORDINANCES AND RESOLUTIONS:

Council#042 – THIRD READING – an ordinance amending Chapter 159 of the codified ordinances of Sheffield Lake regarding the creation and duties of the Economic Development Advisory Board.

*Motion by Kovach/Second by Wtulich for ADOPTION:

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

Ordinance Passes#48-16

Council#043 – THIRD READING – an ordinance amending section 905.08 of the codified ordinances of Sheffield Lake regarding yard storm drains.

*Motion by Kovach/Second by Gee for ADOPTION:

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

Ordinances Passes#49-16

Council#044 – THIRD READING – an ordinance adopting a political activity policy for the City of Sheffield Lake and the declaring of an emergency.

*Motion by Kovach/Second by Gee for ADOPTION:

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

Ordinance Passes#50-16

Council#053 – 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 Wtulich for SUSPENSION OF RULES:

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

*Motion by Kovach/Second by Gee for ADOPTION:

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

Ordinance Passes#51-16

Council#054 – EMERGENCY – an ordinance determining that municipal personal property of the Sheffield Lake Fire Department is not needed for public use, is obsolete and unfit for the use for which it was acquired, that the property has no value and authorizing the Fire Chief to appropriately dispose of the property, and the declaring of an emergency.

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

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

*Motion by Kovach/Second by Wtulich for ADOPTION:

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

Ordinance Passes#52-16

***Motion by Kovach/Second by Erdei to go into executive session for the discussion of collective bargaining negotiations.**

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

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***Motion by Kovach/Second by Erdei to return to regular session:**

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

Law Director Graves advised let the record reflect the City Council of the City of Sheffield Lake did adjourn into executive session for the discussion of on-going collective bargaining negotiations pursuant to the Sunshine Laws.

COUNCIL PRESIDENT: None.

MEETING ADJOURNED: With no further business before this council, *Motion by Kovach/Second by Smith to adjourn at 7:38 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

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 27, 2016.

COUNCIL PRESIDENT

Rick Rosso

MAYOR

Dennis Bring