

**MINUTES OF THE CITY COUNCIL
SHEFFIELD LAKE, OHIO
December 15, 2020**

This regular meeting of the City Council was held Tuesday, December 15, 2020. Council President Richard Rosso called the meeting to order at 7:00 pm.

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

Present: Council President Rosso, Stark, Cizl, Kovach, Erdei, Gee, Radeff, Wtulich, Mayor Bring, Law Director Graves, Finance Director Smith. Superintendent Hastings.
Absent: None.
Attending: Citizens, Media.

READING OF THE MINUTES:

Council - *Motion by Kovach/Second by Gee to accept the minutes of the December 1, 2020 meeting with any noted corrections. Yeas All.

Public Hearing - *Motion by Gee/Second by Erdei to accept the minutes of the December 1, 2020 meeting with any noted corrections. Yeas All.

Worksession - *Motion by Kovach/Second by Gee to accept the minutes of the December 8, 2020 meeting with any noted corrections. Yeas All.

CORRESPONDENCE. Monthly report of court receipts for November 2020 - \$2,851. Mayor's written objections to Ordinance 53-20 read into the record.

PRESENTATIONS: None.

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:** Absent. **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 I don't think anyone has gotten their water bill. They were sent out. If you have seen the news, you have seen mail trucks in Cleveland lined up and not moving. There is a recording at the water department that states that. It is not us. On the website is a link to new software that lets you look up your water bill and pay it. We extended the due date to the 22nd. As a follow up to Mr. Corna, I have several pieces of literature here if anyone from council would like to see. At planning commission, Mr. Corna states he has never lost his architectural license. I have two pieces of literature that state he was stripped of his license and why. I also have seven pages of litigation that he was in. It is from Lorain and Cuyahoga county only. I found a few in Summit as well but did not print those. In a local paper, he made a comment stating he had just found out about the veto on Tuesday night. I find that

hard to believe when Mr. Morrow came in and tried to get the paper I was supposed to sign, and I didn't. He then talked to Mr. Graves and he explained I was not going to do that. I just find it hard to believe that Mr. Morrow didn't tell Mr. Corna. It seems he has a hard time telling the truth. He is really proud of Cashelmara and there is a lawsuit on that too. Marous brothers built about the whole back of that. It was millions of dollars to fix the design failures he had done. Councilwoman Stark asks in regard to the water bills, for those that do not have internet capability, if they do not have their bill by the 22nd...? Mayor Bring replies they are still answering the phone at the water department. If the bills don't come, we may revisit the date. Councilman Cizl states I was amazed how easy it was to do online. Mayor Bring replies you can also go to the library. They are very helpful and will go step by step with you. *Motion by Gee/Second by Erdei to accept the report. Yeas All. /**SUPERINTENDENTS REPORT:** Superintendent Hastings reports Shell Cove Park has received quite a few improvements. Most recently the playground which is complete and open. Prior to that was the handicap accessible deck that we built through coastal management grants. That was in 2017. Unfortunately, when the lake levels increased, it eroded about 15 ft. of land in front of the deck. We applied for and received emergency permitting from the state which is an expedited system that allows you to put in Armour Stone or erosion control, which we did. You then have to come back around and submit a formal submerged land lease and detailed engineer plans. I worked with the law director and this evening I have for you the submerged land lease. *Motion by Kovach/Second by Gee to accept the report. Yeas All. /**FINANCE DIRECTORS REPORT:** Finance Director Smith reports in the packet tonight is the November balancing report. You have council #068 which is the 2021 appropriation budget. Also, I ask that you add some appropriation changes tonight that are attached. *Motion by Gee/Second by Kovach to accept the report. Yeas All. /**LAW DIRECTORS REPORT:** Law Director Graves reports you have council #068 as discussed by the finance director. Council #069 which is the next step in placing the library renewal levy on the ballot. Council #070, #071 and #072 which are the proposed charter changes that we are asking council to consider placing on the ballot also. Council #073 as discussed by the superintendent that approves the submerged land lease at Shell Cove Park. Council #074 would be the final appropriation adjustments. President Rosso asks just to clarify, this evening one of the possibilities of council would be to vote to reconsider, at what point would that be done? I'm not saying it is going to happen, just if it does, I want it done right. Law Director Graves replies you could do it under new business or unfinished business. President Rosso asks if the motion is made, then is it a motion to approve the previous one or just call a vote, or do we even have to vote tonight if we reconsider? Law Director Graves replies if council wants to reconsider, they have to act within 35 days of tonight. If there was a motion to reconsider, which only requires a simple majority of 4 votes, then council would have to decide to call the question tonight or set a date to vote. The best way would probably be in the motion to reconsider clarify if you are asking to reconsider tonight or at the next council meeting. President Rosso asks it would still take two votes correct? Law Director Graves replies yes, and the second vote would require at least 5 to pass. *Motion by Gee/Second by Kovach to accept the report. Yeas All.

CITIZENS COMMENTARY: Joe Gee, 272 Gayle Dr. states I would like to wish everyone a Merry Christmas and a Happy New Year.

Diana Jancura, 689 Sunset Ave. states I appeared tonight in my individual capacity. However, my experience as the head of the zoning board for the past 15 years and a member of that board for 19 years, it gives me some very unique experience with the Morrow project and the architect. They have appeared before the zoning board on multiple occasions asking for variances and approval of many projects, not including the one before council tonight. On these occasions, we have rejected the variance or asked them to reconsider or come back to the table to clarify simple things an architect should be able to discuss. i.e: the height of a building, how much land will be between the building and waterfront, etc. These are things an experienced architect should know, especially when it comes to lakefront property. More importantly, the neighbor whose land will be substantially changed if this is approved, has been blatantly bullied by Mr. Morrow. He took her to court when she came to the board requesting a variance to build a garage. He fought her, we approved it anyway. He took the city to court to overturn the variance. It was upheld. That is when Mr. Morrow started with this multi-family project. Not the one before you. It was going to be a house for him, then it was going to be a bigger house, etc. He has offered to buy the neighbor's house on many occasions, and she says no. This project is the result of him bullying her to get her out of this house because he wants the land. This project is not consistent with what the city is trying to do with the lakefront. Yes, we want to develop it. My husband was the head of planning when they did the master plan. This project is not consistent with that. Not this project, not this site and not the way it is being proposed. I ask you to seriously consider what you are doing. Not only to the lakefront property, but what you are saying to the individual residents who have their simple homes on the lake that they love.

Robert Corna, 5055 East Lake Rd., states I gave you a booklet last time that speaks for itself. It is my history, my life. I have been in business for 55 years. I have been sued 22 times. I have never lost a case against me. I have finished every single project I have ever started. What I did in Bay Village with Cashelmara, I made it a significant community. It raised the whole neighborhood in its values. Look at Bay Village now, I started that. When I went to downtown Cleveland, I started with the flats, on the eastside of the bank where nobody was doing anything. I left it a better place. That project became a star for Cleveland. I then did Stonebridge. It's 574 units I completed and sold and built everyone of them myself. Everyone gets sued. Trump has been sued 25,000 times and became president. Just because you are sued doesn't make you bad. I was here in Sheffield lake in the 80's. I built a house for Dr. Kolesar. At that time, George Potts had control of The Perch. I went there and I came up with a dynamic plan to turn it into atriums and a better place. It never happened. I have to defend myself. My architectural license was brought up at planning and I have to tell you about that case. I was living in Florida and I didn't pay my \$15 fee. I had to go in front of the board. When I did, unbeknownst to me, a client I had built a house for had submitted a \$10,000 claim against his insurance saying I did something wrong. I went to court, I won, and I got my license back. That's the story. I believe Sheffield is a wonderful, beautiful opportunity. Every place I have ever gone, I have made it better.

President Rosso states I read the article in the Chronicle on Tuesday and I have an issue with the comment the condos will bring in more than \$125,000 annually. That may be the total amount but that's not what the city gets. 60% goes to the schools. I don't want

people thinking we are turning down \$125,000 in the general fund. Second of all, and the part that aggravates me the most is the statement where you referred to the city of Sheffield Lake as just a city of a lot of dollar stores that needs to be brought up to quality. This is a city of small businesses. Small businesses make up more employment than the large businesses in this country. I was disappointed by that statement. Mayor Bring states my concerns with all the lawsuits and everything is because one of the papers says you owe \$373,000 in back child support. Another one says you are hundreds of thousands in debt. I bring this all up because it makes me think this project cannot be financed. Mr. Corna replies I do not owe that, it's wrong.

Elias Kassouf, 2578 Hampton Rd., Rocky River states I have known Bob Corna for 25 years. I will be involved in this project. He was involved with us in the Erieview Tower. My family has been here since the 1860's and been in business. We are doing one of the biggest projects probably in the state of Ohio right now. It's north of \$100 million dollars and you will see it in the papers soon. Bob is the reason it's all happening. He went after the project and got it under contract, he's a partner in that project. I'm a real estate developer and my (inaudible) has been sued hundreds of times. It's part of doing business. I've sued a lot of people as well. I have had to sue cities just to get permits. They weren't receptive to people doing developments. I know you have a much better city than Cleveland, Oh. I say that with an open heart because it's not easy doing development these days. Bob came to your city to do a great project. I love Bob Corna and I'm appalled by the way he was spoke to tonight. I'll buy every unit in this project if I have to if you are worried about it not getting done.

UNFINISHED BUSINESS: None.

NEW BUSINESS: Councilman Radeff states I saw they started releasing some of the info about the census, I was wondering if the city had obtained any of that information or if we even do obtain that information. Law Director Graves replies we haven't received anything yet. I would look to start getting that in early 2021. The next step is we would be reviewing the wards to see if any boundaries need to be reconsidered like we did in 2011.

*Motion by Kovach/Second by Gee to amend the agenda to include Council #074.

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

Councilwoman Stark asks for clarification, we do not have to move forward with anything tonight? We have until the January meeting to make a discussion so we have time to research things we have heard tonight and can vote at the January meeting?

President Rosso replies correct.

ORDINANCES AND RESOLUTIONS:

COUNCIL #068- EMERGENCY- AN ORDINANCE PROVIDING FOR THE CURRENT EXPENDITURES AND OTHER EXPENDITURES FOR THE CITY OF SHEFFIELD LAKE, OHIO DURING THE FISCAL YEAR ENDING DECEMBER 31, 2021 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 #67-20

COUNCIL #069- EMERGENCY- AN ORDINANCE TO PROCEED TO LEVY A RENEWAL TAX IN EXCESS OF THE TEN MILL LIMITATION ON BEHALF OF THE LORAIN PUBLIC LIBRARY SYSTEM FOR CURRENT OPERATING EXPENSES OF THE DOMONKAS BRANCH OF THE LORAIN PUBLIC LIBRARY SYSTEM AND AUTHORIZING THE EXECUTION OF AN AGREEMENT RELATING TO THE DOMONKAS BRANCH OF THE LORAIN PUBLIC LIBRARY SYSTEM, 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.

*Motion by Kovach/Second by Gee for ADOPTION.

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

Ordinance Passes #68-20

COUNCIL #070- FIRST READING- AN ORDINANCE BY THE COUNCIL OF THE CITY OF SHEFFIELD LAKE PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF SHEFFIELD LAKE A CHARTER AMENDMENT AMENDING ARTICLE VII SECTION 1 (a) OF THE CHARTER PROVIDING THAT THE BUILDING INSPECTOR AND DIRECTOR OF PUBLIC SERVICE SHALL BE NON-VOTING EX-OFFICIO MEMBERS OF THE BOARD OF ZONING AND BUILDING APPEALS AND THE DECLARING OF AN EMERGENCY.

COUNCIL #071- FIRST READING- AN ORDINANCE BY THE COUNCIL OF THE CITY OF SHEFFIELD LAKE PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF SHEFFIELD LAKE A CHARTER AMENDMENT AMENDING ARTICLE VII SECTION 2 (a) OF THE CHARTER PROVIDING THAT THE BUILDING INSPECTOR SHALL BE A NON-VOTING EX-OFFICIO MEMBER OF THE PLANNING COMMISSION AND THE DECLARING OF AN EMERGENCY.

COUNCIL #072- FIRST READING- AN ORDINANCE BY THE COUNCIL OF THE CITY OF SHEFFIELD LAKE PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF SHEFFIELD LAKE A CHARTER AMENDMENT AMENDING ARTICLE VII SECTION 3 (a) OF THE CHARTER PROVIDING THAT THE MAYOR AND DIRECTOR OF PUBLIC SERVICE SHALL BE NON-VOTING EX-OFFICIO MEMBERS OF THE PARK-RECREATION BOARD AND THE DECLARING OF AN EMERGENCY.

COUNCIL #073- FIRST READING- A RESOLUTION APPROVING THE USE OF SUBMERGED LANDS FOR PROPOSED SHORE STRUCTURES AT 4851 EAST LAKE ROAD, SHEFFIELD LAKE, OHIO AND THE DECLARING OF AN EMERGENCY.

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

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

Resolution Passes #69-20

COUNCIL #074- 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: 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 #70-20

COUNCIL PRESIDENT: President Rosso states I would like to wish everyone a Merry Christmas and a safe holiday.

MEETING ADJOURNED: With no further business before this council, *Motion by Kovach/Second by Erdei to adjourn at 7:50 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 December 15, 2020.

COUNCIL PRESIDENT

Rick Rosso

MAYOR

Dennis Bring