

**MINUTES OF CITY COUNCIL
SHEFFIELD LAKE, OHIO
January 8, 2019**

The regular meeting of the City Council was held Tuesday, January 8, 2019. Council President Richard 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: Council President Rosso, Kovach, Mayor Bring, Wtulich, Gee, Stark, Erdei, Cizl, Radeff, Finance Director Smith, Law Director Graves, Superintendent Hastings

Attending: Videographer Nick Collanbine, Concerned Citizens, Park Board Gee, School Superintendent Mike Cook and Board Members; Amy DeLuca, Sheila Lopez and Sandra Jensen, Lorain County Commissioner Ted Kalo, Members of the Media

READING OF THE MINUTES:

Council - *Motion by Kovach/Second by Gee to accept the minutes of the December 18, 2018 meeting with any noted corrections. Yeas All.

CORRESPONDENCE: Clerk of Courts Kelsey Dorsey, December 2018 court receipts - \$4,877.59.

PRESENTATIONS: *Superintendent Mike Cook, Sheffield/Sheffield Lake City Schools to share information about our upcoming emergency renewals.*

Superintendent Cook advised I have traveled here tonight with 3 Board Members and that is Amy DeLuca and Sheila Lopez and Sandy Jensen. I appreciate the ability to be able to come here and speak before you and I really just need maybe five minutes of your time. We do have an upcoming levy on May 7th and I just want to make it clear that this is a levy that is not going to be a tax increase. The simple version is we have 3 emergency renewals on our books and an emergency renewal only last 5 years and so, every 5 years it has to be renewed. So, we need to go through that process and actually we are going to try to turn it into a substitute levy which is a form of a renewal and the beauty of a substitute renewal is that it allows us to capture money that is occurring from building projects. So, like if we are building 100 houses off of Abbe Road, right now we are not going to collect additional money for those houses because the way an emergency renewal works is that it is capped a dollar amount. So, if we were going to collect 6 million dollars from our emergency renewals, even with those 100 houses we would still be capped at 6 million dollars. The reason that is is because in 1976 there was HB920 and it didn't want inflation to push those taxes up really high and so, the effective millage. So, the effective millage actually goes down for homeowners so that you can keep paying that 2 million dollars to the school. So, this is not a tax increase and the goal is to let us capture that money, if we do a substitute levy it will let us

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go over that 2 million dollar cap so to speak. It is really complicated but that is kind of the jest of it. The biggest thing is it is not an increase to taxes to someone who already owns a home. Councilman Cizl asked the three emergencies, are they all expiring this year? Superintendent Cook answered yes, they all expire and the first attempt at them is May and we are going the very first opportunity that we can. Mayor Bring asked the rumor is that you guys got more money since the tax increase through the county and you explained that to me that you are not realizing any of that extra money at all. Superintendent Cook answered no, no and in fact, just to brag about us a little bit, when we went through cuts the last time and it was kind of painful and we reduced some programs. Even when we passed the new money levy we didn't think we would get past 2018 with what we have. We constructed a finance committee and a Treasury and some Board members and some outside persons to sit on it. We have been so good about our finances that we know that we are good and we made it to 2018 and we know that we are good for 3 more years and we are kind of excited about that. But the renewals are close to, they are not quite half of what operates our school but if we didn't get the renewals or the substitute then that would be a big deal. Mayor Bring stated just a little follow-up and Mike and I have talked several times, just the way that the funding is through the State of Ohio which is not going to change any time soon. We keep going back to the people and trying to ask for money and have got X amount of people with X amount of money and it makes it very difficult and we have talked about this. But in this case, this is not an increase, it is your operating money to keep the school operating at the rate it is. Nothing outlandish or anything. Superintendent Cook advised it just gets confusing having to do it every 5 years. I know people get skeptical, like what is this and they don't know the terminology and I just want to try to make it clearer. Councilman Radeff asked so you said the one that is coming up is a substitute renewal. Superintendent Cook answered yes, so we actually are going to combine, there are 3 emergencies and they total a little over 6 million dollars and I actually don't know the millage. But even if it was originally like 70 mills it would have reduced to something now anyways. Councilman Radeff stated so you are saying by doing that it wouldn't restrict the amount you can collect, you would be able to collect off of more houses but everyone else would stay the same right? Superintendent Cook answered everyone else would stay the same. Superintendent Cook answered correct and I should also say that the ability to combine all 3 makes it simpler too because when a voter looks and sees 3 levies like that it is scary; you know, should I just vote for 2 or all 3. So, combining them to 1 will make it simpler in the future as well. President Rosso stated you say, the existing homeowners won't see an increase, they won't see an increase in their millage or they won't see an increase in what they pay because as the Mayor was talking about everyone's house got reevaluated and now it is worth more, so if I am still paying 3 mills or whatever the millage is on more money then I am paying more taxes. So, we are saying the dollar amount won't change? Superintendent Cook answered that is a good question, no just like in

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everything else when the value goes up on your home, all your taxes go up. So, yes you would increase if you get reevaluated. But unfortunately, everything will be hit with that and I know we all just kind of went through that. I live here too, it is painful for me too. Councilman Cizl asked so the emergencies are 5 years that you have to keep going after every 5 years, the substitutes? Superintendent Cook answered the substitutes are continuous. The legislator decided to construct substitute levies for 2 reasons; one was address voter fatigue with the confusion and the other is let communities like ours and Avon's but probably not so much Avon Lake anymore but to address that issue of when you are growing how come you can't collect that money. I should also say that Avon and Avon Lake just recently did do this as well. Councilperson Gee asked could you mention the fact of when you will be at the Community Center open to the public? Superintendent Cook answered there are a few dates that I could throw out there, if I could. First, we have strategic planning on January 23rd and we are always trying to improve the school and anyone in this room is welcome to come to strategic planning. We would love to have you. After that strategic planning meeting at 7 pm on January 23rd, we are going to have a levy campaign meeting at 8 pm and anyone who is interested, we would love to have you. Then I am going to come to speak to the ladies group and that is the last Monday of January which is at 10 am. Mayor Bring advised they are not all ladies because I come to that one sometimes. Councilperson Gee advised it is morning coffee meeting.

CITY COUNCIL REPORTS

Roads, Drains, Water, Sewer and Refuse: Chairman Cizl reviewed the minutes of the January 7, 2019 meeting. *Motion by Cizl/Second by Kovach to approve the sewer credit in the amount of \$161.55 for 870 Lafayette Blvd. Yeas All. *Motion by Cizl/Second by Gee to approve the sewer credit in the amount of \$294.38 for 769 Maplewood Avenue. Yeas All. *Motion by Cizl/Second by Gee to approve the sewer credit in the amount of \$603.12 for 5250 Hawthorne Avenue, Building 3. Yeas All. *Motion by Gee/Second by Kovach to accept the report. Yeas All./**Safety:** Chairman Wtulich reviewed the minutes of the January 2, 2019 meeting. *Motion by Kovach/Second by Cizl to accept the report./**Buildings, Lands, Vehicles & Equipment:** Chairman Erdei reviewed the minutes of the January 3, 2019 meeting. Councilman Wtulich asked did we replace the whole roof over Rite Aid or just a portion of it? Chairman Erdei answered a portion of it. *Motion by Gee/Second by Kovach to accept the report. Yeas All./**Ordinance:** Chairperson Gee reviewed the minutes of the January 3, 2019 meeting. *Motion by Erdei/Second by Cizl to accept the report. Yeas All./**Finance: None./Council Representative to the Joyce Hanks Community Center:** Representative Gee advised the Senior Coffee for Monday morning is going quite well and last Monday we had roughly 20 people attending. We are interested in having movies there and we are also interested in doing in the summertime outside. We are looking forward to the addition very much and we are hoping that Mr. Hastings will be able to come and speak to our group next Monday

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because many in the group have questions that the Service Director would be able to answer. We are hoping to see the Mayor again sometime soon this month. We will not be meeting Martin Luther King day but we will be having the Superintendent of the School System attending Monday the 28th at 10 am./**Council Representative to the Park Board: None./Representative to the Planning Commission: None./Council Representative to the Zoning Board of Appeals: None.**

ADMINISTRATIVE REPORTS

MAYOR/SAFETY: Mayor Bring advised I was approached some time ago by Tom Jordan Jr., obviously I think many of you remember his Father and he was trying to get involved with some of the things that the city was doing. One of the big things that he would like to do is that he would like to see a pier at the Civic Center. So, he had asked me to make mention of that. He would like to get a committee together to see if we could raise money for that to somehow move forward in getting that going and I told him that Mr. Hastings that I had talked about that but he said he would like to get some residents involved in that and he would like to spearhead that. I told him I would mention that tonight and he is probably going to come to the next Council meeting and discuss that and see if we can't do something about it. Also, Rosa had mentioned the International Building Code and we had that discussion and I talked to the Building Inspector and he recently bought the book on that and he is going to get his certification so that he will also be able to do that. Lastly, we had a complaint from a lessee in our Shoreway Shopping Center. I don't really like to do this and address this situation during Council or any other time as it should be handled in a different way but since they went on Facebook and want to play games then I will address this in a way to just say few things and then I am going to pass some of it over to Superintendent Hastings to address the steps that we have taken to eradicate some of these problems and then finish with letting the Law Director discuss the legalities of what was signed and how that will move forward. Mayor Bring continued first of all, some of the things that were said about the Center over there about roofs. One of the things that they said about the recent move of Chase Bank. Someone said that the roof was leaking and that the building was full of mold and that is absolutely completely false and that has no merit at all. Mayor Bring advised Mr. Kalo, our County Commissioner just arrived here. Mayor Bring continued numerous things that were mentioned about the Center itself and the one was from Dollar Tree and it was said that a lady over there made a comment and I will tell that we will call corporate on that if we have to and find out exactly what was said about that because corporate is always in contact with us. On any of the bigger units over there and we discussed that with Mr. Hastings. If there is a problem and someone over there in that unit is saying something that is false then I want to know and then we will address that issue personally with corporate and then address that with the employees over there. I have given you all of the correspondence that Pat has saved and gave all that to City Council and the Law

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Director so that everybody is aware of what is going on. Superintendent Hastings advised I would just continue and say that share the Mayor's position that having this conversation in a public forum I don't feel is appropriate but unfortunately necessitated because I was copied on it in an email by one of our tenants who having some difficulties that attempted to work through. I have provided the Council which is typically an administrative function. All of my correspondence which illustrates pretty much every month since they have opened and my response within one day and most commonly the work being completed within two days. That ranges from flooring to fire extinguishers to vandalism, an issue with a hot water tank and then unfortunately an issue with a contractor that was in there doing some work. I feel and because I don't want to embarrass anybody or make it uncomfortable that perhaps my comments will be reserved as rebuttal based on what may or may not be said this evening. As I have provided you, I certainly am doing my best efforts and it has escalated to the point that I was notified that an attorney was involved and because of that, I have to withdraw in not having the authority to negotiate and continue. I have no receipts, I have nothing official and then I was advised that legal counsel is involved. So, I have sought the advice of our own and I will leave it at that. Mayor Bring advised as you all know the city cannot arbitrarily give money to anybody. They have to have receipts and they have to have facts and we only deal with that. We have gotten nothing. Law Director Graves advised I am not going to get into a lot of the details either but suffice to say once someone makes an allegation to the city that they are involving legal counsel, the proper channel would be to have that person contact me and I will be more than happy to talk to their legal counsel about their obligations of his or her client as a tenant and the city's obligations as a landlord. The lease is very clear on what the responsibilities are and the Ohio Revised Code is very clear on the various processes and I will be more than happy to go over that. I will say that I have reviewed all of the correspondence between the Superintendent and the tenant and he has been extremely responsive to all of the concerns and some of the recent misinformation that has been put out there is completely unfounded for something that we have never been made aware of in any form. I would happy to save any further comments for rebuttal. Councilman Kovach advised would you like to invite Mr. Jordan to the Park Board? Mayor Bring advised I will talk to him.

*Motion by Gee/Second by Cizl to accept the report. Yeas All.

/SUPERINTENDENT'S REPORT: Councilperson Gee asked were you able to do something with that tree over at Gary Green Park that had fallen? Superintendent Hastings answered I did take the Lead Foreman there today. However, we were still engaged in the trees that we had started that we had to finish for safety. So, I took him there today though.

/FINANCE DIRECTORS REPORT: Finance Director Smith advised I have the December 2018 balancing report in your packet.

/LAW DIRECTORS REPORT: Law Director Graves reviewed the legislation on the agenda. He advised the legislation on the rezoning of eight parcels on Abbe

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Road from B1 to B4 has been reviewed the Planning Commission and they have recommended approval. It is set for a public hearing on January 22nd on this matter and we will go from there. I will provide Council with some details on ramifications on rezoning from B1 to B4. As you are aware a rezoning ordinance must go a full 3 readings and cannot include the emergency clause. Lastly, as the Mayor and Councilperson Gee touched on at Worksession next week we will have the Chief Building Official, the Back-up Chief Building Official and the Building Inspector all present to discuss and answer any questions regarding the International Property Maintenance Code. President Rosso asked on the rezoning and the Planning Commission, so based on the minutes of the last meeting and the little discussion that we had afterwards, the fact that it wasn't worded that they voted on and endorse the rezoning, it just said that they approve the project. Does that mean in your opinion that they approve or recommend the rezoning? Law Director Graves advised I would construe that as a recommendation for approval of the rezoning, the wording in the motion is not completely clear but they did do their required review period. *Motion by Cizl/Second by Gee to accept the report. Yeas All.

CITIZENS COMMENTARY:

Sandra Jensen, 865 Warwick 865 Warwick stated for years I have walked at the Metro Parks every day and then when I went back to work a few years ago, I had problems with the sun light or sun down so I put together a 3-mile loop from my house. I want to thank you for the very nice sidewalk on Lake Breeze and the trail and I do 3-miles a day. Whoever maintains the trail does a nice job, I don't know if it a citizen or someone from the Parks takes care of it but I usually out at 9:30 or 10 o'clock and I usually use a flashlight and except for one wipeout on Belle, Lake Breeze is clear as well as the Bridge. I don't have to worry about stumbling over junk at night and I just want to say thank you, I really appreciate that. I hardly ever go to the park anymore except on some Saturdays I get up at 6 am and do the route. But to have that in my back yard, I really appreciate it. I know everyone always complains but there was even a nail on the bridge and I tripped over it and someone from the parks probably cleaned it up.

Katie Aycock 675 Alameda (owner of Bellamy Salon) stated I have been having a few issues at the salon. I do apologize if you took offense to that amusing social media as a new business owner. It is the fastest way to contact our followers and my friends and my supporters also. I did not mean no offense to that nor would I ever play games with the city that I own a business in or the city that I live in because I am not disrespectful like that. I do apologize if there was offense in that but there are quite a few issues that definitely need to be resolved. She advised outlined in my lease are a few of them, specifically obligations to repair which I have highlighted and destruction of premises. Mr. Hastings has been exceptional in helping me and Mr. Bring has been wonderful to me, I have 0 complaints or anything negative to say about anybody and I have been given a wonderful opportunity to have a business here. They have been extremely helpful to me.

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What has happened in my salon, honestly has nothing to do with them, it has to do with the firewall construction with the Daycare and the contractors that were hired. Most of it they have not seen outside of pictures that I have emailed to them, just because we have been kind of going back and forth about how it is going to be resolved. I just don't feel that anything will be done, I don't have the money to fix it myself which is the main issue as I can't provide receipts for something to be fixed if I can't financially fix them myself. In being a new business, money is tight and I am figuring out how to budget and I am figuring out how to run a business and things like this are just extremely detrimental to my success. I just hope that we can resolve these things outside of me having to go to a lawyer or anything, I just want to do things ethical. I live here, this is my city and just want you guys to support me and to help me at a time where I can't fix these things myself. It is really affecting my business and it is horrible. The water tank, we can't even do 2 shampoos, how do you run a salon with that. My customers are coming in and seeing this brown solution dripped down my walls, it is horrible and to not be able to fix it and to have to sit there and look at it. It is very, very hard to deal with every single day. So, if there is anything that you guys can do to help me resolve this and to get these issues fixed. I would be extremely, extremely grateful.

Stacy Kapperman, 5115 E Lake Road stated I have become friends of the people from the Shopping Center, almost every day I go to Dollar Tree and the doors are a horrendous mess and they have been a horrendous mess. Little old people cannot get in or out of those doors because they don't work right. I talked to somebody from your group. Well, see the people tell me because they know I come to Council meetings so they think I can do something. Anyhow, I found out that the people who are complaining to me should go to the people who own Dollar Tree and tell them what is going on. The girl said they had 10 companies come out to look at the doors – 10 and they are not fixed. It is horrendous, it is horrible. I was there the other day and the roof is leaking at the Dollar Tree on the floor and I don't understand why. It is such a nice store, it is such a nice shopping center and everyone there is so nice. I don't understand, Rite-Aid as I understand is having water problems again, what is that about. This is our shopping center, we own it. I go to Bellamy's, it is a great place and I hate to see them suffer and I know you guys personally can't do anything but maybe somebody can get their heads together and see what is going on. The Dollar Tree people have to be notified because their help are talking against them – the ownership at the store. They have no idea what else they can do. So, when they found out that I come to these meetings they cried on my shoulder and I cried on Rosa's shoulder but something has to be done, it is a nice shopping center. I really like it there and there are not problems at Apples and no problems at Goodwill. I didn't even know Bellamy's was having a problem because I don't go there every week. The restaurant is nice and Rite-Aid, not many people go there anymore because it is damp and I was told it is because of Rite-Aid's air conditioning unit. But the only thing that I am concerned about is this is my city, my city and I don't want anyone to say anything

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bad about it. Mayor Bring clarified on the doors, there was only 2 companies that went there and looked at it. It is continuous hinge on the door that needs to be fixed and Dollar Tree did not even contact us personally, we did this on our own. There is no water going into Rite-Aid right now, that has been fixed. The other part of what you are talking about with these people talking, I have no idea because they have not said a word to us. Ms. Kapperman stated I don't think that they can come and say anything. Mayor Bring advised but we can't magically fix things that we don't know are going on. Ms. Kapperman stated that is why I thought I would bring it up, what they tell me. Mayor Bring stated the problem is when they go on social media and everybody chimes in and inflates it. Ms. Kapperman stated there is nothing about Dollar Tree on social media. Mayor Bring stated well, somebody from Dollar Tree made a statement on social media. We will contact corporate and find out if that employee has informed them. I am getting a little tired of people on social media saying things that are totally outlandish. Ms. Kapperman stated yes but that is social media. Mayor Bring stated when you go to that, this is what it creates. Mayor Bring stated two people, one hinge. Superintendent Hastings advised the protocol is that they contact their maintenance management division which they have. I have a history, an email chain of all request and complaints from every major chain over there. I deal with maintenance companies all over the country, quite frankly and Dollar Tree's is in Pennsylvania and they need only to call me. They send us certified mail quite often and copy our Law Director and it is very detailed and very documented. This latest round was done through a complaint to our Fire Department. I don't shop at Dollar Tree and did not know but as soon as we found out, we responded. Ms. Kapperman stated I will tell them. Superintendent Hastings advised it is the same manager and she has used this mechanism before I think. Ms. Kapperman stated I don't know, there are two girls that are managers and they look the same so I can't tell who is who.

Michelle Banner stated I am Katie Aycock's Mom who is the owner of the Bellamy Salon and I know that Katie worked very hard and I worked very hard in the shop painting and getting it up to code for the city to serve you all. I just want to say when the workers were in there, they were very nice guys and I met them myself. However, I did go in there and the back door was wide open and the doors were wide open and it was cold and the heat was blaring out the door and it just seemed to be a little inconsiderate. I asked them to please shut the door so the heat wouldn't be blaring, running up a utility bill and Katie is right, when they went into this salon they were just not careful about how their materials were handled. So, with that being said the hot water tank is an issue. Katie can only wash 2 people at a time and if you have an elderly person, it doesn't matter how old you are but who likes to take a cold shower and who likes to get their hair washed with cold water. When you are in a salon and you are feeling like it is your spa day, I mean that is the time for us to serve you as the city and to pamper you. We don't to wash your hair with cold water so if we could please address that issue, most of all I would greatly appreciate it. Law Director Graves asked the hot water tank is

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functional, correct? You are just saying that it is inadequate? Mrs. Banner answered it runs out after 2 clients get their hair washed and you know what, with all great success Bellamy is doing very well but community loves Bellamy Salon and they are going in. She is very busy and the girls are very well received and loved in the community and we would just like to keep it that way. I would hate to say that my daughter's business failed because she was giving cold shampoos. That is so ridiculous, so if we could just have a little compassion and if we could just, most of all get a hot water tank in there that will provide for the service that we are trying to do for you all. I would greatly appreciate that and as far as the workers, the gentlemen were very nice, the contractors, the Mayor were very nice but it is just that they were sloppy and they did ruin my daughters pedicure chair. A client went in there to get a pedicure and she seen all this orange, yellow stuff in the tank and she said I don't want to put my feet in there. Well, the girls can't use the tank anymore. Spots all over the walls were Katie freshly painted, body prints and foot prints and hand prints, just kind of ridiculous stuff that I thought could have been avoided. But really the hot water tank, I would hate to see that make or break the Bellamy Salon in Sheffield Lake.

UNFINISHED BUSINESS: Councilperson Gee asked Mr. Hastings, what size is the hot water tank in that unit? Superintendent Hastings answered 12 gallons.

NEW BUSINESS: None.

ORDINANCES AND RESOLUTIONS:

Council#001-19 - FIRST READING – an ordinance authorizing the Mayor to advertise for bids and to enter into a contract with the highest bidder for the sale of permanent parcel number 03-00-034-122-002 consisting of vacant land on Richelieu Avenue and the declaring of an emergency.

Council#002-19 – FIRST READING – an ordinance by the Council of the City of Sheffield Lake amending the zoning classification of eight lots known as permanent parcel numbers 03-00-034-110-032 through 03-00-034-110-039 located on the west side of Abbe Road from a B-1 business district to a B-4 business district.

COUNCIL PRESIDENT: President Rosso thanked the audience for attending.

MEETING ADJOURNED: With no further business before this council, *Motion by Kovach/Second by Erdei to adjourn at 7:55 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

COUNCIL PRESIDENT

Rick Rosso

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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 January 8, 2019.

MAYOR
Dennis Bring