

**MINUTES OF THE CITY COUNCIL
SHEFFIELD LAKE, OHIO
January 12, 2021**

This regular meeting of the City Council was held Tuesday, January 12, 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, 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 15, 2020 meeting with any noted corrections. Yeas All.

CORRESPONDENCE. Monthly report of court receipts for December 2020 - \$1,422.00.

PRESENTATIONS: Buckeye Cove Video. Dan Lindner, attorney for the landowners Paul and Claudia Morrow, states under your charter, your council unanimously passed the rezoning of my client's property to allow new development as they submitted. It is a project that evolved over several meetings through community input and again, was a unanimous vote of this council. Your charter has a provision where the mayor has the opportunity to object/to veto it in effect, if he submits such veto within ten days of such ordinance passing. If he doesn't, your language specifically says it is to be received as if it were accepted and in full force and effect. That is what happened in this case by mistake or not. President Rosso states Paul, we talked about this and I said he is not going to come up here and lecture council on the rules regarding council and the veto. If you want to narrate the presentation, which is what I was told you were going to do, that's fine. We know the charter and the rules. Everything was done properly, and I have explained it to Paul. Mr. Lindner asks so you don't want me to make a record here? President Rosso replies no. Mr. Lindner replies in that event, it's open season for me in court. To be clear, no record has been made. I will point out I have in front of you landowners exhibit 1-5. Exhibit 4 in particular for the law director, mayor and council is the (inaudible) discovery of preservation of the matter. Please preserve all records, because ultimately the computers are going to tell the truth. The letter was typed up on the computer and we will see which day it was actually created. What I say is nothing has changed with this project. Landowners are the same, the project is the same and from what I understand, there was an attack on an architect. Not an owner, a contractor. Not the general contractor, not someone who is going to put a nail in the ground or nail in the wall, he made the plans. The concept that you approved unanimously. There was a false attack on that architect, misleading and lies. Defamation, nothing short. You were told, if you look at exhibit 5, you were handed a list of lawsuits that the mayor swung around, 7 pages. He stated these were lawsuits

Mr. Corna was a part of. Number 1, there is a key on the front of exhibit 5 and red is someone other than our architect. Almost 40% of this list isn't even him. Number 2, most of these lawsuits were 30 years ago and none of them resulted in a judgment. This gentleman is a developer. His lawsuits involve either a: disputes over money between the partnership or b: condominium associations that sat on a board that he was also named in. Virtually none of these is he the principal defendant. There were allegations he stole and lost his architectural license as a result. Untrue, public records show it. The reality is he didn't pay his \$15 renewal fee. Before he got the money in, because he had moved to Florida, a lawsuit popped up that he did not respond to and a default judgement was taken against him. He went through the process and got his license back. The video playing behind me, I will submit as exhibit 6 for the record. It not only shows your project, but all the projects Mr. Corna had been a part of during the 30 years since his administrative suspension. What is important to note is he was the developer of some of these, the owner of some of these and not one bank has ever called into question his integrity or his ability. He is building 10 and 20 story buildings, millions and millions of dollars. He has never failed to complete a project, but let me remind you, he is only the architect, he is not completing the project, just designing it. Carter Lumber is the general contractor. I am here to protect my clients under the law, because you guys did what was right the first time. The mayor never said a word about it along the way, lots of hours, effort, etc. After the fact, and I contend the evidence will show too late after the fact, that ultimately there was an objection made. I would say to you that your job is to do nothing at all and when my guy goes to pull permits don't get in his way. He has an approval. I ask you all, don't you think this would be a nice project for your city? The alternative is we will be here a few years later to do it, but we would rather not do that because that creates a big mess for everybody. President Rosso replies Mr. Morrow, you and I spoke about the presentation and how it was going to go. What you told me was this gentleman was going to narrate the video. I specifically said I did not want a lawyer up here telling council what the legislation was, what are jobs were, how people were doing things illegally and that's what he exactly went to. I must admit I am a bit disappointed it took that turn.

CITY COUNCIL REPORTS

Roads, Drains, Water, Sewer and Refuse: Chairman Wtulich reviewed the minutes of the January 4, 2021 meeting. *Motion by Wtulich/Second by Kovach to approve the sewer credit at 854 Howell St. for \$263.84. Yeas All. *Motion by Gee/Second by Kovach to accept the report. Yeas All. ***/Safety:*** Chairwoman Stark reviewed the minutes of the January 6, 2021 meeting. *Motion by Gee/Second by Kovach to accept the report. Yeas All. ***/Buildings, Lands, Vehicles & Equipment:*** Chairman Wtulich reviewed the minutes of the January 5, 2021 meeting. *Motion by Gee/Second by Kovach to accept the report. Yeas All. ***/Ordinance:*** Chairman Radeff reviewed the minutes of the January 5, 2021 meeting. *Motion by Gee/Second by Kovach to accept the report. Yeas All. ***/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.

ADMINISTRATIVE REPORTS

MAYOR/SAFETY: Mayor bring has no report. **/SUPERINTENDENTS REPORT:** Superintendent Hastings has no report. Councilman Erdei asks you have your crew on Tennyson? Superintendent Hastings replies yes, we are making improvements to the storm sewer. Councilman Erdei asks so you are going to put in five? Superintendent Hastings replies yes, five crossings. Councilman Erdei says it should solve the problem hopefully. Superintendent Hastings replies I believe it will. Councilwoman Gee asks what about the other resident with flooding? Superintendent Hastings replies the gentleman on Buckeye/ Maple, I did not contact him, but I have had dialog with him, and he has provided maps, so I am familiar with that. *Motion by Gee/Second by Kovach to accept the report. Yeas All. **/FINANCE DIRECTORS REPORT:** Finance Director Smith reports in your packet tonight is Council #4. I do this annually, it's a miscellaneous carryover in different accounts. It's just cleaning and firming up some of my appropriations for 2021. Councilman Erdei asks streetlighting, what does that pertain to on your sheet? Finance Director Smith replies it is a fund we keep, and part of different fees go into that. Those are for new streetlights as we may need them. We may not use them at all. Councilman Erdei asks will those be replaced with LED's? Finance Director Smith responds no, that is not about that. It is to install a brand new one. Mayor Bring replies it is for when a streetlight goes bad and residents request it. We have done this for years. *Motion by Kovach/Second by Gee to accept the report. Yeas All. **/LAW DIRECTORS REPORT:** Law Director Graves reports there is Council #70, 71 and 72, which are the proposed charter changes clarifying ex officio members of the various boards. Council #2 is approving a submerged land lease. I spoke with the superintendent and mayor and it will not impact any current or future city functions. Council #3 as discussed by Councilman Radeff, coming out of ordinance committee regarding licensing of contractors. Council #4 as set forth by the finance director and which are the appropriation adjustments. *Motion by Gee/Second by Kovach to accept the report. Yeas All.

CITIZENS COMMENTARY: Robert Corna Jr., 5055 Lake Rd. states I am not an architect or politician or builder. I am a film maker and also a college professor. I have worked on films such as The Avengers, Captain America and Fast & Furious. These brought income into the city of Cleveland, lots and lots of money. I am not in this business. You might not like my dad, I don't sometimes. He can be intense and has a temper. Nobody is perfect. He is a visionary and has done so many things for the city of Cleveland. I made this video for him to help him out. We are in a situation in our country where we are divided. People are not working. People need food on the table and to make money. One of those people is my dad. He needs this project, to make money, to survive. Stopping him is stopping him from making a living and making money. Everything in the world has stopped right now. I want to help my dad. Please help him out. Put politics aside. I know there is a neighbor and there may be an issue, let's work with the neighbor. Maybe we can find a way to work together. It's a beautiful project. I have seen my father cry 4 times in his life. One, when his mother died. Two, when his father died. When his brother died and whatever happened here. I don't know the details, but it's the 4th time in my life that I have ever seen him cry. He isn't going to be around much longer. This could be his last project. He will finish it, if

not, my little brother is in the back there. He wants to be a developer and follow in my dad's footsteps. He will be involved in this project. This project will be beautiful. It will make you all so proud. Money will be coming to your community in this time of crisis.

UNFINISHED BUSINESS: *Motion by Wtulich/Second by Erdei to reconsider the veto of Ordinance 53-20.

ROLL CALL TO RECONSIDER: Yeas: Kovach, Erdei, Stark, Wtulich, Radeff.

Nays: Cizl, Gee.

***AN ORDINANCE BY THE COUNCIL OF THE CITY OF SHEFFIELD LAKE APPROVING 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.**

ROLL CALL FOR PASSAGE: Yeas: Wtulich, Stark, Radeff, Kovach.

Nays: Gee, Erdei, Cizl.

Ordinance does not pass, veto stands.

NEW BUSINESS:

ORDINANCES AND RESOLUTIONS:

COUNCIL #070- SECOND 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.

*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 #1-21

COUNCIL #071- SECOND 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.

*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 #2-21

COUNCIL #072- SECOND 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.

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

ROLL CALL FOR SUSPENSION: Gee, Erdei, Wtulich, Stark, Radeff, 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 #3-21

COUNCIL #02- EMERGENCY- A RESOLUTION APPROVING THE USE OF SUBMERGED LANDS FOR PROPOSED SHORE STRUCTURES AT 4865 EAST LAKE ROAD, 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 #4-21

COUNCIL #03- FIRST 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.

COUNCIL #04- 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 #5-21

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 7:42 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 January 12, 2021.

COUNCIL PRESIDENT

Rick Rosso

MAYOR

Dennis Bring