

**MINUTES OF CITY COUNCIL WORKSESSION
SHEFFIELD LAKE, OHIO
September 18, 2018**

The regular meeting of the City Council Worksession was held Tuesday, September 18, 2018. President Rosso called the meeting to order at 7:05 PM.

ROLL CALL OF MEMBERS:

Present: President Rosso, Wtulich, Stark, Cizl, Kovach, Erdei, Radeff, Mayor Bring, Finance Director Smith, Law Director Graves, Superintendent Hastings

Absent: Gee (excused)

Attending: Members of the Media

PRESENTATIONS: None.

*******COMMITTEES*******

ROADS & DRAINS: Chairman Cizl advised Republic Services – request for a voluntary 96 cent increase in October 2018 – contract expires in 2 years. President Rosso asked how long is this contract for? Law Director Graves answered I want to say a 6-year contract. Superintendent Hastings advised 2 years, they have been doing increases like every other year. President Rosso asked that was in the contract? Superintendent Hastings answered yes, like in 2018 we got an increase, but in 2017 we did not. President Rosso asked do you remember what the increase was? Superintendent Hastings answered 3%. President Rosso asked so it is 3% or nothing? Superintendent Hastings answered yes, I believe it was a solid 3%. Finance Director Smith asked so what is the refuse rate right now, 9 something per month? Superintendent Hastings answered, I think it is just over 20. Mayor Bring concurred yes, because it was like 18.76 or something. Superintendent Hastings advised I think it is a very dated contract that the city has just amended through the years. Much like the sewer, it had an original contract that they have amendments to. President Rosso asked did we just do a 2-year extension then? Mayor Bring answered no. President Rosso asked how do we have 2-years left? Mayor Bring advised because I think we did 4 years. President Rosso questioned so 2 years ago we did 4 years? Mayor Bring answered yes. President Rosso stated, but in that contract it allows them to do an increase based on their cost or something? Superintendent Hastings answered not at all, it is a flat 3% at the beginning of the calendar year that is identified and some years they skipped and had no increase and some years did. President Rosso stated it sounds like they have 2 years left and he asked in that, do they have any increases built in, like 2018 they went up 3%? Law Director Graves answered yes, there were some built-in increases, where

some years, it did not go up at all and some years it went up a couple percentages. So, this is a voluntary request and we are not under any obligation. So, we can do nothing and just let the contract ride out. One thing that we had discussed was kind of reopening negotiations and saying rather doing this increase, maybe we do an incremental increase and if we agree to this then we get no increases for 4 years or something like that. You know extend the contract and overall have a beneficial result. So, I mean it is still very much up in the air. I think that we can use this opportunity I think to potentially extend the existing contract. President Rosso stated I would hate to see that we are going to give them 96 cents and then they turn around and say my contract says I can go 3% on top of that again which would probably be another 60 cents. But to your point David, we could probably work something out and freeze it for an additional 2 years. Law Director Graves answered yes. President Rosso stated I am sure everyone had the exact same thoughts, if the roles were reversed what would they do for us. I have heard in the past that they would call because their garbage can needed to be replaced and they were charging them for new garbage cans, which when we started years ago, originally there was supposed to be no cost. So, what they told us and what actually has been going on is a little different. Councilman Wtulich advised I think it would make sense if we could lock it in for another 2 or 4 years because they may come back next time and say, well we are losing all this money and we are going to have to give you 6% increases in year 2 and 4. So, maybe even get something for it and lock it at that 3% now and then the next at 2 and 4 years at 3%, you know get something for it because they are going to try and get more for the next time. Law Director Graves explained I have it here and originally and this is the 7th amendment to our contract. You know the city always has the ability to bid this out again and we did bid it initially in 1991, since then we have been amending the contract and we could go out to bid again. When we did this it was for 5 years, the first year of May 2015 they maintained the current rate which was \$18.02. He continued the second year of May 2016 it went up 3%, the third year of May 2017 no increase and the fourth year which begins May of 2018 increase of 3% and then the fifth year which will begin next May of no increase through April 30, 2020. President Rosso stated that is when it expires right? Law Director Graves answered yes. So, we just had 3% in May and then we won't have anything until it expires April 30, 2020. Councilperson Stark advised we are still giving them something. Law Director Graves advised I don't think we should give them this, they are just throwing it out there and I see it as an opportunity to try to get an extension to the contract with possibly a few increases in the future. President Rosso stated obviously nothing is going to be in place for an October billing. Mayor Bring advised we didn't promise them anything, I just said that we would take a look at it. I think Rick, you and Steve were on there on the one contract that

came up and we had looked at outsourcing it from another company. President Rosso stated I guess what I continue to understand is that we should continue to negotiate with them and see if we give you the .96 now which would be a 5% and then say now you are going to carry it for 4 more years at none or something like that. Obviously, we want to make it where at least it is not a disadvantage. Mayor Bring advised if you want, David and myself and Pat can probably sit down and talk to them and see if we can work out a favorable deal and if we do then we can come back to you. We won't tell them anything because it will have to come from you guys saying okay or we can do nothing. Councilman Cizl asked this is tied into the recycling thing right? Finance Director Smith stated this is due to the recycling. Councilman Cizl stated I am still struggling with that aspect. I understand, we heard that China is not taking the cardboard and they are having a hard time selling it. Then the last meeting we heard we are not doing what we should be doing as homeowners cleaning out our jugs and they have to hire extra people. So, I am still struggling with that aspect. Mayor Bring explained again, it is not only cardboard, it is paper in general, the bottles; green and brown bottles aren't worth anything anymore, clear bottles that people aren't washing them out and explained all the restrictions/divisions of refuse that were discussed. President Rosso advised Councilman Cizl – this is actually all over the country and China took anything, they didn't care if you washed it or not, they took everything and it caused a lot of pollution. Then the people pushed on the government to stop the pollution and that is when they said okay, we can't take your garbage anymore. Councilman Cizl stated so if we educated our people to stop recycling, just throw it in the garbage. Finance Director Smith advised whoever though this was going to work was silly, I think we should go back to bottles and washing them and getting the deposit. Mayor Bring advised Germany has a recycling program over there, my neighbor who lived there said that every item is broke down and they have to do it otherwise they get fined. So, if you have brown bottles, then you have to put those in a different container. But she said everything is broke down. So, you may have 10 different containers out there in recycling but that is what they do over there. But in reality, these people just aren't going to do it. Councilman Cizl stated this is not just Sheffield Lake, I don't think our community is any different than any other community. Law Director Graves advised the last email that I received from Mr. Kidder was July 30th and at that time they said that they could back to us within a couple of weeks regarding starting discussions of extension of contract. So, we will follow-up with them. Councilman Radeff asked why haven't we bid out since 1991? Law Director Graves answered we didn't bid, we considered it. Mayor Bring advised because it wasn't favorable. Law Director Graves advised we have never formally bid out the trash services since 1991. Councilman Wtulich asked that is kind of my question, does Republic pretty much have the monopoly on this

in this area, is there anybody to compete with them. Law Director Graves advised there is Rumpke. Mayor Bring answered, I think we looked at all of them and they were more money. Law Director Graves recalled we actually even considered doing it ourselves. Mayor advised the problem is the landfills and that is where Republic has gone out and bought property and they have their landfills in place. These other places have smaller landfills and they have to buy that and I think they even use Republic's on some of these. Councilman Kovach advised Republic owns the landfills and these people pay tipping fees they use to dump their garbage. Mayor Bring advised that is why Republic is able to keep their cost down. President Rosso advised we will continue to let the negotiations go on. Mayor Bring added we will wait until they come back to us and see what they say.

/SAFETY: None. /BUILDINGS, LANDS, VEHICLES & EQUIPMENT: None.

ORDINANCE: President Rosso stated Mrs. Gee is not here tonight, but Mr. Graves can speak to the various ordinances on the agenda.

Chapter 1101 Subdivision Regulations, legislation attached – Mr. Graves advised this is a revision of Sheffield Lake's subdivision and regulations. The Board has considered this for quite some time. Currently, our subdivision regulations are limited to Chapter 1101 which really only discusses bonds that the city would require. What I have done is revise 1101 to include a several step process for approval of a subdivision plan and then bonding requirements formally of 1101 are now in a new Chapter 1103. Basically, there are up to 3 steps; there is an initial concept stage followed by a preliminary plan and finally an improvement plan that would all be reviewed by the Planning Commission and then ultimately City Council. But, we really don't have anything now and there is a potential subdivision in discussion which is at least now plans to come to the Planning Commission in October. They would be looking at going the PRD route which is a separate procedure which allows for a little greater density in exchange for more green space and things of that nature. Councilman Radeff stated I know that we have talked about it several times in Ordinance and we are just ready to pass it on. Councilman Wtulich asked so the PRD route, so we wouldn't even be using this for the new subdivision? Law Director Graves advised if that is how they want to present it, so the PRD is under title six, Chapter 1160, 1162, 1164, 1166 and 1168. There is quite a lot there, but it is a Planned Residential Development. There are design requirements in 1164 and it is a whole other process. Again, a lot of that goes through the Planning Commission in a review and then comes to City Council. I believe that the way all of these are written is I just put the emergency clause on there. This one as a matter of fact, could go 3 readings and probably not even have the emergency clause or 3 readings with the emergency clause, whatever

Council chooses because I can just leave the emergency clause in there and we could do 3 readings and if you would want to pass it at one of those readings then you could. So, I will just leave it with the 3 readings and emergency. President Rosso advised add to next Tuesday Council agenda.

111.02 – Investment Committee, legislation attached – Law Director Graves advised section 111.02 set up this Investment Committee, which involves the appointment of 2 in addition to the Mayor and the Finance Director and then the Chairman is supposed to make a monthly report. It really doesn't make much sense and we really haven't had a committee in any recent memory. The Mayor and the Finance Director do meet regularly to discuss the investments of the city. The proposal is that that be the committee and that they report to Council at least quarterly at the Finance Committee meeting. Councilman Cizl stated you say this committee has been active, when did it start and why? Law Director Graves stated I believe it goes back to the 90's and the last version of this was amended in the 2015 when we eliminated the position of Treasurer, when we did the Charter change to remove Treasurer. This was amended to remove the Treasurer, so the last version was amended in 2015 but that is the only change. Prior to that, I believe it goes back to the 90's. Mayor Bring advised we met when I first became Mayor. President Rosso stated the last time I remember any even talking about this is when Ed was President. But since I have been President, I don't remember ever doing anything with it. Law Director Graves concurred since I have been here I don't remember any residents being appointed. President Rosso advised this in my opinion is just cleaning up an ordinance that is outdated. He advised with no objections I would just move this onto next week's Council agenda with 3 readings and leave the emergency on.

Law Director Graves advised the next 2 special ordinances that are on the agenda would be to consider an increase in the pay rates for the position of Mayor and the position of President of Council. As discussed at the Ordinance Committee meeting the last time the rate of pay for the Mayor was increased was 1996 and at that time it was raised to \$8,800.00 per year. It seems kind of out of whack with what other Mayor's are earning and it seems extremely low. But as Council is aware if we are going to raise this, it has to happen by this fall and preferably by November. It has to happen 45 days prior to the last date for filing of petition. As I explained, I think with the May primary, petitions are going to be due in the first week of February going back 45 days from the first week of February puts you into mid-December, so no later than November we should act on these pieces of legislation. They would not be effective until the start of the next term.

Increase for Mayor, legislation attached – President Rosso advised Rosa had sent out some salaries from other Mayor's in other cities. Obviously, the majority of those are full-time Mayor's. Councilman Wtulich asked so it says twenty-eight

thousand to thirty-two thousand, so does that mean on a 4-year term; like twenty-eight for the first and then twenty-nine for the second and so on. Law Director Graves stated that was just a proposed range establishing the salary for Council to consider. That it would be set somewhere between twenty-eight and thirty-two. There was a breakdown discussion of employees receiving 3% usually a year and the Mayor pay has been touched since 1996. Councilperson Stark asked how did we come up with this number, not saying that whoever the Mayor is doesn't need a raise because \$8,000 is a joke. But we are now tripling 3 times what the current rate is. As I said I agree, but where does this number come from? President Rosso answered, I think you base it on the hours that the last 2 Mayors have spent during the week, probably pushing close to 30 and you look at comparisons to other part-time Mayor's in the area. I remember that this topic has come up before back when John was Mayor and he had done some research at that time he had felt at that time, that the number should be at least twenty-five thousand a year. You can make that argument and people will say, oh my God, you made it four times, but it has been ridiculously low for a very long time. The old saying – you get what you pay for, you know you get guys who want to do it and they suck it up and not doing it for the money, but at the end of their term hey, I could have made X amount of dollars and it cost \$20,000 to make \$8,000. Mayor Bring advised at \$8,800 when I first got here I put in 40 hours for 2 years which comes to \$4.23 per hour. At \$8,800 at 30 hours that is \$5.64 and if you put at \$10.00 it comes up \$15,600 which they want to raise the minimum wage to \$23,400. So, you do the math and also, when I go to these functions and I am not saying that the other Mayors are going to do this, but I spend \$100 for Matt Lundy, \$100 for Ted Kaylo and that all comes out of my own pocket. I am driving around and that is my own car and everything else. But these other Mayors or whoever comes here is going to do the same thing, so I am going to tell when you get done with your 8 years, you have other Mayors saying are you the Mayor that makes \$8000 and he said are you out of your mind? It is a running joke and when I go to the Mayors managers meeting over there, a couple of the new Mayors couldn't even believe it. I told him, that is not why I do it and he told me I was out of my mind. So, when you hear 20 or 30 times and here you say you raise 3 times more. But yes, because they should have raised it 3 times in the last 5 years versus what they are trying to do now. I am not just saying this about me, I am talking about whoever comes in here, they are going to look at this and it is going to be very difficult, but it is all fun and games for about the first 3 months, but then when you are signing contracts which we just signed the budget plan and for the auditors, you are responsible for everything that goes through here and you can go to jail for this stuff. So, there is a lot of responsibility and at 30 hours I would say that is about the minimum I spend here. I was here most of the day today and I went to the school this morning and went to

the school yesterday. I am going to the parade tomorrow and all of the other stuff. Of course, you have to deal with all of the public and all of the emails. You go home and catch up on all of the emails because you have to answer people. Everybody here puts a ton of hours in, David puts a ton of hours in, Tammy puts a ton of hours in and Pat puts an enormous amount of hours in but somewhere down the line you have to recognize the person who is in charge and I don't care who it is. Law Director Graves stated Sheffield Lake I have always felt with the Mayors pay, is kind of an anomaly in that when you look at other communities you usually have a full-time Mayor who is highly compensated or you have a part-time Mayor with a City Manager who is highly compensated. In the case of Sheffield Lake, we have a part-time Mayor and no city manager and the part-time is very poorly compensated. So, you really aren't going to find any other community that falls into this category. Mayor Bring advised you could probably look at another \$24,000 on the full-time Mayors on their health care benefits because that is not included on that. There was a brief breakdown/discussion of other salaries for Mayor's which showed from 1996 to now and what the rate it should be. Councilman Radeff stated I can definitely see this, but do we have the money to do so, does it come from the general fund? Finance Director Smith answered yes, we do and it does come from the general fund, which pays for 80% of his wage and the rest is divided between other departments. President Rosso advised before Dennis and John, those part-time Mayors truly were part-time and they weren't in here 30 hours or even close. They all worked day jobs and came in in the evenings and did a few things. So, they weren't spending anywhere near the hours. So, the position and what is required to do has changed dramatically in the last 20 years. You have to go and make the political connections and you have to get involved and attend a lot of functions. Mayor Bring advised before John got in here the city was almost like a joke and John spent a tremendous amount of time running around to all these functions and getting us back to being recognized as a city because if you look back at what the shopping center looked like and everything around here. I mean it was falling apart dramatically and going downhill very quickly and he turned a lot of things around in a lot of these apartments and we just kind of piggybacked on that and excelled through that. Now, with Pat writing these grants we have got 5 million dollars worth of projects that is going on right now. You know, that was never heard of back then. But again, you spend a lot of time here and I was here again most of the day today. Councilman Cizl asked I want to ask, but is there a job description for the Mayor, I mean, obviously when you run for office and you are elected. I mean I know Dennis and again this isn't about Dennis but is this not the standard that we are establishing for the Mayor of this city that it is expected that you will do this, this and this. President Rosso advised it is in the Charter, the responsibilities. Councilman Cizl stated, for example,

meetings and I think about the salary that we get as Council and I think about the salary that the Mayor gets and my point is, I do 5 meetings a month and the Mayor makes all preparations for all of the committees and is involved in all the committees plus he has got office hours plus he has the political things that you mentioned. Our expectations that any other Mayor that would come, the expectation would be that they are going to do the work in particular as John and Dennis has. Is that what it is going to be or is someone going to come in and just be a part-time Mayor and just show up when he wants to and show up for a couple of meetings. President Rosso advise the community can address that and can do a recall if they are not fulfilling their obligations. That is the political process, the checks and balances. Mayor Bring advised there are always going to be negatives, but the thing you see here now is because it is all of us and not just one person because you are all doing your jobs and we are doing our jobs and that is why all the people aren't down here screaming and yelling. Pat puts in brand new asphalt or cleans out the ditch and they say he didn't get it right. Then Tim Card got a grant for the city for \$64,000 and Bay Village got more. So, they are on Facebook criticizing Chief Card because he didn't get as much as Bay Village. That is the nonsense that happens all the time. We get this stuff all the time and Pat gets an enormous amount of phone calls and I had people coming in today about things. It is just continuous amounts of calls and people that we deal with but we put up with it all the time. President Rosso stated I am doing a little figuring here with these stats and the lowest paid full-time Mayor on here is Holly Brenda from Elyria and she is making \$50.68 an hour full-time for a 280-hour year. So, anyway, if you take 20 hours a week over a 52-week year at \$50.68 an hour, which is the lowest paid wages I believe, that's comes to \$52,707.00 and that is working 20 hours a week. Councilman Kovach advised the average of \$30,000 for that job is still cheap. President Rosso advised we need to come up with an exact number. Law Director Graves advised I have to point this out that a lot of these Mayor's get extra money as does ours for Safety Director. So, for example; Avon currently receives \$130,000 but he gets another \$5400.00 for Safety Director. So, the Avon Mayor is making \$135,000 and also, part of Mayor Hunter involves Safety Director. So, when we amended the Charter, the Mayor is now also the Safety Director, so he does receive \$8,000 for Safety Director as well. President Rosso stated if \$52,000 is right for Amherst then it is \$22.00 an hour and add 20 hours for 52 weeks which comes up to \$26,000.00 as a salary. Like I said, he puts in more than that and I was just low balling it. If you go the bare minimum, you are talking that. At 30 hours at \$25.00 an hour it would be 39. I do think we need to consider doing something before the next election and to David's point it has to be done early November, if not the end of October just to be on the safe side. Law Director Graves advised because something could possibly happen with the Board of

Elections, so we just want to make sure it is in early enough to amend things. We don't want to turn it in at the last minute. President Rosso advised be aware as we are going through this and trying to figure it out, Council's salary goes up automatically when the state raises the PERS. If they raised it tomorrow, our salaries go up. The Mayor's position has got to be before they are elected. What I am saying is 4 years from now, it is not going to be getting raised 4 times, so it is a lot harder process. Councilman Kovach recalled that is where this all originated from because we were talking about everybody's salaries and took note of all of them. President Rosso concurred Steve is right, that is when we started talking about all of this and low and behold ours went up. Councilman Cizl advised since this hasn't been touched in over 20 years and since ours goes up with PERS, can the Mayor's also go up since ours can? Finance Director Smith advised you can make it a percentage higher than Council President. But that gets squirrely too. I can guarantee you that is probably some of the language in some of these others because they have got exact amounts of \$87,982.32. So, like Holly Brenda is making a percentage higher than somebody else's salary. Law Director Graves stated I don't know where Rosa got these number's but they include allowances for like car allowance and other salaries for other positions too. For example, the Avon Lake Mayor gets an \$8,000 some odd dollar a year car allowance. But I think that is going away as part of the new increase for the next term. President Rosso advised Rosa called the State Treasurer and they referred her to ohiocheckbook.com and she got local salaries off of that. So, I believe those are just salary. Councilperson Stark suggested, let's come up with a number for the election coming up in November. Law Director Graves advised as of January 2016, Avon Lake's Mayor makes \$98,000.00 per year. That was up from \$82,000 with the elimination of the car allowance. Superintendent Hastings stated this data is 3 years old. After a brief discussion of options, consensus to set the rate at \$32,000. President Rosso advised to have ready for next week's Council agenda. Increase for President of Council, legislation attached – Law Director Graves explained the Council proposal is that the President of Council get paid 20% higher than the Council Members, so for the first pay period of 2020 that would reflect his pay of \$9,400.00 with the rest of Council making \$7,920.00. President Rosso advised with consensus to add to next week's Council agenda.

935.16 water bill; remedies for nonpayment, legislation attached – Law Director Graves advised this is regarding the water bill payment date surcharge for non-payment. Over the years, this has gone back and forth and it has become somewhat convoluted through different Service Director's regarding the water shut-off procedure. We have recently had some meetings with the Clerk's in the Water Department and everyone is on the same page now. So, water bills will not get to an extraordinarily high level before they are on the shut-off list and before they get

served as liens. But it is necessary to clean up this language, so basically any bill that is 60 days will result in a shut-off. They would have to pay all of the average and current charges, plus a \$50.00 turn-on fee before the water is reactivated. Councilperson Stark asked if they pay partial payments will it be shut off in 60 days? Law Director Graves answered there will not be any partial payments, we are not taking payment plans or partial payments and so the entire bill is due. If it is not paid, then it is in arrears and if there is an average more than 60 days it will result in water being shut off. This is actually going to help because you won't have residents running up 800.00 or 1000.00 bills, water bills before it gets shut off and then in order to get it turned back on they have got to come up with an extraordinarily high amount of money. He advised I just had someone in court that in order to get their water turned back on had to pay over \$2000.00 to get the water turned back on because it has accumulated to such a high level before it was shut off. That really should never happen again. Councilperson Stark asked if there is extenuating circumstance is there a way around it. Mayor Bring advised the Auditors are going to be very deadest against that because we already got dinged for it and that is why we had a big meeting because the Auditors were not happy with that. President Rosso questioned last paragraph that appeared like the Superintendent or Service Director could make their own rules, so that person could decide on a payment plan? Law Director Graves explained I put that in there to ensure that people had notice and could not question that one day they had water and the next day they didn't, this would provide for additional notices; through the mail, hanger on the door or what have you. Councilman Cizl asked a few years ago we were talking about people not having water, did we ever resolve that, can they actually live that way? Law Director Graves advised yes, they can, if people want to live in that circumstance and drink bottled water and use a rain barrel, etc. Mayor Bring advised we called the health department and that was what their ruling was to and that is why we backed off. Law Director Graves explained the new construction code for water being tied in, you cannot just choose not to tie in. President Rosso stated add to next weeks Council agenda for 3 readings also. 931.17; repeal the 10% reduction in sanitary sewer charges for non-commercial users during June, July and August, legislation attached – President Rosso advised we talked about this at the September 2018 Roads & Drains meeting and my concern there was just the wording that all water during the summer months does enter the sanitary sewer. Law Director Graves stated if you are uncomfortable with that I can remove it. It is just a “whereas” supporting the actual language. President Rosso advised that was my concern because it made it sound like we are saying that when people water their lawns or gardens or whatever that it does go down the sanitary and it really doesn't. Again, as we talked it is going to be \$3.00 a month with a total of \$6.00 per season. Superintendent Hastings advised the average,

some are more and some are less. Mathematically, the water purchased is treated and then some. So, mathematically that statement is correct but to your point it doesn't mean that if you are watering your lawn that it got there. President Rosso stated that is due to infiltration. Superintendent Hastings concurred right, one heavy rain event can annihilate the 2-weeks meter readings just by water. President Rosso stated I still think that we should reword that so it doesn't look like all the water used in the summer months goes into the sanitary. Superintendent Hastings advised it could simply say that all water metered during the summer months is equivalent to the treated months of water, somewhere along those lines. Law Director Graves explained the benefit of "whereas" clauses is down the road if someone has to go back and try to discern the intent, these explain what the thought process was. They are not necessary and you could simply say that 931.17 establishes the 10% reduction and it is in the best interest of the City of Sheffield Lake to repeal it and just leave it at that. President Rosso stated I am not opposed to doing it but let's just say we need the money, so we are going to take it away. Finance Director Smith stated or raise the rate. Councilman Cizl stated is that the motivation behind this? Mayor Bring answered you are gaining \$17,000.00 which isn't much but it is \$17,000.00 that we do need. Superintendent Hastings added to offset \$100,000.00. Mayor Bring concurred and are we looking at doing an increase, well yes – look at what Republic is doing right now. President Rosso stated I think we should do it, it makes sense. Law Director Graves advised I will come up with some language that it is to offset the sewers charges which exceed the water consumption billed. It really avoids at least at this particular moment raising the rate. Just to clarify, this has nothing to do with your pool credit. President Rosso stated send to Council agenda and David will send an updated version with 3 readings.

1371.03 (e) amend to make consistent with the amendments to 1361.16 (a) (3) (H) regarding sign permit fees, legislation attached – Law Director Graves explained this is just an oversight, last year when we amended about 5 or 6 sections of code when we revised the commercial building permit fees and we didn't realize that for signs under the sign ordinance that it had its own set list of fees. So, basically this is just taking out the fee schedule and making the same in code 1361.16(a)(3)(H). President Rosso stated add this to next Council agenda and this one we should consider passing as an emergency as it is cleaning up conflicting code.

129.11 amend minimum price for sale of city real estate proceeds, legislation attached – Law Director Graves explained this was passed in the 1990's and I understand what they were trying to do but it was really poorly worded. The current language says that it will sold for a price not less then 60% of 3 times the tax appraised value for the real estate being sold as determined by the Lorain County Auditor. As most of you probably realize how the Auditor applies the

property taxes. They evaluate the property and they come up with a market value of the property and then they apply a 35% percent of that, the assessed value. Then they apply the mileage to that assessed value. So, you are essentially taxed on 35% of the value of your home. So, I think when they wrote this I believe instead of saying tax appraised value, I think they meant 3 times of the assessed value. Instead of saying 3 times assessed value, all you need to say is 60% of market because assessed value is 35% of the market value. So, I think that is where they were going and I don't understand why it would be 60% of 3 times the market value. So, what we are saying is any real estate sold by the City of Sheffield Lake shall be not less than 60% of the market value and not less than \$1000.00. Keep in mind that any sale of public property has to be bid competitively in a newspaper of general circulation for 5 weeks and sold to the highest bidder. He continued section (b) states that any funds derived from the sale of city real estate would be put into a special real estate capital improvement fund. This doesn't make a whole lot of sense especially if we talk about the sale of a pretty significant piece of real estate such as the shopping center. Also, the general fund subsidizes all the capital improvements. So, if you take the sale of real estate funds and put them in that line then all the city could do is reduce the amount of the general fund subsidy so it is kind of like a shell game. It really doesn't make a whole lot of sense. I think their thought was the sale of real estate should go back into real estate but general fund is there for that anyway. That legislation always has to come to Council and Council has to authorize the sale of real estate and can always put a minimum bid on that. President Rosso stated but you could not go lower? Law Director Graves answered no, you could not go lower. Council could say no we don't want to sale this particular parcel as it is valuable and we do not want to authorize the sale for less then 100% of the tax market value and establish a minimum bid at that point. President Rosso stated again we will add this to the next Council agenda and David with the 3 reading clause.

Vacant land on Dorchester Avenue – Law Director Graves advised we had an individual that approached the Buildings & Lands committee as well as the Ordinance Committee last Thursday and he interested in buying the one of the parcels on the paper street of Dorchester which was donated to the city. He understands that this would have to bid and that there would be a minimum bid and that in addition to that the minimum bid could encompass all the cost that the city would incur in advertising. So, he asking the Council to consider authorizing to sale this parcel and I have written in section 3 that the Mayor or his Designee shall establish a minimum bid of at least \$1000.00 plus in any associated cost for the advertisement of that parcel. President Rosso advised for the next Council agenda with the 3 readings and emergency.

FINANCE: None. /PARK BOARD: Member Kovach advised we had a presentation for a Master Plan for the Parks.

*******ADMINISTRATIVE*******

MAYOR: Law Director Graves advised executive session for the discussion of public officials/city employees for the reconfiguration of the Building Department. Mayor Bring reminded Council we do have the homecoming parade tomorrow. Also, we have the POW chair dedication which will be on September 28, 2018 and start promptly at 6:30 pm at Brookside prior to the game. Myself, Mayor Hunter, Rick and we have one of our Officers who will be there too.

/SUPERINTENDENT: Superintendent Hastings advised of updates on 3 of our projects which I am working with the Mayor, Finance Director and Law Director and hopefully add to your already lengthy legislation for next week. The first one is the Water Shed Initiative, the retention pond at Belle, Brockley, Knickerbocker, Holl ditch line. We are at a point now where we need to authorize professional services. The beginning of this project is a lot of field work, hydraulic study of the water, the volume of retention that we need, flood stage and all of those things. That number is coming in at about \$53,000 which I would need Council's blessing to present that to the Mayor for signature. He continued the water line and road rehabilitation on Harris Road, as you know the Council was gracious enough to consider that in a special meeting to consolidate all of that project into an OPWC application and grant. The project at about 1.3 million dollars is going a little bit higher than the typical funding of Issue II. I can still get a vast, great majority of it and still save the city tens of thousands of dollars it is still necessary to bring in one more funding source to help pay for that water line. That would be the Ohio Water Development Authority and that doesn't necessarily need to make this week's agenda but I want to let you that it will be necessary for your consideration that we apply for that. Finally, TLCI, I went to NOACA last week down in Cleveland and based on the connectivity study and I was considering Council for permission to apply for TLCI grant and that has a pretty tight time line of the beginning of October and that is again another opportunity to make the connection in between the covered bridge and the boat launch; multi-purpose trail. Councilman Cizl asked the retention, did we determine where? Superintendent Hastings answered it would be in the Metro Parks. It is funded through ODNR Conservation which requires the public to be able to access it and we would otherwise have to acquire private property which would raise the cost significantly.

/FINANCE DIRECTOR: Finance Director Smith advised I probably will have some more appropriation changes. **/LAW DIRECTOR:** Law Director Graves advised I would like to request an executive session to discuss the appointment and compensation of public employees. *Motion by Kovach/Second by Cizl to go into executive session to discuss the appointment and compensation of public

employees. ROLL CALL FOR AN EXECUTIVE SESSION AS NOTED; Yeas All – Cizl, Wtulich, Kovach, Stark, Radeff. *Motion by Kovach/Second by Cizl to return to regular session. ROLL CALL TO RETURN TO REGULAR SESSION; Yeas All – Stark, Kovach, Radeff, Cizl, Wtulich.

Law Director Graves advised let the record reflect that the City Council of Sheffield Lake did adjourn into executive session for the discussion of the appointment and compensation of public employees./**COMMUNICATIONS: None./OLD BUSINESS: None./NEW BUSINESS: None.**

ORDINANCES AND RESOLUTIONS: Councils Agenda – Law Director Graves advised it looks like we may have 10 and up to 15 pieces of legislation.

MEETING ADJOURNED: With no further business before this council, Motion By Kovach/Second by Cizl to adjourn at 8:55 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 WORKSESSION of September 18, 2018.

MAYOR

Dennis Bring

COUNCIL PRESIDENT

Rick Rosso