

**MINUTES OF THE CITY COUNCIL
SHEFFIELD LAKE, OHIO
May 9, 2023**

This regular meeting of the City Council was held Tuesday, May 9, 2023.
Council President Rosso called the meeting to order at 7:01 pm.

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

Present: President Rosso, Radeff, Kovach, Gee, Cizl, Wtulich, Shaw, Mayor Bring,
Law Director Graves, Finance Director Smith, Service Director Hastings.
Excused: Stark
Attending: Videographer, citizens, ZBA Chairman Romolo DeBottis.

READING OF THE MINUTES:

Council - *Motion by Kovach/Second by Gee to accept the minutes of the April 25, 2023 meeting with any noted corrections. Yeas all.

CORRESPONDENCE: Monthly report of court receipts for April 2023- \$1,415.00

PRESENTATIONS: None.

CITY COUNCIL REPORTS

Roads, Drains, Water, Sewer and Refuse. Chairman Wtulich reviewed the minutes of the May 1, 2023 meeting. *Motion by Kovach/Second by Gee to approve the sewer credit at 564 West Shore Blvd in the amount of \$76.96. *Motion by Gee/Second by Kovach to accept the report. Yeas All. **/Safety:** Acting Chairwoman Gee reviewed the minutes of the May 3, 2023 meeting. *Motion by Kovach/Second by Cizl 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 5/15 we are having a pot luck and 5/19 is the first mind challenge. **/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 the ambulance had to be stripped and is supposed to be here tomorrow. With the Sea Doo's, the cage is being put up at the boat launch. Bryan Davis did a really nice job of figuring that all out. The dredging is going on and should be complete by the end of the week. Pride Day is the 20th of this month, so anybody that has excess rubbish please notify the service dept. One of the meetings we had at the community center was about the community gardens and I have been doing research on that. It is a little more involved than what I thought, and I just want to protect our city. *Motion by Gee/Second by Kovach to accept the report. Yeas All.

SERVICE DIRECTOR'S REPORT: Service Director Hastings reports construction on Alameda is commencing nicely. Cook Construction was out for restoration on the Lake Rd. culverts. A final one requiring restoration is Ivanhoe where we went to Maplewood to Sheffield, that still has some retainage money. The city was able to replace the 48in.

storm sewer on Devonshire and that is completed. The water dept. has been busy with water taps on new construction. The boat launch did just finish, and we excavated 1,500 yards of sand at a cost of approximately \$22,000. The filing against the city from the police dept. through PERP on electrical hazards and unabated moisture in the basement. We have been working on that and we did settle that with PERP this week. HZW Environmental services came and took surface samples of all the building materials identified as potentially exhibiting mold or water damage or staining. They did air sampling for non-viable fungal spores and for cultural fungal analysis. It is several hundred pages long. Essentially, there are no regulations established for the levels of microbiological organisms in indoor environments and instead guidance is extracted from the American Conference of Governmental Industrial Hygienists. To summarize, the police dept. is currently used for storage. It is actually not serviced by any heating ventilation or air conditioning. They identified an intermittent leak in the boiler room, and we did a repair to that line. 9 surface samples revealed that 1 had mold. It was a ceiling tile that has been removed. It was from a prior plumbing leak that has long been fixed. Air samples revealed all had a very low mold score where the concentrations of identified fungal types are considered low and are actually attributed to an outside source. That's a fancy way of saying what is outside is also inside. I'll conclude by saying we repaired the electrical which was a small box that had a piece of tape which was removed, and a permanent cover was put on. The complaint of unabated moisture never really was the case. The basement measures at about 30-38% relative humidity and mold, etc. grows at 60% or higher. The investment on all these studies was in excess of \$5,000. The city authorized another \$2,000 for the intermittent leak and most recently we authorized \$4,324 in refurbishing the upstairs HVAC for servicing the police and another \$3,800 to replace a coil. We are receptive and reacted accordingly and have concluded the complaint. *Motion by Gee/Second by Kovach to accept the report. Yeas All. /**FINANCE DIRECTORS REPORT**: Finance Director Smith has no report. /**LAW DIRECTORS REPORT**: Law Director Graves reports the Ford project is moving along and I had a conversation with the payroll director to ensure this project goes in as 3 separate projects so that they can track where the construction workers are, and each community gets their fair share of the income tax due. Law Director Graves then reports on the current legislation. I will be requesting an executive session to discuss current and pending litigation. *Motion by Gee/Second by Kovach to accept the report. Yeas All.

CITIZENS COMMENTARY: Romolo DeBottis, 868 Lake Breeze Rd. says I have some questions. A little over a month ago we appointed Mr. Shaw to Mr. Erdei's vacant seat. How many people interviewed for the vacant seat? President Rosso replies two. Mr. DeBottis asks and they were? President Rosso replies Mr. Shaw and Mr. Burns. Mr. DeBottis asks is it possible next time we can post? Did we post that anywhere? President Rosso replies we put it in the newspaper and on the city website. Mr. DeBottis asks that there were two people? President Rosso responds we announced the opening, told the procedure, put it on the website and in the newspaper and put a deadline for when applications needed to be in. Mr. DeBottis says I just didn't see anywhere where the number of people that had interviewed. President Rosso says we didn't. Mr. DeBottis says there were just rumors out there on how many people. I

would like to bring up a conflict of interest in the appointment of Mr. Shaw. The conflict being we had three council members that were up for reelection in November. Mr. DeBottis reads Ohio Ethics Law 102.03(d) conflict of interest. What do we do from here? I would like some answers. President Rosso replies I would suggest you speak to the law director. Law Director Graves states I would be happy to speak to you after the meeting.

UNFINISHED BUSINESS: None.

NEW BUSINESS: Councilman Kovach says I would like to announce we had a car cruise in this past Saturday and will follow every Saturday through October 28th. Community Civic Council is sponsoring the gentleman putting on the show. We are trying to stimulate some activity in the community. They had 138 cars there Saturday. I invite everybody to stop up after 4 on Saturdays until October.

ORDINANCES AND RESOLUTIONS:

COUNCIL #019- SECOND READING- A RESOLUTION URGING THE LEGISLATIVE BRANCHES OF THE FEDERAL GOVERNMENT AS WELL AS THE STATE OF OHIO TO ENACT LEGISLATION TO FURTHER PROTECT THE CITIZENS OF THE CITY OF SHEFFIELD LAKE, OHIO FROM THE INHERENT DANGERS OF A TRAIN DERAILMENT AND UNREASONABLE TRAFFIC BLOCKAGES ON THE TRACKS LOCATED NEAR THE CITY AND THE DECLARING OF AN EMERGENCY.

COUNCIL #023- FIRST READING- A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A PROGRAM YEAR (PY) 2023 COMMUNITY HOUSING IMPACT AND PRESERVATION PROGRAM (CHIP) PARTNERSHIP AGREEMENT BETWEEN THE COUNTY OF LORAIN, THE CITY OF OBERLIN, THE CITY OF NORTH RIDGEVILLE, THE CITY OF AMHERST, AND 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: Wtulich, Shaw, Radeff, Gee, Kovach, Cizl. Yeas All.

*Motion by Kovach/Second by Gee FOR ADOPTION.

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

Resolution Passes #22-23

*Motion by Kovach/Second by Gee to go into EXECUTIVE SESSION to discuss current and pending litigation.

ROLL CALL: Wtulich, Radeff, Kovach, Gee, Shaw, Cizl. Yeas All.

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

ROLL CALL: Radeff, Wtulich, Kovach, Gee, Cizl, Shaw. Yeas All.

Law Director Graves states let the record reflect the City Council of Sheffield Lake did adjourn into executive session for the discussion of current and pending litigation.

COUNCIL PRESIDENT: None.

MEETING ADJOURNED: With no further business before this council, *Motion by Kovach/Second by Wtulich 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 May 9, 2023.

COUNCIL PRESIDENT
Rick Rosso

MAYOR
Dennis Bring