

**MINUTES OF CITY COUNCIL  
SHEFFIELD LAKE, OHIO  
March 26, 2019**

The regular meeting of the City Council was held Tuesday, March 26, 2019.

Council President Richard Rosso called the meeting to order at 7:03 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, Wtulich, Gee, Stark, Erdei, Radeff, Finance Director Smith, Superintendent Hastings

Absent: Councilman Cizl, Law Director Graves

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

**READING OF THE MINUTES:**

**Council** - \*Motion by Kovach/Second by Gee to accept the minutes of the March 12, 2019 meeting with any noted corrections. Yeas All.

**Council Worksession** - \*Motion by Kovach/Second by Gee to accept the minutes of the March 19, 2019 meeting with any noted corrections. Yeas All.

**CORRESPONDENCE: None.**

**PRESENTATIONS:** Mayor Bring submitted Carolyn Brown for the position of part-time Dispatcher for the City of Sheffield Lake Police Department. \*Motion by Kovach/Second by Gee to approve the appointment of Carolyn Brown for the position of part-time Dispatcher for the City of Sheffield Lake Police Department.

**ROLL CALL FOR APPROVAL:** Yeas All – Radeff, Wtulich, Stark, Kovach, Gee, Erdei.

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**CITY COUNCIL REPORTS**

**Roads, Drains, Water, Sewer and Refuse: None./Safety: None./Buildings, Lands, Vehicles & Equipment: None./Ordinance: None./Finance: None./Council**

**Representative to the Joyce Hanks Community Center:** Councilperson Gee advised the addition is coming along very nicely and soon we will be doing more inside that area. We had our senior coffee last Monday and almost 30 people attended which was very well attended. We had the Lorain County Sheriff's Office that was there speaking. Our next Monday morning coffee is this coming Monday at 9:30 in the morning. We are hoping to have our Police Department there to speak. Our next meeting for the Joyce Hanks Community Center is May 13<sup>th</sup> at 6:30 pm at the Joyce Hanks Center.**/Council Representative to the Park Board:** Member Kovach reviewed the minutes of the March 18, 2019 meeting.**/Representative to the**

**Planning Commission: None./Council Representative to the Zoning Board of Appeals: None.**

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## **ADMINISTRATIVE REPORTS**

**MAYOR/SAFETY:** Mayor Bring reported we put the new pumps in our pump stations and at Shell Cove over there, the little hip roof we have on the pump station made for a difficult time of the putting the pumps in and they had some special equipment. They suggested that we raise the roof on that a little bit so that is something that we are going to have to look at this summer and put a new roof on. We did have a meeting with Republic, our refuse supplier for that where we talked about a 7-year contract and things look pretty favorable. Nothing is cut in stone for that and when David gets back from vacation and the 4 of us will sit down and talk about it. Then we will bring it to you guys, it looks pretty good overall. This is just a reminder because during the summer it is going to be difficult but 301/Abbe and Harris Road are going to be closed about the same time for a good portion of the year. Just want to keep warning people about that, so put the word out. People are going to be surprised and will be screaming at us but once it is done, we won't have to touch these roads for 25 or 30 years. This year is not going to be a fun year. Councilman Radeff asked this is starting in April right? Superintendent Hastings answered no, the bidding is in April and it will be most likely July. \*Motion by Gee/Second by Kovach to accept the report. Yeas All.

**/SUPERINTENDENT'S REPORT:** Superintendent Hastings reported as the Mayor mentioned about the pump stations, we are about 95% complete on all equipment. We have the SCADA and some flow meters stuff going in to finalize that but as a result of that the supplier did invoice the project. That total invoice was \$391,000.00. However, the city does have the legal right to hold retainage on that which we did. We are holding that until we are fully trained and we realize that all the pumps and everything is functioning properly. So, as a result of that, we are going to hold the retainage. I did work with the Finance Director and we are funneling that money through the city which I believe is for your consideration on an appropriation change but that is the reason why. As far as money, I also wanted to comment on SR301, as I have explained through the process we do have quite a bit of funding sources. Real quick, the Transportation Improvement District was a quarter million/ODOT Urban Paving was \$150,000/another Jobs and Commerce grant was a quarter million/just about a quarter million in OPWC. All of that coming to the city's local share which is going to come in at just over a quarter million. I just want to keep the Council apprised of that and I will again work with the Finance Director on producing those funds to ODOT. That is in the bidding and scheduled to open mid-May. The other final quick comment that I have was regarding Republic Service, we had received notification that Lakewood Beach had received the notice to move all of their cans on the dead end to the east side of the street. One of our Councilmen who is not here this evening of course lives there and he had been receiving calls and we had been receiving calls. The reality is that was all conducted through Republic Services. The city did not initiate that nor can we change it. So, I just wanted to go on public record with the idea that when these residents are calling us to resolve this problem that I don't really have

the latitude to do so. The reality is that half that street is already putting out the cans on the east side and now they want those who are on the west side to share that side of the road so that they are only going down the street once. President Rosso asked what about every other dead-end street. Superintendent Hastings advised a lot of them do it on a single side, so it is not unusual. President Rosso asked in our city, a lot of them are doing it on a single side? Superintendent Hastings answered yes, like all of the Knolls; the 13 dead-end streets over there are all on the same side because the garbage truck obviously can go in and out and he is gone. But if he has to do it on both sides, he is in and out four times. I understand the logic behind it but I understand the residents in that neighborhood are not happy but this is a function of Republic. President Rosso asked so it is not part of our contract? Superintendent Hastings answered no. President Rosso asked is Lakewood Beach residents the only ones to call and complain? Superintendent Hastings answered they are the only ones that have had a notice, many of the other dead-end streets have already been doing this practice. Lakewood Beach on the dead-end is probably better than a thousand feet long, so it is substantial. President Rosso stated probably the same as Devonshire and Warwick is a dead-end, that is a thousand feet. Do they do it? Superintendent Hastings answered well, Warwick – that BFI truck can actually turn around at the Warwick building because there is a drive around that entire building. At Lakewood Beach, there is no possible way to turn around. I haven't personally gone out and surveyed every dead-end street but in my travels I have most certainly noticed a single side. So, it is not unusual. President Rosso clarified so the issue is they can't turn around. So, they would go down, back up and turn around and repeat. Superintendent Hastings answered right, logically it make sense and actually less wear and tear on our roads but the residents complain that it is not possible to put it out on the east side of the road. I am a little confused by that because of the 35 plus houses that are doing it, so it is possible as you are just sharing the space. Councilman Erdei stated I got a call from Mike Meno and where is at that is a big declining ditch right there. So, what is he supposed to do? Superintendent Hastings answered you would sit it on the side of the road along with the 8 houses that are on that side of the street do. Admittedly, it is on the berm of the road but that is the only option. Mayor Bring advised during our conversation with Republic, we have had a couple of residents talk about 2 cans and one gentleman in particular where they are only picking up 1 can but he is only paying for 1 can. If you have 2, that policy has changed over a year ago and you have to get that directly through Republic with a credit card. So, if you have 2 blue cans, you have to pay for the other one through Republic direct. President Rosso pointed out, when we signed that contract years ago that was encouraged, you know if you need 2 cans then we will give you 2 cans. Mayor Bring advised we did discuss that and the Law Director talked to them and they said that has changed and it is null and void. President Rosso stated if we have a contract, how could it be null and void if we didn't vote on an amendment. I know these are all questions for David but you know 2 months ago, they were hey, we

are going to change your bulk day and we are going to do this and not tell you. Mayor Bring advised things are changing and David said he thought it would be grandfathered in and Mr. Kidder from Republic said no, that is absolutely not true. There was a brief discussion on the contract. Councilperson Stark asked since we are closing Harris and closing 301, where are rerouting traffic because we already have speeding on Irving Park and a couple of other roads. Mayor Bring advised if somebody is speeding, I will have the Police sit there and pick them up. You have Lake Breeze and several other side streets and obviously you got Miller Road. He advised Bay Village is closing their Lake Road for 7 months. Things have to be done and there is nothing that we can do about it. Superintendent Hastings advised we will maintain traffic, on SR301 it will be northbound only. Mayor Bring advised I keep saying closed but it will be closed to through traffic. Councilperson Gee asked now that the weather seems to be getting a little bit better, how is the patching on the roads coming? Superintendent Hastings answered good and we are actually hopeful that the hot-mix plant will open soon. We are currently putting a lot of force on the storm sewer on Buckeye. We emptied out our cold mix supply, I can get more but we are trying to wait a week or so. I mean the cost is double for cold mix and it doesn't last. Our roads are not terrible, there are a few potholes but we have swept the city throughout the winter. Councilperson Gee asked if a resident has a complaint about a pothole, should they contact their Councilman or contact the Service Department directly. Superintendent Hastings answered I would certainly welcome them to call us directly. Councilman Erdei stated I stopped into the Community Center last Friday, with all those big windows and everything, it is really going to be nice. \*Motion by Gee/Second by Kovach to accept the report. Yeas All./**FINANCE DIRECTORS REPORT:** Finance Director Smith reviewed the appropriation ordinance with a couple of changes that were not anticipated in the original budget which is due to tap-in work for a business coming into the city which they have paid the fee, I just wanted to reimburse the materials and supplies to keep it where it should be in that line. As Superintendent Hastings mentioned, the OWDA funds which we weren't anticipating would filter through the city did come through. We already have the money, I just need to appropriate it so we can pay the contractor as needed. \*Motion by Gee/Second by Kovach to accept the report. Yeas All./**LAW DIRECTORS REPORT: None.**

**CITIZENS COMMENTARY:**

**Gloria Dossa, 767 Grantwood** stated what can be done about that house over there on Lake Road next to Brownie's by the Laundromat? Mayor Bring answered I am going to have the property maintenance officer send them a letter. We actually have a few more of those. Mrs. Dossa stated I will be contacting the Service Department about a tree that fell across the street but I get it all in my yard. She stated they are really making progress down there at the center.

**Carolyn McMillan, 407 Buckeye** stated I see that they are replacing pipes, am I understanding that it is storm sewer pipes? Superintendent Hastings answered yes. Mrs. McMillan continued is it going to continue down Buckeye to Lake Road all

the way? Superintendent Hastings answered no. Mrs. McMillan asked is there going to be something in the future to do so? Superintendent Hastings answered we are considering it, I mean that street is climbing on the road list for paving. So, the city would certainly want the drainage to work. In the case of where we are now, there is no pipes there, it is always standing water for many decades as you probably know. Mrs. McMillan stated there are also issues further north of me at the house where I used to live which was 371 Buckeye where the water backs up into Mr. Sadler I think. Superintendent Hastings answered I am aware of that problem. Mrs. McMillan stated because of the issues, neighbors and I have gotten together because of the water that would sit in the back which she explained her problem as well as neighbor water issues. Her question was what about out aprons, cars go over it. Superintendent Hastings stated that is included and if the city removes it then we would restore it. She asked even if it is blacktop?

Superintendent Hastings answered yes. Mrs. McMillan continued we have old tie-in's, the one that I am talking about the one that goes out to the ditch to keep our houses from flooding because of the low land behind it as there used to be a ditch many years ago. I can't remember what it was called but there was a ditch back there on the land, it used to be a culvert because it was all farm there before. The water comes up there and comes our way. If you put new storm sewers in, what can you do with our water that is coming from the other way in, is it just going to flood or are we going to be able to tie-in? Superintendent Hastings asked do you have drains there now, I mean solid pipes going out to the ditch or just swales? Mrs. McMillan answered solid pipe. Superintendent Hastings advised solid pipe can be connected, we mark what we see and certainly if you are aware of ones that are not visible. It sounds like you are well versed, but some people aren't, then they are absolutely tied in. Mrs. McMillan asked what about the ones from our downspouts that we have there from our backyards? Superintendent Hastings answered anything that is out in the public right-of-way is connected in and then we try to put a surface drain up that you can lift the lid and see into it as well as clean it.

**UNFINISHED BUSINESS:** Councilperson Gee stated with property maintenance getting close to starting, is there anything that is going to be done about trees on rental property? I have received quite a few calls throughout the city, from giant limbs being dead to trees on rental properties next door to residents.

Superintendent Hastings answered I would defer that to our Building Department and perhaps our Mayor to comment as it is not a function of my office per se.

Mayor Bring advised we have been working with that for probably the last three years now. We have been sending letters out and some people are complying and some people aren't. We have discussed this with the Law Director and we have had numerous stuff. You can't actually force somebody to do something about that but after a few notifications, if something happens and the insurance company knows about it then they are going to be out of pocket versus the insurance company. He has been notifying quite a few people on that stuff, whether it is



residents or rental property, homeowners and some are out of state. But we have gotten quite a bit done and there is still a lot more. These last couple of wind storms, if you walk down the bike path, all those dead ash trees and you have probably seen some of those. We have still got a lot that are still standing up and are going to blow over yet too but slowly we will kind of accomplish this. It has been difficult and we have had a lot of letters sent out and then we get no response. It is just tracking everybody down and it takes month's but we are doing it.

**NEW BUSINESS:** Councilman Erdei asked how is that Day Care coming along? Superintendent Hastings answered they actually requested an appointment with the city on Monday however I was off. So, I have to follow through with them this weekend. I will be able to report for the next meeting for sure. They are working with the State of Ohio and the county now. They are at that level of the approval process.

Councilman Radeff asked now with the new Building Department, are we in the process of actively citing people for building code violations or housing code? I have had complaints about a couple of separate houses. Mayor Bring asked who considered them housing violations? Councilman Radeff stated I am not saying they are housing violation's; I am saying are we actively looking to see if there are housing violations? Mayor Bring stated is the Building Inspector going out, yes absolutely and he has caught several people. As a matter of fact, he is probably do some Saturdays and a couple of other days, kind of move his days around so that he is here at different times. But he has caught quite a few people and when I say catch people, it is just the fact that they haven't pulled a building permit. We are not going and fining these people, we are going and saying you did this and you have to correct it, you got to get your license and you have to do this or that. So, if we go back there again and they don't do it then we double their fees. For the most part, I go around on weekends and I will inform him and he goes back and we have the Police Department also looking at that too. We do miss a few here and there but overall, I think we do pretty good. President Rosso asked if I saw a house that I think had a violation, I really don't know if it does or doesn't. I could call the Building Inspector and just say hey, I think this house has a violation and when he gets a chance he will go check. Mayor Bring advised absolutely, you don't even have to give your name or anything else. Just give an address and let him do it. If you want to call me then I could pass it along.

### **ORDINANCES AND RESOLUTIONS:**

Council#011 - EMERGENCY – a resolution authorizing the Mayor to enter into a first amendment to the lease agreement with Katie Aycock and Bellamy Salon, LLC for the premises located at 4118 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, Kovach, Wtulich, Stark, Gee, Erdei.

*Council March 26, 2019*

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

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

**Ordinance Passes#11-19**

**Council#012 – EMERGENCY** – a resolution authorizing the City of Sheffield Lake, Ohio to participate with the Ohio Department of Transportation for the purchase of road salt for the 2019-2020 winter season, and the declaring of an emergency.

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

Councilman Erdei asked Superintendent Hastings how much salt do we have actually in the bin? Superintendent Hastings answered currently we about 350 tons and we are 350 tons short of meeting our minimum order due to a mild winter. So, the Mayor and I have been recently discussing on bringing it in and tarping it over. Otherwise, we would pay an adsorbent storage fees and we have been now facing this for two or three years in a row.

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

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

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

**Resolution Passes#12-19**

**Council#013 – 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, Stark, Gee, Erdei, Radeff, Kovach.

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

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

**Ordinance Passes#13-19**

**COUNCIL PRESIDENT: *None.***

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

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CLERK OF COUNCIL/COMMITTEES  
*Kay Fantauzzi*

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COUNCIL PRESIDENT  
*Rick Rosso*

*Council March 26, 2019*

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 26, 2019.

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MAYOR  
*Dennis Bring*