

**MINUTES OF CITY COUNCIL  
SHEFFIELD LAKE, OHIO  
March 12, 2019**

The regular meeting of the City Council was held Tuesday, March 12, 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, Cizl, Kovach, Wtulich, Gee,  
Stark, Erdei, Radeff, Finance Director Smith, Law Director Graves

Attending: Videographer Nick Collanbine, Park Board Gee, Community Center  
Board Joyce Nicola, Concerned Citizens, Members of the Media

**READING OF THE MINUTES:**

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

**CORRESPONDENCE:** Monthly report of court receipts for month of February  
2019 - \$2,328.80.

**PRESENTATIONS:**

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**CITY COUNCIL REPORTS**

**Roads, Drains, Water, Sewer and Refuse:** Chairman Cizl reviewed the minutes of  
the March 4, 2019 meeting. Superintendent Hastings clarified it is a \$400,000  
project for which we have \$100,000 in grant money left. Mayor Bring clarified the  
Abbe Road project went from 1.4 million to 1.7 million dollars, not 4.2 million  
dollars. \*Motion by Kovach/Second by Gee to accept the report. Yeas All./

**Safety:**

**None./Buildings, Lands, Vehicles & Equipment:** Chairman Erdei reviewed the  
minutes of the March 5, 2019 meeting. President Rosso asked Dollar Tree is owned  
by Family Dollar and Family Dollar is closing hundreds of stores and part of them  
are going back asking for renegotiating leases, I didn't know if this was part of that  
or their lease is up. Law Director Graves advised our store used to be Family Dollar  
and with the corporate merger it became a Dollar Tree. So, that is a Dollar Tree store  
and their current lease term expires at the end of this year – December 31, 2019.

Their lease also provides for an option for another 5-year lease term. I have been  
talking with them about exercising that option and also, we can include in additional  
options and they seemed receptive to that. So, without going into too much detail,  
things are going well. President Rosso stated that is good, my statement was based  
on the article that I read and they are still identifying stores. They basically said that  
they were going to go to some lease owners and say, if you don't give me a discount  
on lease, I am closing your store. That doesn't appear our store, so I am happy.

Councilman Cizl asked I keep getting asked about the bowling alley? There was  
something about a recreation center? Mayor Bring advised we haven't had any

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communication's but I did have somebody email me the other day and they expected the contents to be a bowling alley and they wanted to reopen it and I told them no, unfortunately it is an empty building. We had a lot of other things going on and part of the reason that we broke off negotiations was that the city would have been involved with money. Some of the things that we did at Shoreway over there, right now we couldn't afford to do that. We have to get some other things before we move forward with that. He emailed about 3 months and still interested but there are other things that we are doing. Councilman Kovach asked at the bottom of the paragraph, it says we sent a plumber. I am assuming that is at Bellamy's Salon hot water tank? Mayor Bring answered no, it was a heating element. \*Motion by Kovach/Second by Gee to accept the report with correction of Dollar General to Dollar Tree. Yeas All./**Ordinance:** Chairperson Gee reviewed the minutes of the March 5, 2019 meeting. She advised we are leaving the driveway extensions on as it is getting closer to the time when we will be addressing that. We had a lengthy discussion on the International Building Code versus the Ohio Building Code and we will be looking more into that at our next meeting with the Law Director. Under new business, we discussed the fact that we have a 505 ordinance pertaining to dogs but we have one for cats. The City of Sheffield Lake a maximum of 4 dogs in a residential area. In other words, a homeowner cannot own more than 4 dogs. But it is hard for residents to find that because it is listed under zoning instead of being listed for pets. So, we are going to correct that to make it easier for residents to find, just like our cat ordinance is. We also discussed sidewalks as it was brought up to us and the Law Director is going to look into it to make it more residential friendly for people to understand it a little clearer. \*Motion by Stark/Second by Cizl to accept the report. Yeas All./**Finance: None./Council Representative to the Joyce Hanks Community Center:** Councilperson Gee advised our Monday morning coffee is still going great and we had a wonderful turnout last Monday. The Firemen stopped in and showed us their new equipment that they have received and that was really nice. We also scheduled for April 22<sup>nd</sup> a CPR class that will be held during our coffee time. Anyone wishing to participate, please come to us to sign up. Anyone just wanting to come and watch is also welcome. Once again this isn't just for senior citizens. We will be having on March 25<sup>th</sup> Captain Daniel Ashdown from the Lorain County Sheriff's Office who will be coming to answer any questions or address any questions that residents wish to talk to him about pertaining to the county sheriff's office. On April 8<sup>th</sup>, we will be having the Lorain County Probate Court Judge Jim Walther attending and he will be answering any probate questions. On April 22<sup>nd</sup> we will be having the CPR classes sometime between April 8<sup>th</sup> and April 22<sup>nd</sup> we will be having another guest speaker but that will be determine at a later date. Our next meeting for the Joyce Hanks Community Center is May 13<sup>th</sup> at 6:30 pm at the center and residents are always welcome to attend our meetings./**Council Representative to the Park Board: None./Representative to the Planning Commission: None./Council Representative to the Zoning Board of Appeals:** Representative

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Radeff reviewed the minutes of February 21, 2019 meeting.

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## ADMINISTRATIVE REPORTS

**MAYOR/SAFETY: None./SUPERINTENDENT'S REPORT:** Superintendent Hastings advised I just want to report briefly that our grant for our trail for the covered bridge to the Boat Launch passed the final hurdle which is the Board of Directors at NOACA. So, I expect to be contacted soon as I was made aware of its approval. That will include that trail as part of the TLCI grant and enhanced crossing between the Library and Boat Launch on Lake Road. The city is the first to receive any funding on implementation out of that \$86,000.00 study so I am pretty happy about that. We do have 6 pumps running now as part of the conversion to all of the pumping and computer equipment. All of the other projects, I think I have updated in our committee meetings. President Rosso asked is the pump station at Shell Cove done now? Superintendent Hastings answered it is pumping with new pumps, we still have computer controls to put in that we can monitor and control them remotely. They are bypassing now on Lake Road which is why you see all those pipes, they have to prevent the sewage from entering the station. Meanwhile, they take everything out and everything in. So, that bypass operation runs everything on the surface up to top the top of the hill where then gravity takes over. That will be done hopefully, by the end of this week.

Councilman Erdei asked are the computers hooked up on Devonshire?

Superintendent Hastings answered no skate equipment is hooked up. Our primary goal is the operation of the pumps. There is a lot of fine tuning because these pumps don't shut on and off like the old ones. They are constantly in motion from RPM's high to low and that is a lot of fine tuning. Once, that is in place then the computer software is incorporated. \*Motion by Kovach/Second by Gee to accept the report. Yeas All./

**FINANCE DIRECTORS REPORT:** February 2019 balancing report is attached./

**LAW DIRECTORS REPORT:** Law Director Graves reviewed the legislation on the agenda. Clerk Fantauzzi took a moment to get the pay ordinance for the part-time backup Clerk legislation. \*Motion by Kovach/Second by Stark to accept the report. Yeas All.

## CITIZENS COMMENTARY:

**Lois Hunsucker, 631 Sunset** stated in 6 years my neighbor moved in south of us, Pat Hastings and Rocky Radeff are the only two people that have ever tried to help us with our problem which has been continuous since they have lived in that house. I have got many photos here of burning in their backyard. They have totally disrespected our property and they use it for anything whenever they choose to. They have a small dog and it has now gone after my 11-year old grand-daughter twice. When the Police came the first time, he denied it and said his dog wasn't outside and the second time, the dog was just recently charging after her and we called the Police again and they said that it is his word against mine. You know, that 11-year old girl who is petrified now to get the mail anymore because he stands right there with the dog on the porch trying to attack her. The Police said do

you have pictures and I said no, because it happened so quickly but he stood out there while that dog was trying to get my grand-daughter. I have many pictures here if you want to send them around. When our ditch was in front of our house and my husband was alive, he had it filled in. I have got pictures where they continuously drove over top of it right through to get into their driveway because they were too lazy to go down and pull into the driveway. So, there are pictures here of all of their tire tracks going into it. Then we just had so many problems and my husband and I went to Mr. Hastings and he was the only one who would help us because it didn't matter who we called they said there was nothing that they could do. I asked the Police one time because their yard was filled for months of trash from their home and it was a total mess. I called the Police and I said isn't that littering, isn't there anything you can do because on windy days it would all go into my yard and I had to go clean it up. The Police said no, it is their yard and they can whatever they want to with it. Well, that aggravated me and made me so mad that I went to the Village Police and asked them and they said it is against the law for anybody to throw trash in their yard. So, I am not getting any help with anything and this man just goes on and on and on. So, Mr. Hastings gave us permission to put the fence up along the side to keep all the trash in his yard. Well, now he uses to teach his kids how to crawl on top of it and then they jump into his arms. I called State Farm and asked them if those babies were to fall off that fence, am I going to be responsible? They said yes and I said well, wait a minute and they told me no, it is your property. So, I went over there and asked him to stop putting his children on that and he just flips me off. She continued right after it was installed, he was out there with his knife and had gouges all over it. Here is pictures of his dog that just continuously goes in our yard to do his business and there are pictures where he just goes all over the whole neighborhood. When the dog is done, he goes home and they let him in the house but he tells the Police that he doesn't let his dog run free. This is where we had a sidewalk that ran on the side of the house and she advised he had a brother or somebody living there, so they used to drive and park their car in there. So, we were told to put rocks there, so at night they go out and pick up rocks and throw them into our yard to pull the car in. She advised before her husband passed that he was very sick and could not even sit on the back porch because they burned fires so bad he couldn't breath. She added these fires were high and he burned a tree down in the lot next door to him, that is how high the fires. All that smoke and they would all sit out there and all smoke their marijuana and it would gage him so bad that he couldn't even sit on his own back porch to even enjoy the weather. The Police certainly won't help us. She continued with previous problems of them driving through front yard and Pat allowed them to put a rock on that corner. Mayor Bring advised I have not heard anything about this and identified the property of the neighbor as south of her. She relayed the best thing you could ever do was make all driveways concrete because of the gravel issue during snow plowing. Mayor Bring advised unfortunately with the Police, they do have to catch them. When they start burning the fires again, call

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the Fire Department and the first time they give a courtesy warning but after that they cite them. I will talk to the Police Chief about the harassment going on and we do have a Property Maintenance Officer that you can contact.

Rosina Castillo stated she has a concern about the road by Easy Transitions, I think that is Community Road. When they have their sales, they have got a lot of big trucks and vans parked against there. They blew their horn at me because I guess I cut him off. I was at the stop sign and took a right and he was right there on his horn, I didn't see him come around the corner there. Mayor Bring stated the next time they have an auction, I will have the Police go over there.

***/UNFINISHED BUSINESS: None.***

***NEW BUSINESS:*** \*Motion by Kovach/Second by Gee to amend the agenda to include Council#010. ROLL CALL TO AMEND THE AGENDA: Yeas All – Radeff, Kovach, Wtulich, Stark, Gee, Cizl and Erdei.

President Rosso requested an executive session after legislation regarding hiring of a public employee

### **ORDINANCES AND RESOLUTIONS:**

Council#008 - EMERGENCY – an ordinance amending section 115.04 of the codified ordinances of Sheffield Lake regarding back-up Clerk of Council and the declaring of an emergency.

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

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

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

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

#### **Ordinance Passes#8-19**

Council#009 – EMERGENCY – a resolution approving the use of submerged lands at 4949 East Lake Road, 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 – Radeff, Erdei, Kovach, Cizl, Wtulich, Gee, Stark.

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

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

#### **Resolution Passes#9-19**

Council#010 – EMERGENCY – an ordinance establishing the rate of pay for the position of part-time back-up Clerk of Council 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, Stark, Gee, Erdei, Cizl, Radeff, Kovach.

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



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

**Ordinance Passes#10-19**

President Rosso advised as Council is aware, several weeks ago Kay submitted her resignation to the Full-time Clerk of Council. So, the first thing we need to do is entertain a motion to accept her resignation effective at midnight tonight March 12, 2019. \*Motion by Kovach/Second by Cizl to accept the resignation of Full-time Clerk of Council Kay Fantauzzi effective at midnight tonight. ROLL CALL FOR ACCEPTANCE: Yeas All – Erdei, Cizl, Stark, Gee, Wtulich, Kovach, Radeff.

President Rosso advised I would like to submit Kay Fantauzzi for the position of part-time backup Clerk of Council/Committees effective tomorrow morning. He advised Kay is going to help us out until we can get a permanent replacement in place as we have all talked about.

\*Motion by Kovach/Second by Gee to approve the appointment of Kay Fantauzzi as part-time, backup Clerk of Council/Committees effective tomorrow March 13, 2019. ROLL CALL FOR APPROVAL: Yeas All – Radeff, Wtulich, Stark, Cizl, Kovach, Gee, Erdei.

Mayor Bring advised since we do have an opening for the Police Department for a Full-time Dispatcher, so I would like to submit Kay Fantauzzi for that. Before I do that though, I would like to thank Kay for the very hard work that she did for all these years.

\*Motion by Gee/Second by Kovach to approve the appointment of Kay Fantauzzi for Full-time Dispatcher for the City of Sheffield Lake Police Department.

ROLL CALL FOR APPROVAL OF THE APPOINTMENT OF KAY FANTAUZZI AS FULL-TIME DISPATCHER FOR THE CITY OF SHEFFIELD LAKE POLICE DEPARTMENT: Yeas All – Cizl, Erdei, Radeff, Wtulich, Gee, Kovach, Stark.

President Rosso request an executive session for the discussion of hiring a public employee.

\*Motion by Kovach/Second by Gee to go into a brief executive session for the hiring of a public employee.

ROLL CALL TO GO INTO AN EXECUTIVE SESSION FOR THE HIRING OF A PUBLIC EMPLOYEE: Yeas All – Stark, Radeff, Erdei, Gee, Cizl, Wtulich, Kovach.

\*Motion by Kovach/Second by Erdei to return to regular session.

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

Law Director Graves advised let the record reflect the City Council of Sheffield Lake did adjourn into executive session for the discussion of the appointment of a public employee.

**COUNCIL PRESIDENT: None.**

**MEETING ADJOURNED:** With no further business before this council, \*Motion by Kovach/Second by Erdei to adjourn at 8:27 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**

*Rick 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 March 12, 2019.