

**MINUTES OF THE CITY COUNCIL
SHEFFIELD LAKE, OHIO
October 13, 2020**

This regular meeting of the City Council was held Tuesday, October 13, 2020. Council President Richard Rosso called the meeting to order at 7:00 pm.

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

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

Absent: None.

Attending: None.

READING OF THE MINUTES:

Council - *Motion by Kovach/Second by Gee to accept the minutes of the September 22, 2020 meeting with any noted corrections. Yeas All.

CORRESPONDENCE: President Rosso states we have the liquor license renewal. If anyone has any concerns, comments or opposition, now is the time to say. *Motion by Kovach/Second by Gee that council does not have any objections to the liquor permit renewals in the city. Yeas All.

Monthly court receipts for the month of September 2020-\$4,053.70.

PRESENTATIONS: Mayor Bring submitted Tom Carlton for a one year term for the positions of Chief Commercial Building Official, Commercial Building Inspector, Commercial Plumbing Inspector, Chief Residential Building Official, Residential Plans Examiner, Residential Plumbing Inspector and Backup Residential Building Inspector and Tim Golden for a one year term for the positions of Backup Chief Commercial Building Official, Backup Commercial Building Inspector, Commercial Electrical Inspector, Backup Chief Residential Building Official, Backup Residential Plans Examiner and Residential Electrical Inspector.

*Motion by Kovach/Second by Gee to approve the appointment of Tom Carlton.

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

*Motion by Kovach/Second by Gee to approve the appointment of Tim Golden.

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

CITY COUNCIL REPORTS

Roads, Drains, Water, Sewer and Refuse: Chairman Wtulich reviewed the minutes of the October 5, 2020 meeting. *Motion by Gee/Second by Erdei to accept the report. Yeas All. **/Safety:** Acting Chairwoman Gee reviewed the minutes of the October 7, 2020 meeting. *Motion by Erdei/Second by Stark to accept the report. Yeas All. **/Buildings, Lands, Vehicles & Equipment:** None. **/Ordinance:** None. **/Finance:** None. **/Council Representative to the Joyce Hanks Community Center:** Representative Gee reports we have been discussing reopening the community center for Monday morning coffee

sometime this month. /*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 reports we talked about the radios for the five cities and there is still a grant out there that we are actively involved in. As far as moving forward, three cities including us, decided not to move forward until after the first of the year. We had another call about the Shoreway Shopping Center. We were approached by the storage units and someone else who wants to build a commercial property there. We would have to put that out for bid with a minimum bid of \$60,000. Anyone can bid on it, not just these two. Law Director Graves states we do have to make sure the proposed intention to use coincides with the current zoning, which is B5 retail shopping center. Potential bidders would most likely also be looking to rezone before purchasing. Mayor Bring states we now have three workers that have come down with COVID. I have been in contact with the health director and they are aware of this and have been handling it. We took the proper steps. Chief Card asked if he could purchase four radios for his department and we said yes because it is in the budget. Those will also communicate with the police department. Julia Pyle asked me about the Christmas party at the civic center. I am for it. I think you can as long as it's under a certain number. I was going to email her back and say we are acceptable to it but would have to take the necessary precautions. I would like to see it move forward unless something drastic happens. President Rosso asks would that be a city function or city sponsored? Law Director Graves replies it hasn't really been a city function, but the city has supported it. President Rosso states I support it, but I am being precautionary. If we let it go ahead and someone gets sick, can they say we are going to sue the city because they put it on? My position is all we did was provide the building. It's no different than a wedding or party there. I just want to make sure we don't have any liability. Law Director Graves states it's a voluntary event, they are not required to show up. We just need to take reasonable precautions. Mayor Bring states I had a zoom meeting about erosion control along Lake Erie. The county is offering a low interest loan. There is a preapproval form they can fill out online. It's a joint venture between the cities and the county. They want these people to start actively protecting their property because of the high water, etc. Commercial properties and even the city can take advantage of this and apply for it. The county would like some applicants to come forward and apply for this. They are not committed to doing project even if they sign up for it. They can back out, but this gives them an opportunity. I did ask if someone gets into this and defaults on the loan, the city will not be looked at in a bad way. With this, no one will get upset, etc. It will go back on the property. *Motion by Erdei/Second by Gee to accept the report. Yeas All. /**SUPERINTENDENTS**

REPORT: Superintendent Hastings reports we completed a new generator for the city hall complex. This replaced a 30+ year old unit. ¾ of that was funded through an energy grant at about \$41,000. Irving Park is on schedule. All the waterworks are done, and we are doing substantial concrete work. I was notified that some of the curb work is preventing homeowners from getting in their driveways, so I will let the police know they will park on the street this evening. Community Rd. appears to be delayed until a

December start. The city provided a timeline of late spring for completion. The law director and I met with the property owner by pump station two and his attorney. We hammered out some final details on a preliminary easement that I hope to have soon. I have everything to complete the job if we come to an agreement. The Lincoln Nature Trail has the wetland delineation done. I reached out to the Buffalo district of the US Army Corps of Engineers for their comments which are necessary. We are engaged in engineering for what we are calling the watershed phase two. It is an improvement from the covered bridge to Lake Rd., a ready rock wall. Lake Rd. culverts in conjunction with Lake Rd. paving, is spring of 2022. Currently we are working on right of way acquisition. I anticipate us having to buy little sections of land near these culverts. We are also going to replace the watermains underneath. I am applying for the final round of funding on that right now. Hopefully the city's cost will be at 10% or less, about \$1.5 million. I have several grants in process. I'm reapplying for the pier at the community center, I'm applying for land, water and conservation funds to put in a parking lot across from the community center with pedestrian crossings. We are processing two grants for improved playgrounds at Memorial and Shell Cove. On the continued regulations of the Ohio EPA, we are now required to submit reports on the water metrics of our utility. They want to know all the expenses. Regarding Shoreway, I have been contacted by several people interested in space there that I will be bringing to administration in the coming days. Councilman Erdei asks does the new generator run off of propane? Superintendent Hastings replies natural gas. Councilwoman Gee asks when leaf pickup starts, will there be consideration for the seniors who have very large and deep ditches? Can they leave the leaves on their side of the ditch, because there are no tree lawns? Superintendent Hastings replies absolutely, I prefer it there to the ditch. *Motion by Gee/Second by Erdei to accept the report. Yeas All. /**FINANCE DIRECTORS REPORT**: Finance Director Smith reports I have three pieces of legislation tonight. Council #044 is accepting the tax rates from the budget commission. It's an annual thing. Council #047 is establishing some lines in our law enforcement trust account. The last round of our CARES ACT money is being appropriated. Council #048 is the renewal of our Shoreway note. Last year the rate was 3.55% and it went down to 2.35% this year. We will save close to \$30,000 in interest. *Motion by Gee/Second by Erdei to accept the report. Yeas All. /**LAW DIRECTORS REPORT**: Law Director Graves reports Council #043 authorizing us into a new lease agreement with Northcoast Community Woodshop. The lease expires at the end of October. They are constructing three signs for the city to use at Lakewood Beach Park, city hall and the service building. Council #045 is adopting a procurement policy for the use of federal funds. Council #046 is the required flood damage and protection chapter of our code. We last did this in 2008. Since then FEMA and ODNR have made many revisions to it and we have incorporated all of those. We were approached by the library for us to put a renewal levy on the ballot next spring. We will be looking for this consideration the first week of November. I sent out an email asking council and administration to consider three charter changes. We can have those on the ballot in spring. There is no requirement those go to the general election. If we want those on the ballot, everything must be done by February 3. These changes would all be regarding ex-officio members of the boards. Right now the charter provides that the building inspector and the service director are ex-officio members of the zoning board of

appeals, the building inspector is an ex-officio member of the planning commission and the mayor and service director are ex-officio members of parkboard. It doesn't clarify whether those are voting members, whether they count towards quorum, or whether they count towards the number of votes necessary for passage. It's an issue that needs cleared up. I also prepared legislation that I would like to discuss in executive session tonight on the compensation of public employees. Councilwoman Stark asks regarding cameras on houses and violation of property, we have had some issues come up in ward one, is that addressed in ours or is that an Ohio revised code? Law Director Graves replies Ohio is a one-party consent state. If one party wants to videotape, they can do it, if they want to have a camera, they can do it. Anything that is readily observable, you can record it. You can't invade someone's privacy. You can't walk up to their window and videotape them. Anywhere someone has an expectation of privacy is protected.

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

CITIZENS COMMENTARY: None.

UNFINISHED BUSINESS: None.

NEW BUSINESS: President Rosso states I received an email from Mrs. Pugh saying let us know when you want to have a meeting to discuss the master plan. I have yet to reply. We need to find our lists of questions and concerns. Councilwoman Stark states just a reminder, election day is coming up. You can vote early at the board or on election day. Councilman Erdei asks it is going to be at the VFW and the community center? Councilwoman Stark replies yes. Mayor Bring states I received a phone call from a gentleman worried about intimidation at the polls. I reassured him that is not going to happen. We will have a policeman at the civic center, but not the VFW because it is so close. Councilwoman Stark reports you cannot drop off your ballots at a polling place on election day, they must go to the board of elections. Councilwoman Gee states anyone mailing in, it requires two stamps.

ORDINANCES AND RESOLUTIONS:

COUNCIL #019- TABLED – 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.

COUNCIL #043- EMERGENCY- A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A SECOND AMENDMENT TO LEASE AGREEMENT WITH NORTH COAST COMMUNITY WOODSHOP, LLC (NCCW) FOR THE PREMISES LOCATED AT 4214 IVANHOE AVE., SHEFFIELD LAKE, OHIO AND THE DECLARING OF AN EMERGENCY.

*Motion by Kovach/Second by Gee for SUSPENSION OF THE RULES.

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

*Motion by Kovach/Second by Gee for ADOPTION.

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

Ordinance Passes #42-20

COUNCIL #044- EMERGENCY- A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR AND THE DECLARING OF AN EMERGENCY.

*Motion by Kovach/Second by Gee for SUSPENSION OF THE RULES.

ROLL CALL FOR SUSPENSION: Cizl, Stark, 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.

Resolution Passes #43-20

COUNCIL #045- EMERGENCY- AN ORDINANCE ADOPTING A PROCUREMENT POLICY FOR PURCHASES THAT UTILIZE FEDERAL FUNDS FOR THE CITY OF SHEFFIELD LAKE AND THE DECLARING OF AN EMERGENCY.

*Motion by Kovach/Second by Gee for SUSPENSION OF THE RULES.

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

*Motion by Kovach/Second by Gee for ADOPTION.

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

Ordinance Passes #44-20

COUNCIL # 046- FIRST READING - AN ORDINANCE AMENDING CHAPTER 1353 OF THE CODIFIED ORDINANCES OF THE CITY OF SHEFFIELD LAKE REGARDING FLOOD DAMAGE PREVENTION, AND DECLARING AN EMERGENCY.

COUNCIL #047- 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: Cizl, Stark, 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 #45-20

COUNCIL #048- EMERGENCY- AN ORDINANCE AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$2,500,000 OF NOTES IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE PAYING THE COSTS OF PURCHASING THE SHOREWAY SHOPPING CENTER (THE "SITE"), CLEANING UP AND THE REMEDIATION OF THE SITE, AND PROVIDING FOR AND ENABLING THE ENVIRONMENTALLY SAFE AND PRODUCTIVE

REDEVELOPMENT AND REUSE OF THE SITE, RETIRING NOTES PREVIOUSLY ISSUED FOR SUCH PURPOSES; AND DECLARING AN EMERGENCY.

*Motion by Kovach/Second by Gee for SUSPENSION OF THE RULES.

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

*Motion by Kovach/Second by Gee for ADOPTION.

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

Ordinance Passes #46-20

*Motion by Kovach/Second by Gee to go into EXECUTIVE SESSION TO DISCUSS THE COMPENSATION OF PUBLIC EMPLOYEES.

ROLL CALL For EXECUTIVE SESSION: Stark, Wtulich, Radeff, Kovach, Gee, Erdei, Cizl. Yeas All.

*Motion by Kovach/Second by Erdei to go into REGULAR SESSION.

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

Law Director Graves states let the record reflect the City Council of Sheffield Lake did adjourn to executive session for the discussion of the COMPENSATION OF PUBLIC EMPLOYEES.

COUNCIL PRESIDENT: None.

MEETING ADJOURNED: With no further business before this council, *Motion by Kovach/Second by Erdei to adjourn at 8:45 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

Brandy Randolph

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 October 13, 2020.

COUNCIL PRESIDENT

Rick Rosso

MAYOR

Dennis Bring