

**MINUTES OF CITY COUNCIL  
SHEFFIELD LAKE, OHIO  
April 24, 2018**

The regular meeting of the City Council was held Tuesday, April 24, 2018. Council President 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: President Rosso, Kovach, Gee, Wtulich, Radeff, Erdei, Stark, Cizl, Mayor Bring, Finance Director Smith, Superintendent Hastings, Law Director Graves

Attending: Videographer Nick Collanbine, Concerned Citizens, Members of the Media

**READING OF THE MINUTES:**

**Council** - \*Motion by Kovach/Second by Cizl to accept the minutes of the City Council meeting of April 10, 2018 with any noted corrections. Yeas All.

**Council Worksession** - \*Motion by Kovach/Second by Cizl to accept the minutes of the City Council Worksession meeting of April 17, 2018 with any noted 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 April 16, 2018 meeting./**Representative to the Planning**

**Commission:** Councilperson Gee reviewed the minutes of the April 18, 2018 meeting./**Council Representative to the Zoning Board of Appeals:** Representative

Radeff reviewed the minutes of the April 19, 2018 meeting.

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**ADMINISTRATIVE REPORTS**

**MAYOR/SAFETY:** Mayor Bring advised this side of the Fire Station, we are going to put some new siding on that and dress that up since we changed that window out. We are going to put some shaker siding on that and make it look a little bit better. Also, the Police Chief came to me today and approached me. I am going to get some opinions on this and then I will bring it up to Buildings and Lands but I will also present it to Council that the section over there with the grass that have the 3 pine trees and an additional 3 pine trees, they would like to turn that back into parking as that was parking at one time. I know Tammy and I aren't too happy

Council April 24, 2018

about that. But that grassy area over there now, they would like to turn that back into that. So, I am looking for you guys opinions, if you want to email me or whatever but I will bring that up at Buildings & Lands and discuss that a little bit more. They started spraying the wall over there at Goodwill and we changed the color a little bit over there from that red, Tammy picked the color out. Finance Director Smith stated it is nuthatch, the brown and it is very pretty. Mayor Bring stated if it hadn't of rained, they would have finished that up today. He continued, over on Roberts Street by Memorial Park, a resident called or sent an email to all the council members that since we have fixed all of that over there the flooding has subsided substantially over there. So, we just wanted to say thanks for that, it is always nice to have a good comment. \*Motion by Erdei/Second by Kovach to accept the report. Yeas All./**SUPERINTENDENT'S REPORT:** Superintendent Hastings advised just one thing this evening to let Council know that the Mayor had asked me over the winter months to develop a curbside branch pickup that the city used to have before like the leaf program, so this will most likely start a pilot program here in the spring whereby notification to the city we would go to people's properties and chip branches in certain conditions as far as how you stack them, certainly not available to contractors and things like that. But we are going to try a program again like we had in the past. Mayor Bring added I think we are going to use the Property Maintenance Officer Tom Melbar's phone number as a contact number. We will set that up that way and he will be able to contact Mr. Hastings. President Rosso stated when we had it in the past, didn't they have to bring the branches up here. Mayor Bring answered they did a long time ago but that became a mess and people were dragging them over here. So, this way they will be able to bring them out to the front of their residence and then our guys will just come with the truck that is setup with the chipper and do it all right there. President Rosso clarified they can still bind them and put out as yard waste. Councilman Erdei asked do you have any idea of when you are going to start that new building over at the Service Department? Superintendent Hastings answered yes, well we had to wait for all of the permitting that we do have in place now. Friday is set to the location of the post and set grade, so this Friday is the start of it. I would say by next week, we will at least contribute a couple of days a week towards the goal of that. \*Motion by Kovach/Second by Cizl to accept the report. Yeas All./**FINANCE DIRECTORS REPORT: None.**/**LAW DIRECTORS REPORT:** Law Director Graves reported the state passed revised law regarding the regulation of the small cell wireless towers and has yet to be signed by the Governor. As soon as that is signed by the Governor it will go into effect 90 days after that. We are participating in the litigation challenging the former version and that is on appeal right now. The game plan right now is to let that sit and continue to pursue that appeal. The revised language of the new small cell legislation is much better and I think it is something that most communities are going to be able to work with. We are going to be getting some model language to update our ordinance, so we will be working on that and bringing that to Council probably

*Council April 24, 2018*

within the next month or two. The new version greatly enhances our ability to regulate cell towers in right of ways. If you recall, the former one really restricted communities right to do that. As that progresses, I will keep everybody informed. Also, as you are aware we had a vicious dog attack in Sheffield Lake a few months ago which was a very, very serious situation. The owner of the dogs that were involved plead no contest to having dogs at large, failing to register dogs and the city designated the two dogs as vicious under our local ordinance. That decision was administratively appealed to the Lorain Municipal Court and we had about a 2-day trial on that appeal for designation of dogs as vicious. We prevailed in that, the court upheld our determination and that matter has now been appealed by the dog's owner to the 9<sup>th</sup> District Court of Appeals. I just received that today, so I will keep you apprised as that moves forward. But we will be making that argument in the court of appeals on those dogs. He reviewed the legislation on the agenda. Councilman Wtulich asked where are those dogs being held at? Law Director Graves answered they are being held at the dog's owner but under the designation that the dog's have to be confined at all times, if they are taken out they have to be muzzled, they have to have an enclosure at least 6 feet high and if it does not have a roof which it does not, it has to have footers 2-feet into the ground. If the dogs ever get out again, it is a first-degree misdemeanor, failure to confine vicious dogs and we could ask that the court order the dogs to be euthanized. Councilperson Gee asked with this going to the 9<sup>th</sup> District Court, does that cost the city money? Law Director Graves answered no. \*Motion by Kovach/Second by Cizl to accept the report. Yeas All.

***CITIZENS COMMENTARY: None.***

***UNFINISHED BUSINESS:*** Councilperson Gee advised Earth Day was Sunday, this last Sunday and we had a crew at Veteran's Park that volunteered. We got a lot of the weeds pulled and the plants trimmed back and put up new smaller flags around each one of the memorials and it is drier. It is the first time I have noticed that it is actually drier.

***NEW BUSINESS:*** Mayor Bring advised Avon Lake Public Library is going to have a meeting tomorrow at 6 pm about the discharge from NRG over there at the Power Plant about the metals going into the lake and all of the fish that are being killed from this discharge. So, if anyone is interested it is at the Avon Lake Library and it concerns the lakefront. So, if you guys want to go it is probably a good idea. I think I will be there and I think Rosa is going. Councilperson Gee answered yes, I am going.

### **ORDINANCES AND RESOLUTIONS:**

Council#015 – THIRD READING – an ordinance establishing section 1511.06 of the codified ordinances of the City of Sheffield Lake regarding exterior electric and fuel burning cooking devices.

\*Motion by Kovach/Second by Gee for ADOPTION:

*Council April 24, 2018*

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

**Ordinance Passes#17-18**

Council#017 – SECOND READING – an ordinance amending sections 1395.13 through 1395.24 and 1395.99 of the codified ordinances of Sheffield Lake regarding rental permits and inspections.

**COUNCIL PRESIDENT: None.**

**MEETING ADJOURNED:** With no further business before this council, \*Motion by Kovach/Second by Erdei to adjourn at 7:22 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*

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COUNCIL PRESIDENT

*Richard Rosso*

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MAYOR

*Dennis Bring*

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 April 24, 2018.