**MINUTES OF THE CITY COUNCIL**

**SHEFFIELD LAKE, OHIO**

**April 28, 2020**

This regular meeting of the City Council was held Tuesday, April 28, 2020.

Council President Richard Rosso called the meeting to order at 7:04 pm.

**\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*ROLL CALL OF MEMBERS\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\***

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

Absent: None.

Attending: None.

**READING OF THE MINUTES:**

***Council -*** \*Motion by Kovach/Second by Gee to accept the minutes of the April 7, 2020 meeting with any noted corrections. Yeas All.

**CORRESPONDENCE:** Monthly court receipts for the month of March 2020- $3,686.27.

**PRESENTATIONS**: None.

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**CITY COUNCIL REPORTS**

***Roads, Drains, Water, Sewer and Refuse:*** None. **/*Buildings, Lands, Vehicles & Equipment****:* None. **/*Ordinance***: None. /***Safety:*** None./***Finance:*** None. **/*Council Representative to the Joyce Hanks Community Center:*** None. **/*Council Representative to the Park Board:*** None. **/*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 reports none of the surrounding cities including us are going to be able to escape this stuff happening. We are all losing money. We have been doing Zoom meetings with other Mayors and it is going well. All of us are in conversation about what is going on and financially how big the hit is. Each city depending on their size are taking a larger hit than some of the smaller cities. It is affecting us all. We don’t anticipate laying anybody off. We are going to bring back our staff May 4th, we have been rotating everyone. We will then be doing a lot of the needed projects that we haven’t been able to do because of lack of manpower. Elyria, I know has been talking about layoffs. So far, they have been hit with 1.8 million dollars. Avon is around 1.5. There are some large numbers. We are not in that category yet although a few hundred thousand dollars is still a lot of money to us. There are a few projects we are looking at. One of these is the refurbishing of the ambulance. We are not going to do that this year. I know the Fire Chief is upset, but I would rather not do that and keep employees. Also, there was some talk of the radios and legislation on that. We had a meeting this morning and a couple of the cities are not going to move forward on that right now. If something does change, then we will move forward. If we do commit to that, then we have $38,000 we have to commit to right away, then there is another $100,000 after that, in stages. That would be before the end of the year. So, right now we are going to put that in hold. We will have another meeting on that in July and discuss it more. Obviously, we don’t want to risk safety, but we can get by. The total numbers of cases for our city has been 10 people. From listening to the Governor yesterday and not having a determination of when these businesses are going to open, it’s going to hurt us even more. There seems to be no end in sight. I talked to the school superintendent and they are getting mixed signals as well. They may not even open the schools in the fall, we don’t know yet. I will try to keep you informed as much as possible. Councilman Erdei asks are we still going to have Community days? Mayor Bring replies that will probably be determined by the Governor. If it was today, I would say no. We had to cancel most stuff at the Civic Center as well. Councilman Kovach states I have not cancelled yet, but I find it will be extremely hard to have social distancing in an area like that. I called the health department and they are referring to the state. I called the State and they don’t have an answer yet. Mayor Bring states I know Mr. Hastings has called the state on a several things and they are not being very nice to us. We need answers. We are trying to run a community. I know everyone was having a cow over bulk pickup and there’s nothing we can do, but we were able to correct it. Actually, Mr. Bradley in Lorain, by threatening them, was the one who spearheaded this and got this going. If you want to thank anyone for that, he is the gentleman that made Republic go back and do the bulk pickup. If you do it for one, you do it for everybody. They did not finish the pickup today. They did call and say they would go back and finish, but they were overwhelmed. Councilman Cizl states you mentioned the radio station delay, are you pulling that from the agenda then? Mayor Bring replies Council can table it if they want. Law Director Graves replies at this point, if you just want to table it, I think that would be appropriate. That way it will still be on the radar, but you wouldn’t have to take any action on it until such time as all five communities felt it was appropriate. Mayor Bring states if it comes back on, instead of doing three readings you could always do it as emergency. There are things we can do. President Rosso states if Davis feels the right thing to do is keep it on and table it, then that is what we will do. Then to your point, if it gets to the point where we can do it, we will untable it and move forward. Law Director Graves states I think all five communities are on the same page. It is definitely something that is needed, it’s just in light of the finances, everything has been kind of stopped. Councilman Radeff asks what is it used for? Public service announcements? Mayor Bring replies those are the radios the Fire dept. uses to communicate with each other and other cities. Throughout the years there have been different types of radios, etc. They get outdated and then there has to be new towers and things. We did out a new tower up. Sometimes when they went in buildings and such, they could not hear each other, so they changed that system. Law Director Graves states to remind everyone, the first step of this was to enter into the agreement with Avon Lake and Gatchell grant resources to write the grant for the actual radios. We did do that, and the grant application is out there. I don’t know if they are going to do the grant at this point. This is to actually put the system in place. \*Motion by Gee/Second by Erdei to accept the report. Yeas All. /***SUPERINTENDENT’S REPORT:*** Superintendent Hastings states Republic will be back tomorrow to finish bulk pickup. As far as our projects, the TLCI connector will start May 11. This was federally funded through grants and already in place. The Mayor and Council also authorized, and we did secure the contract for some of the interior road paving. This is tentatively scheduled for May. The bad news, about $2.5 million in projects are not being funded right now because the legislature has not passed the state capital budget. That includes quite a few grants we were awarded as well as 0% interest loans. This is projects like Irving Park waterline, Community Rd. waterline and the paving associated with it. It includes ODNR projects, the Lincoln Nature Trail. The state has a website that I monitor daily and they are having difficulty not knowing, the uncertainty. We are bidding out Irving Park as we speak with the caveat that the city just will not award the bid if we do not have funding in place by July. It doesn’t look good. The Mayor had me continue the process of replacing the generator system that controls city hall and safety services. It is over 30 years old. We were awarded that grant today. That should be done by the end of June. It was a $45,000 investment. \*Motion buy Kovach/Second by Gee to accept the report. Yeas All. /***FINANCE DIRECTORS REPORT***: Finance Director Smith reports on the agenda tonight is an increase to capital improvements to assist with the possible selling of the shopping center. This is breaking off the bowling alley, which we will retain. We probably will not use all that money; I just want it in place. I have been in email contact with regional income tax and we are probably going to lose between $230-250,000 from people being laid off. We won’t see the real damage until next year’s budget. It will be very conservative. There’s probably over a million dollars that will be waylaid. That’s taxes we will get eventually, but they won’t come in at the same rate that they have been. We will see a cut in local government for the roads. Permissive tax will be waylaid because none of the BMV offices are open, so no one is getting plates. We are being extra careful. There won’t be any purchases of new equipment, etc. Mayor Bring states the good news is the equipment we have has been upgraded quite a bit. Everything has been serviced and good. Plus, the lack of snow gave us additional salt and we didn’t abuse the snowplows or pay a bunch of overtime for plowing. Finance Director Smith states on a good note, we did get or BWC funds that we paid in 2018. We got a full refund, over $40,000. Councilman Erdei asks does that go into the general fund? Finance Director Smith replies partially. It goes back exactly how it was paid out; water, sewer, roads, etc. Councilwoman Stark asks there have been rumors of the rainy day fund from the state opening up, has anyone talked about them releasing that to local governments? Mayor Bring states the only place in Ohio that got anything was Columbus. Finance Director Smith states nothing yet. Law Director Graves states I recently read a legislative update and unfortunately local governments have really been left out. \*Motion by Erdei/Second by Gee to accept the report. Yeas All. President Rosso states Mrs. Smith, for the time I have sat up here, year after year you have done a fantastic job. We have never really felt a huge negative impact. It makes our lives a lot easier. You have kept us fiscally responsible. Finance Director Smith replies with the help of the Mayor, we implemented a plan many years ago. I said let’s buy a police car every year, instead of spending $40,000 to maintain a fleet of junk. Then you rotate. Now, we can actually delay a little on getting a new one. /***LAW DIRECTORS REPORT:***  Law Director Graves states we ask that the legislation for the five-city radio be tabled. You also have the legislation for the appropriation. I would like to bring to Councils’ attention, an advisory opinion that just came down April 17 from the Ohio Ethics Commission. This is in regard to disclosure of communications received during executive session. To summarize, Ohio revised code 102.03(b) does prevent any public official or employee from disclosing any information that is acquired in the course of your official duties that is confidential because of statutory provisions, or that has been clearly designated as confidential. The use of executive sessions does not by itself create confidentiality. However, if the majority of the body votes that it meets one of these statutory reasons for executive session and the communications there are designated as confidential, disclosure of that information can be considered a criminal offense. It is a first-degree misdemeanor which is punishable by up to 6 months in jail and a $1,000 fine. This does not prohibit coming out of executive session and then having a discussion on the record of matters in the executive session or passing legislation discussed in executive session. Councilman Wtulich asks is there an update on the sale of the shopping center? Law Director Graves replies the phase one environmental study was completed. One of the things they were concerned about was the former dry-cleaning business. Apparently, these are red flags due to some of the chemicals used in the process. We have now proceeded to phase two and hopefully everything comes back clean. The last word we received was we are pretty much there with the purchaser. \*Motion by Gee/Second by Kovach to accept the report. Yeas All.

***CITIZENS COMMENTARY:*** None.

***UNFINISHED BUSINESS***: Superintendent Hastings states the telecommunications group did recently reach out about the tower placement at Ferndale Park. I will be talking to the Mayor about potentially bringing that for your approval to put out a bid for the lease of the property. Councilman Erdei asks are they going to build a new tower or use the water tower we have? Superintendent Hastings replies build a new one and then we would arrange for additional space to allow the existing on the tower now, T-Mobile, to move.

***NEW BUSINESS: \****Motion by Kovach/Second by Cizl to add Council #020 to the agenda.

ROLL CALL TO ADD COUNCIL #020: Kovach, Cizl, Wtulich, Stark, Gee, Radeff, Erdei. Yeas All.

**ORDINANCES AND RESOLUTIONS:**

COUNCIL #019- FIRST READING – A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF SHEFFIELD LAKE, THE CITY OF AVON, THE CITY OF AVON LAKE, THE CITY OF NORTH RIDGEVILLE AND THE VILLAGE OF SHEFFIELD TO ESTABLISH A 700 MHz 5-CITY REGIONAL RADIO SYSTEM AND THE DECLARING OF AN EMERGENCY.

\*Motion by Kovach/Second by Gee TO TABLE COUNCIL #019.

ROLL CALL TO TABLE COUNCIL #019: Gee, Kovach, Wtulich, Stark, Erdei, Cizl, Radeff. Yeas All.

President Rosso asks Law Director Graves does the original person who makes the motion to table it, have to make the motion to untable it? Law Director Graves replies no, any member of council can do it.

COUNCIL #020- EMERGENCY- AN ORDINANCE PROVIDING FOR THE ESTABLISHMENT, INCREASE AND/OR 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 THE RULES

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

\*Motion by Kovach/Second by Gee FOR ADOPTION

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

***Ordinance Passes #19-20***

**COUNCIL PRESIDENT**:

**MEETING ADJOURNED**: With no further business before this council, \*Motion by Kovach/Second by Erdei to adjourn at 7:37 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 COUNCIL PRESIDENT

*Brandy Randolph* *Rick Rosso*

I, Brandy Randolph, 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 28, 2020. MAYOR

 *Dennis Bring*