

**MINUTES OF CITY COUNCIL
SHEFFIELD LAKE, OHIO
April 9, 2019**

The regular meeting of the City Council was held Tuesday, April 9, 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, Mayor Bring, Kovach, Cizl, Wtulich, Gee, Stark, Erdei, Radeff, Finance Director Smith, Superintendent Hastings, Law Director Graves

Attending: Videographer Nick Collanbine, Park Board Gee, Civic Center Nicola, Concerned Citizens

READING OF THE MINUTES:

Council - *Motion by Kovach/Second by Gee to accept the minutes of the March 26, 2019 meeting with any noted corrections. Yeas All.

CORRESPONDENCE:

Monthly report of court receipts for month of March 2019 - \$4,049.00.

PRESENTATIONS: None.

CITY COUNCIL REPORTS

Roads, Drains, Water, Sewer and Refuse: Chairman Cizl reviewed the minutes of the April 1, 2019 meeting. *Motion by Cizl/Second by Kovach to approve the sewer credit of 880 Idlewood in the amount of \$39.49. Yeas All. *Motion by Cizl/Second by Gee to approve the sewer credit of 531 Buckeye in the amount of \$150.78. Yeas All.*Motion by Gee/Second by Wtulich to accept the report. Yeas All./**Safety:**

Chairman Wtulich reviewed the minutes of the April 3, 2019 meeting. *Motion by Gee/Second by Cizl to accept the report. Yeas All./**Buildings, Lands, Vehicles & Equipment:** Chairman Erdei reviewed the minutes of the April 2, 2019 meeting. *Motion by Gee/Second by Cizl to accept the report. Yeas All./**Ordinance:**

Chairperson Gee reviewed the minutes of the April 2, 2019 meeting. *Motion by Kovach/Second by Erdei to accept the report. Yeas All./**Finance: None./Council Representative to the Joyce Hanks Community Center:**

Councilperson Gee advised we had our Police Department in speaking with us and Police Chief Campo did a wonderful job answering many questions for our residents. Last Monday, we had Probate Court Judge James Walther and he answered any questions that our residents had and gave them information on how to make things easier in probate. That went very well and we are now getting up to almost 30 people every Monday attending. Our next Monday morning coffee which is April 15th we will have the County Auditor Craig Snodgrass there to answer any questions that the residents may have. Following that, Tuesday, April 16th we are going to have a special coffee

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which our state representative Joe Miller will be attending and answering any questions that any resident have about state government and how he can help them or the City of Sheffield Lake./**Council Representative to the Park Board:**

None./Representative to the Planning Commission: Representative Radeff advised I gave my report at the last meeting but the minutes of March 20, 2019 are attached./**Council Representative to the Zoning Board of Appeals: None.**

ADMINISTRATIVE REPORTS

MAYOR/SAFETY: Mayor Bring reported just a reminder, this Saturday which is April 13th we are having an Easter Egg Hunt down here at Gary Green Park.

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

/SUPERINTENDENT’S REPORT: Superintendent Hastings reported a quick update, the sewer project over in the 4th ward is on the Commissioners agenda for tomorrow. So, that project should be approved and underway. The Mayor and I met with engineering today briefly to finalize construction plans and documents for Harris which we hope to have done and ready to go out to bid by the end of April. He continued as I have been telling the various committees; Ordinance and Roads & Drains, on SR301. ODOT has reached out to us with finally some firm numbers and it has a tight timeline to have the Council do a final resolution. That is currently out for bid and will be opened in May. Also mentioned in committee was the Day Ditch project, ODNR has provided the conservation contract that has been forwarded to our Law Director. He has begun review of that as well as the many properties whose ownerships and easements are very important for this funding, so he has been a big help on that. We do have a damaged outfall near Irving Park, very similar to Shell Cove Park where it had compromised the land around our deck and the outfall there within a few hundred feet away, there is another one. There is a contractor that is working with private residents to fortify their erosion problem and was reviewing the easement as well as the condition of our pipes. We have been negotiating his ability to use our easement in exchange for the donated labor of erosion control and construction of a headwall around our pipe. I believe that is in front of you this evening. Finally, the TLCI grant is the walkway from the covered bridge to the boat launch and pedestrian crossings. I am going to be coordinating with ODOT, by the end of the month about getting that into the Ellis system. He continued I had been working with the Finance Director, we did get firm numbers finally for the ODOT and our local share which I had mentioned throughout committee meetings of about a ¼ million and I think it came in at \$296,000.00 in total. So, it is a little higher admittedly and the problem is while I have been working with them for 2 years to coordinate with them, they send us an email and give you one month to respond and pay. Our revenue is into the income tax fund which I have been explaining is predominantly used for Abbe and Harris cannot absorb in the first quarter all of the fees associated with both ODOT and what is coming for Harris. So, the Finance Director had come up with a strategy to use money from the general fund and ultimately pay it back which she can explain

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in her report. That is why that transfer is on your agenda this evening. *Motion by Gee/Second by Cizl to accept the report. Yeas All./**FINANCE DIRECTORS REPORT:** Finance Director Smith advised I asked that Superintendent Hastings explain a little bit of that to go into my presentation of my 2 ordinances. We don't normally do advances and this advance is merely to put the cashflow in correctly so we can actually pay out to ODOT. She explained an advance has to be paid back within the same physical year and it will. So, we were asking that we could advance out \$150,000 out of general fund, cash into 208 which will fund it for now then probably November, we will transfer it back to general fund. That is really all it is is a cash advance which is your ordinance number, Council#015 which is setting that up and I have already approved that with the county. I also approved that with our bond counsel to make sure because in August, a lot of these projects are coming in a lot faster than we have the money, but the money is coming, it is just that we don't have it right in hand. In August, we can finance this \$150,000 to pay over 2 years to pay for Abbe Road and Harris. That will kind of complete the transaction for a couple of years. She continued Council#016 is increasing the road resurfacing that we are advancing the \$150,000 and also, we got a request to refund some deferred compensation and we have done this a couple of times for a retired employee. The money isn't in our coffers, but we are required to filter it through our coffers. They send us the money and we have to disperse it out so the retired employee can put it in his IRA properly. That is what the \$9,000 and the \$150,000 are for. Then also, also ask to just establish the advance out for the 208 which is where we will appropriate money in November to transfer back to general fund. *Motion by Gee/Second by Kovach to accept the report. Yeas All.

/LAW DIRECTORS REPORT: Law Director Graves advised as the Superintendent said working very hard on the Day Ditch project, a number of parcels there and doing some research back through the ages, trying to figure out various easements and transfers of ownership and moving forward with that project and we will keep you apprised of what is going on with that. He reviewed the legislation on the agenda. Councilperson Gee asked on Council#017, is there going to be conflict with neighbors? Law Director Graves advised I believe the Superintendent has been in communication with the property owners which would be known as the servient estate, the dominant estate is of course, the easement which is the City of Sheffield Lake. We will make sure that that easement is maintained and that it is put back exactly the way it is when he is done with the way it is now. *Motion by Erdei/Second by Kovach to accept the report. Yeas All. **CITIZENS COMMENTARY: None./UNFINISHED BUSINESS:** President Rosso advised everyone has a folder in front of them which contains hard copies of the 21 resumes that we have gotten for the Clerk of Council position. I would like you to go through them and at next Worksession, come back with your recommendations of who you would like to interview, so we can get it figured out and get it scheduled.

NEW BUSINESS: None.

ORDINANCES AND RESOLUTIONS:

Council#014 – EMERGENCY – an ordinance approving the recodification, editing and inclusion of certain ordinances as parts of the various component codes of the codified ordinance of Sheffield Lake, Ohio and the declaring of an emergency.

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

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

*Motion by Kovach/Second by Gee for ADOPTION:

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

Ordinance Passes#14-19

Council#015 – EMERGENCY – an ordinance to temporarily advance money from the general fund to the Roads Income Tax fund for current expenditures of the City of Sheffield Lake, Ohio 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, Cizl, Kovach, Erdei, Radeff, Gee, Wtulich.

*Motion by Kovach/Second by Gee for ADOPTION:

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

Ordinance Passes#15-19

Council#016 – 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 Gee for SUSPENSION OF RULES:

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

*Motion by Kovach/Second by Cizl for ADOPTION:

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

Ordinance Passes#16-19

Council#017 – FIRST READING – an ordinance approving the donation of services to repair storm water outfall and the declaring of an emergency.

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

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

*Motion by Kovach/Second by Gee for ADOPTION:

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

Ordinance Passes#17-19

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Council#018 – EMERGENCY – a resolution of the Sheffield Lake City Council supporting the submission of an application for Community Development Block Grant (CDBG) fiscal year 2019 funds for replacement of watermain and resurfacing of Community Road and the declaring of an emergency.

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

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

*Motion by Kovach/Second by Gee for ADOPTION:

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

Resolution Passes#18-19

Council#019 – EMERGENCY – a final resolution enacted by the Council of the City of Sheffield Lake, Ohio, hereinafter referred to as the legislative authority/Local Public Agency or “LPA”, in the matter of the S.R. 301 (Abbe Road) improvements project, as further described herein, and the declaring of an emergency.

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

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

*Motion by Kovach/Second by Gee for ADOPTION:

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

Resolution Passes#19-19

COUNCIL PRESIDENT: None.

MEETING ADJOURNED: With no further business before this council, *Motion by Kovach/Second by Gee 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

COUNCIL PRESIDENT

Rick Rosso

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 9, 2019.