

**MINUTES OF THE CITY COUNCIL
SHEFFIELD LAKE, OHIO
February 9, 2021**

This regular meeting of the City Council was held Tuesday, February 9, 2021. 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, 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 January 26, 2021 meeting with any noted corrections. Yeas All.

CORRESPONDENCE. Monthly report of court receipts for January 2021- \$1,851.

PRESENTATIONS: None.

CITY COUNCIL REPORTS

Roads, Drains, Water, Sewer and Refuse: None. **/Safety:** Chairwoman Stark reviewed the minutes of the February 3, 2021 meeting. *Motion by Gee/Second by Erdei to accept the report. Yeas All. **/Buildings, Lands, Vehicles & Equipment:** Chairman Wtulich reviewed the minutes of the February 2, 2021 meeting. *Motion by Gee/Second by Erdei to accept the report. Yeas All. **/Ordinance:** Chairman Radeff reviewed the minutes of the February 2, 2021 meeting. *Motion by Gee/Second by Kovach to accept the report. Yeas All. **/Finance:** None. **/Council Representative to the Joyce Hanks Community Center:** Representative Gee reports we have a new 6 burner stove there. It is a nice addition. We also have a second television in our east room. Currently, our fireman are doing classes in that room and using it. Our rentals are picking back up. Our smaller groups are still attending at the center, boy scouts, knitting, etc. We are hoping to have senior coffee April 5. In the new section of the building, we have a yoga class. It is every Monday from 4-5 and is free to residents. Representative Gee states Mayor, Sylvia has not been able to attend in a long time and we would like your consideration to replace her on the board with a gentleman that is interested. Mayor Bring replies have him get ahold of me. **/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 my email was hacked, don't respond to that. We have fixed it. Another thing going around is people are filing unemployment on residents, even employees here. If you get that, call unemployment. We had 7 cases of COVID last week, that was 20 cases less than the previous week. On the retirement of Kay Fantauzzi, she was a long-time employee here and I would really like to thank her

for everything she did. During this pandemic we have had problems with the mail, etc. at the water dept. The water bills have been, a lot of people have gotten extremely high and we are addressing the problem. Mr. Hastings has put a format together and I will let him explain it. We sent out 145 shut off notices. If people call you, this is going to be ongoing. The amount on these is pretty high. We cannot function as a city if people do not pay their bills. We have projects going on and just the system itself that we rely on to work. We can't do this. If you look on your electric or gas bill, it says if you don't pay, you get a shut off notice. People are taking advantage of the pandemic. This is a utility and a very important one for the city to function. This was the first round of shut offs, there will be more. Each notice had a flyer on it explaining what is going on and why. They are taking advantage of us and it's not fair to the residents who do pay their monthly bill. Chairman Cizl asks has this been going on for a long time or just within the last few months? Mayor Bring replies a little of both. We have had issues for some time, new systems, etc. *Motion by Gee/Second by Kovach to accept the report. Yeas All. /**SUPERINTENDENTS REPORT:** Superintendent Hastings reports at the end of 2020 I began reviewing the lost water revenue, which I do every year. It is a comparison of total million gallons a month we purchase versus what we meter, bill and receive. This year was especially predicated due to the downward trend that we noticed in the budget and revenues. Essentially, we weren't seeing the rise that we expected. I also took advantage of some greater access that I was given to our billing software. The operating platform, which was Adobe, was being phased out. A lot of our time was spent on switching AMI so we would never lose communication with our meters. We did successfully make the change on the AMI software while the new billing software was in the background. Of course, during this time was the pandemic. This downward trend traces back a year ago almost to the month when Governor Dewine and the Ohio EPA prohibited termination of our water for sanitation reasons. Our water bill includes sewer, refuse and various other collection. While that mandate ceased, the problem had exasperated. Effectively over the course of the year, the city did not pursue delinquent accounts in any regard. Once we did this pandemic audit, it exposed about 3% of the accounts in serious arrearage. We found this out as a result of our overall view. It is a mistake; it will be corrected. We are systematically contacting all the affected properties. Everyone is given the same equitable and fair solution, there is no deviation. We are complying with the ordinance that otherwise directs us on how to deal with delinquent accounts. We are also using it as an opportunity for improvement on all the functions and operations. I am reaching out to the county to understand the very clear process with leasing a property, properties that go vacant, property transfers, etc. To conclude my report, the mayor has been authorizing appraisals. There are about 6-8 parcels involved in our State Route 6 culvert project that is combined with the paving project. I wanted to let council know I need to go to planning, because as we approach these property owners, we are effectively increasing the right of way. By charter, it needs reviewed by planning. Councilman Radeff asks is there a total amount that is in arrearage? Superintendent Hastings replies the number changes daily. Councilman Radeff asks is there a typical amount or number of months someone is behind before we shut the water off? Superintendent Hastings replies it is supposed to be 60 days. For the entire year of the pandemic, a great many people were not contacted. Councilwoman Stark asks people can go online see their bill and pay it

without a fee, correct? Superintendent Hastings replies that is correct. The confusion is that the city originally started with PSN, which was linked to our webpage. It was not the most effective. We now have slwdauthoritypay.com and it is linked directly with that billing software. If you go on our website and hit pay bills, you will be automatically taken to the new software. We still have PSN for court costs, fines, community center rentals, etc. Some people might be on recurring payments to the water utility which is another reason we can't just cut it loose. Councilwoman Gee asks the moving van parked by the bowling alley is just storage for the work being done there? Superintendent Hastings replies correct, it's an equipment trailer. Councilman Kovach asks on the water bills, do we have any of our business accounts in severe arrearage? Superintendent Hastings replies it is 99% residential. The businesses won't be given the same latitude, so far that is the mayor's position. Councilman Erdei asks for the shut offs, are you going to cut them slack for paying like half of it or a percentage? Superintendent Hastings replies absolutely. Everyone is given a very clear directive on the total due, current amount due and the process. We hand delivered them so there are no errors with the post office. On the publication, I put half a dozen different organizations, charities, programs, etc. that is available due to the pandemic.

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

DIRECTORS REPORT: None. Councilman Erdei asks have you heard of any more cuts for our city? Finance Director Smith replies not at this time. /**LAW DIRECTORS REPORT:** Law Director Graves reports Council #03 is up for a third reading tonight which is amending chapter 1335, licensing of contractors. Council #05 is for the new salon and spa tenant in the shopping center. Council #07 as mentioned in the ordinance report, in November we passed the massive revisions to the flood management ordinance and that had been submitted to ODNR for their review. Via email they said it met or exceeded all requirements. However, they took another look and found that when we meshed it with our existing ordinance, some of the intertext references were not correct. Council #08 and #09 are the resubmission of the Paul Morrow limited use rezoning request for 5 lots on Cliff Dr. and Lake Rd. President Rosso asks does council have the option if they are opposed to this, to not even send it to planning? Law Director Graves replies council always has the option to not pass the resolutions. You are not mandated to pass these. Councilman Cizl states I have a number of issues regarding #9. I want to be on top of this more than last time. Because I was misled last time, I am catching inaccuracies in the items they submitted. Specifically, in the reasons for rezoning R-1 to R-2, section d. I have been in communication with the resident being circled and besides my questions, I wanted to verify how accurate this was. She sent me some pictures and I wasn't sure if I should raise this now or later. Law Director Graves replies if these resolutions pass tonight, they will start the process all over again with planning commission. Because it is limited use rezoning, planning has to have two meetings on it. The first is the preliminary plan review and the second is the comprehensive plan review. It is the same thing he was planning on building last time, but a scaled down version. Planning has no ultimate authority; they are a recommending body. Any objections, concerns or questions can be brought up at any time in the process. Councilman Cizl states I encouraged the resident to attend the meetings, but she is working 12-hour shifts. I am still concerned with section d. Law Director Graves replies I would treat their comments under a, b, c and d as just

argument. These are not facts or evidence. It is just their argument as why they feel that it would be appropriate. It's their opinion. Councilman Radeff asks with them submitting these changes, does that mean they are no longer arguing the issue with the signature on the veto, etc.? Law Director Graves responds I provided emails to their attorney conclusively demonstrating that the mayor's objections were filed timely. The lawyer pleasantly thanked me. Whether that means they are still planning litigation or not, I don't know. President Rosso states to be clear, I asked my question because I don't wanna go through all this if we already have our minds made up. If as a council, we are not going to pass it, let's not go through the circus again. If your mind is not made up, then please continue. Councilman Cizl states I am not sure when to raise the questions like building a and b, I don't understand why those are being rezoned when they are residential houses. President Rosso replies they want to do multi-family. Law Director graves responds the only way they can configure all this is if they consolidate the existing 5 lots into 1 lot. Ultimately, if this was to happen, you would have one large parcel with a 6-unit townhome in front, and 2 single-family homes in the back, all zoned R-2. That is why on the previous legislation, one of the provisions was that those single-family homes would always remain single family. Councilman Cizl states I do not know why they don't do a land split. Law Director graves replies originally, Mr. Corna came in with the proposal just to build his house. That required variances which were denied by ZBA, then they came in with this alternative plan. Councilman Cizl states it is too bad Ms. Ledyard is there, this would be easier if she wasn't. She is being infringed on and has no control. *Motion by Gee/Second by Kovach to accept the report. Yeas All.

CITIZENS COMMENTARY: None.

UNFINISHED BUSINESS: None.

NEW BUSINESS: None.

ORDINANCES AND RESOLUTIONS:

COUNCIL #03- THIRD READING - AN ORDINANCE ESTABLISHING CHAPTER 1335 OF THE CODIFIED ORDINANCES OF THE CITY OF SHEFFIELD LAKE REGARDING LICENSING OF CONTRACTORS AND THE DECLARING OF AN EMERGENCY.

*Motion by Kovach/Second by Gee for ADOPTION.

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

Ordinance Passes #7-21

COUNCIL #05- EMERGENCY- A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A LEASE AGREEMENT WITH MONA HIRST AND MONA LISA SALON + SPA, INC. FOR THE PREMISES LOCATED AT 4118 LAKE RD., 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.

Resolution Passes #8-21

Council #07- EMERGENCY- AN ORDINANCE AMENDING CHAPTER 1353 OF THE CODIFIED ORDINANCES OF THE CITY OF SHEFFIELD LAKE REGARDING FLOOD DAMAGE PREVENTION, AND DECLARING AN EMERGENCY.

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

ROLL CALL FOR SUSPENSION: Kovach, Erdei, Stark, Wtulich, Radeff, Gee.
Nay-Cizl

*Motion by Kovach/Second by Gee for ADOPTION.

ROLL CALL FOR ADOPTION: Radeff, Wtulich, Stark, Kovach, Erdei, Gee.
Nay-Cizl.

Ordinance Passes #9-21

COUNCIL #08-EMERGENCY- A RESOLUTION BY THE COUNCIL OF THE CITY OF SHEFFIELD LAKE REFERRING THE MATTER OF THE LIMITED USE REZONING OF FIVE LOTS KNOWN AS PERMANENT PARCEL NUMBERS 03-00-035-101-007, 03-00-035-101-009, 03-00-035-101-010, 03-00-035-101-011 AND 03-00-035-101-012 LOCATED ON CLIFF DRIVE AND LAKE ROAD INCLUDING 5065 CLIFF DRIVE, 5055 LAKE ROAD AND 5059 LAKE ROAD FROM AN R-1 RESIDENTIAL DISTRICT TO AN R-2 RESIDENTIAL DISTRICT TO THE PLANNING COMMISSION OF THE CITY OF SHEFFIELD LAKE FOR ITS CONSIDERATION AND THE DECLARING OF AN EMERGENCY.

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

ROLL CALL FOR SUSPENSION: Gee, Wtulich, Stark, Kovach, Radeff.
Nay-Cizl, Erdei.

*Motion by Kovach/Second by Gee for ADOPTION.

ROLL CALL FOR ADOPTION: Stark, Wtulich, Kovach, Gee, Radeff.
Nay-Cizl, Erdei.

Resolution Passes #10-21

COUNCIL #09- EMERGENCY- A RESOLUTION BY THE COUNCIL OF THE CITY OF SHEFFIELD LAKE SETTING THE TIME AND LOCATION OF A PUBLIC HEARING ON THE MATTER OF THE LIMITED USE REZONING OF FIVE LOTS KNOWN AS PERMANENT PARCEL NUMBERS 03-00-035-101-007, 03-00-035-101-009, 03-00-035-101-010, 03-00-035-101-011 AND 03-00-035-101-012 LOCATED ON CLIFF DRIVE AND LAKE ROAD INCLUDING 5065 CLIFF DRIVE, 5055 LAKE ROAD AND 5059 LAKE ROAD FROM AN R-1 RESIDENTIAL DISTRICT TO AN R-2 RESIDENTIAL DISTRICT AND THE DECLARING OF AN EMERGENCY.

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

ROLL CALL FOR SUSPENSION: Radeff, Wtulich, Stark, Gee, Kovach.
Nay-Cizl, Erdei.

*Motion by Kovach/Second by Gee for ADOPTION.

ROLL CALL FOR ADOPTION: Stark, Kovach, Wtulich, Gee, Radeff.

Nay-Cizl, Erdei.

Resolution Passes #11-21

COUNCIL PRESIDENT: None

MEETING ADJOURNED: With no further business before this council, *Motion by Kovach/Second by Erdei to adjourn at 7:53 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 February 9, 2021.

COUNCIL PRESIDENT

Rick Rosso

MAYOR

Dennis Bring