

**MINUTES OF THE CITY COUNCIL
SHEFFIELD LAKE, OHIO
October 22, 2024**

This regular meeting of the City Council was held Tuesday, October 22, 2024.
Council President Rosso called the meeting to order at 7:00 pm.

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

Present: President Rosso, Kovach, Gee, Cizl, Wtulich, DeBottis, Petrucci, Mayor Radeff,
Finance Director Rummel, Service Director Hastings, Law Director Graves.

Excused: Stark

Attending Chief Kory, Chief Novak, Members of the police and fire dept., Videographer,
citizens.

READING OF THE MINUTES:

Council - *Motion by Kovach/Second by Gee to accept the minutes of the October 8, 2024 meeting with any noted corrections. Yeas all.

Work Session - *Motion by Kovach/Second by Gee to accept the minutes of the October 15, 2024 meeting with any noted corrections. Yeas All.

CORRESPONDENCE: Quarterly HR report.

PRESENTATIONS: Mayor Radeff submits Jared Green for position of Sergeant. *Motion by Gee/Second by Cizl to accept the appointment. ROLL CALL: Kovach, Cizl, Gee, Wtulich, DeBottis, Petrucci. Yeas All.

Fire Chief Novak recognizes Lt. Mariner, Firefighter Kozlowski, Firefighter Bauhof and Firefighter Venczel for their actions during an August 27th residential structure fire with victims trapped. Fire Chief Novak says once on scene, the crew of three encountered a working fire in a two-story residential home with an adult victim trapped in a second story window. Having received the call, off duty Firefighter Venczel quickly responded to the scene to assist allowing Firefighter Kozlowski and Firefighter Bauhof to rescue the victim while Lt. Mariner continued to knock down the remainder of the fire. The Sheffield Lake Fire Dept. recognizes their valor and awards these men the Medal of Gallantry. The Medal of Gallantry is awarded to a firefighter who at great risk has been instrumental in rescuing and saving another from possible death or shows great initiative and capability. I would like to personally thank you for all your hard work and dedication and training each of you do daily for the safety of the city and the residents.

CITY COUNCIL REPORTS

Roads, Drains, Water, Sewer and Refuse: Chairman Wtulich reviewed the minutes of the October 7, 2024 meeting. *Motion by Gee/Second by Kovach to accept the report. Yeas All.

/Safety: None. **/Buildings, Lands, Vehicles & Equipment:** None. **/Ordinance:** None.

/Finance: None. **/Council Representative to the Joyce Hanks Community Center:**

Representative Petrucci reports before the board tonight is the first reading of the increases in the rental rates for the community center. **/Council Representative to the Park Board:** None.

/Representative to the Planning Commission: Representative DeBottis reviews the minutes of the October 16, 20204 meeting. */Council Representative to the Zoning Board of Appeals:* None.

ADMINISTRATIVE REPORTS

MAYOR/SAFETY: Mayor Radeff reports two weekends ago we had our Halloween event in conjunction with our movie night. We showed the new Ghostbusters movie. We had about 100 pumpkins from Meijer for the kids to paint, we had cotton candy and popcorn and a Halloween costume contest. We had between 100-150 people there. Next, we will be working on our Christmas theme event and I think the date is going to be December 7th. That would also be a movie night. We will be showing the Grinch with Jim Carrey. Ford sponsored both events and recently reached out and asked if there is anything additional. One thought we submitted for would be money to get lights that would light up the community center. It would allow us to put Christmas lights all around the front and back. We also had a safety event that was pretty successful. We want to thank Bi-Rite for donating the food for that event. Also, we had a truck out there for anybody that wanted to shred paperwork. Police and fire were there and we had the county bomb squad. Additionally, the county prosecutor was there doing IDs for children. That is something we are hoping to build on year after year. We also started our annual HR training for the city employees. We have recently submitted grants for coastal management and the bottle refill stations. The coastal management grant would be money used to create a master plan for the lake. We had to get an estimate of what a plan like that would cost and it came in at about \$110,000. This grant would pay up to 50% of it if we were to obtain it. At safety they discussed the fire dept. got a new truck. Enterprise contacted us and they had a 2023 Dodge pickup truck and I know the fire dept. was looking to obtain one. I know Chief Novak is very appreciative of that. I met with the owners of Biggby coffee and they are looking to do a soft open the last week of October and will have some specials and then open on November 1st. *Motion by Gee/Second by Kovach to accept the report. Yeas All. / **SERVICE DIRECTOR'S REPORT:** Service Director Hastings uses the tv to show a strategic planning presentation with the following key notes: Service Director Hastings says the benefit of my longevity of the city is I do have a strong understanding of the greater goals of the city, the council and the administration. I wanted to illustrate a refresher of what our plans have been, how we follow the master plan and how it impacts the recreation facility. Our previous master plan dated back to 2001 and we did achieve a majority of those goals and city council did approve a new master plan recently. It's important to note that our resident input does drive our master plan. About 88% of the respondents supported the connectivity trail; an 8ft. wide trail connecting the four communities. We worked with NOACA and did pavement studies and quickly determined that everyone of our roads entering into the city all needed attention so all of those were replaced including the infrastructure underneath and so too we started the construction of the connectivity trail. The city started acquiring land across from the community center and we vacated roads and created a lot consolidation. We looked at all the master plan directives and some of the highlights were an aggressive approach to grants and development that could lead the community into economic resurgence and a recreation center would be a valuable asset, with 85% saying walkability is important and 46% saying a recreation complex would be beneficial. It further goes on to talk about how you would pay for that. We did reach out

to get some conceptual drawings and we did generate a master plan for a fieldhouse. The city was awarded \$600,000 towards that project. We did want to know the impact on residential and commercial neighbors, so we reached out to them to understand the appraised value of their properties, what their future plans were and how they might coincide with the future plans of the city. Everything is part of a cohesive plan. So, while we pursue all these things, the mayor's office is also working with Lorain County Public Health on SS4A funding to include sidewalks along US 301 and evaluating 301 and Walker for pedestrian improvements. We are also pursuing an ODOT solicitation for the repaving of Walker Rd. that would include new bike lanes, crosswalks, etc. We are pursuing the coastal management grant for a corridor study. We are also pursuing NOACA carbon reduction grants. The last part of my report is we unfortunately had a water break on Warwick we had to fix and we had to dig into the new road. The water main is from about 1960. We also poured some concrete today from our escrow funds. Councilman DeBottis asks so this (legislation) basically is authorizing us to accept the \$600,000? Service Director Hastings replies correct. Councilman DeBottis asks and then if the fieldhouse doesn't come to fruition, what happens to the money? Service Director Hastings replies the state requires you to turn it back in, but it comes with the caveat that you a couple years to pursue it and build it. Law Director Graves states the grant agreement would be for two years. Councilman DeBottis asks do we know what the total cost of this fieldhouse will be? Service Director Hastings responds we are looking at about \$140 per sq. ft. or \$2.4 million dollars. Councilman DeBottis asks what does \$2.4 million get us? Service Director Hastings replies you would get the structure built, heating and air, lighting, windows and doors with the idea that the city would pursue grants to fund the interior attributes. Councilman DeBottis asks how much more would have to go inside? Service Director Hastings replies that is yet to be determined, but we have calculated some of the equipment/design costs, etc. and you are in the neighborhood of about \$175,000. Short discussion about grants/bills/Avon Rec Center/staffing. Councilwoman Gee says I know we haven't done any blueprints or engineering, any idea on how much that is gonna cost us? Service Director Hastings replies architectural design is about \$55-70,000 depending on what attributes we put in it. Councilman Cizl asks we are halfway if we get these grants to build a shell, I take it? \$1.2 million or whatever. You're not at the stage of designating what you are gonna use the fieldhouse for or whatever yet. I would be interested in hearing more about the final goal. *Motion by Gee/Second by Cizl to accept the report. Yeas All. /**FINANCE DIRECTORS REPORT**: Finance Director Rummel reports I completed day two today by gaining access to the financial accounts and applications. *Motion by Gee/Second by Cizl to accept the report. Yeas All. /**LAW DIRECTORS REPORT**: Law Director Graves reports on the legislation for the evening. Councilwoman Gee asks in one of the meetings you mentioned the donation from Ford was gotten by Encompass and was going through the CCC, could you explain why it was going through the CCC? Law Director Graves replies Ford has expressed to us that when they make donations to the city, they would prefer that they go through a nonprofit. We are going to have some future discussions with Ford especially if they were to make larger donations about why exactly those couldn't be donated directly to the city. Years ago, there were discussions of the city creating a Community Improvement Corporation, a CIC. Those are a statutory creation that are very beneficial and work as a nonprofit economic arm of the city. They work very much like port authorities. I think it's worthwhile to revisit those discussions. Councilwoman Gee asks with Encompass being the middle man, isn't there anyway they are

a 501C3? We are paying them a percentage of what Ford is giving and then after that it has to go through CCC before the city gets the remainder. Law Director Graves responds the grant doesn't go to Encompass; they just seek out the donation. I would hope that in the future we would be able to eliminate the CCC as the middle man. Councilwoman Gee says you mentioned the state can no longer be our auditor, because something about you can only have them free for so many years. I thought we had been paying them the last few years. Law Director Graves replies it's never free, we pay for it. You have independent auditors and state auditors. You can't use either one more than ten years in a row. For many years we used outside, independent auditors and then we had to go to state auditors. We were notified that next year; we have to go back to independent auditors. Councilwoman Gee asks so the state auditors are involved? Law Director Garves replies yes, they assist us with the whole process of acquiring an independent one. *Motion by Gee/Second by Cizl to accept the report. Yeas All.

CITIZENS COMMENTARY: *Elfa Schellenberg, 686 Rowellyn Ave.* says I was one of the only people who attended the Halloween party that wasn't there with a rugrat. It was a nice evening except for two things. First, it was very cold in the room and a lot of people went home and got sweaters or jackets and came back. The other thing is this was an evening in my opinion that was geared to children. The food available was popcorn and a cookie or you could go out to the food truck and spend between \$10-17 to get something to eat. If I have three little kids with me, I can't afford \$40, 50, 60 bucks to feed my kids, so they have popcorn and a cookie. Or like I saw, a lot of parents just said I know you're hungry, let's just go and they left. A lot of parents with kids left immediately after the costume contest was over. I felt real bad for that, that these kids didn't get to sit and watch the movie. That's one of the reasons they came. They left because they were cold and they were hungry. I think for the Christmas program, if this is geared to children, the kitchen could serve hot dogs or hamburgers or something geared to kids. I just was disappointed in that aspect of it. Mayor Radeff says the rec director and his group put it on and I will get the concerns to them. It's our second event and obviously it's still trial and error.

David Cheyne, 5365 E. Lake Rd. states I am strongly opposed to the inclusion of food trucks as outdoor recreation. I find that use or inclusion of food trucks/food truck parks within outdoor recreation is totally contrary to the area. I really appreciate the presentation today in terms of what we are going to see going forward in the city. One of the things the master plan really, really does concentrate towards is having recreation close to the lake with access to the lake and the ability to be part of it. I know there's been a couple of comments in recent days that when you purchase a property close to an industrial zone that you must realize that the industrial zone could be at the bottom of the food chain. We are pretty clever people when we purchase expensive property and we do our due diligence and look at what the city actually says in its' plan. The city clearly states in your zoning regulations that the concept within an industrial area is quiet, mainly indoors and for most accepted purposes, during normal working hours. So, the concept of a stamping plant, etc., doesn't quite work out for this. It also goes forward to say use these things/this area, we've only got a limited amount of it, to bring in long term industrial and tax and benefits to the city. When we bought here six years ago, we took a very close look at what was around and we saw what it was and we saw the standards created within your own zoning rules. I strongly object to the concept now that you're gonna create something that allows for noise to continue. We've been exposed in our

direct area to trouble over the last seven months. They have objected to the Zoning Board of Appeals, but we've found out that it's not easy to stop somebody from getting in your face. It's not pleasant.

President Rosso says that is industrial zoned. There is nothing that is indoor only, there is nothing that is low noise. People keep saying it's light industrial, etc. There are no limits in our zoning for that, it is industrial, that's all it is.

Mr. Cheyne replies I agree with you, but in your own zoning regulations you actually state mainly indoors, etc. Nobody is going to take a tiny lot like we have there and make a stamping plant. President Rosso replies I'm just saying legally, there is nothing that would stop it.

Muhsan Ali, 5327 Lake Rd. states I totally am with him. I'm sorry, I don't know who came up with this great idea. We wanna make it look pretty. Sheffield lake is not known for pretty. When I moved out here from Westlake, they asked you didn't find anywhere besides Sheffield Lake? I love it. Why? It's quiet and I like my peace. We have that Pez Bar and I don't know who goes to it. Do you guys know the sounds we hear at night in our houses? I have really good windows. It's ridiculous and the rudeness. Does Sheffield Lake have all the time in the world to keep sending our cops out? What's gonna happen when we actually build these other things? Who puts a food truck on a road like that? I mean, we can expand it maybe. I'd rather expand it and have more ya know, to come down that street instead of putting food trucks. Look at Avon, look at Westlake; we want it to be more ritzy, not so much ritzy. You get off the highway and make a right and there's a guy with all these cars outside his house that look horrific right next to Pilot. There's a bunch of land there also. Why don't we make it more pleasant for people to want to come live here. Taxes are not cheap. I don't know why my house taxes keep going up. I mean they're ridiculous. I'm not saying anybody is taking them. I'm not sure how great of use they are being put. I think we should make it a little better in other ways. We're not in a circus or carnival. I don't know.

Cindy Cheyne, 5365 East Lake Rd. states I am very concerned about the two code text amendments that have been forwarded to council at the October 15th planning meeting. The legislation amending 1111.02 is discriminatory. It singles out food truck operation for favorable treatment. It allows only this particular type of temporary special event to be classified as limited impact regardless of the duration or frequency. As limited impact, food trucks will be exempt from the conditional use approval process which would involve planning committee review, public hearings and a vote by council. All other temporary special events should they wish to operate more than twice a year, would remain classified as extensive impact and subject to the conditional use approval. It also discriminates against brick-and-mortar restaurants who must pay rent, taxes, etc. Food truck operations can easily operate as a permanent restaurant, but at a fraction of the cost. If the special permit fee legislation currently in work session passes, food trucks will still only have to pay \$250 top rate for an entire year. Further, passage of food truck amendments without having regulations pertaining to them in place first has potential to result in confusion, legal issues and is unwise. Avon Lake and Vermilion have entire chapters dedicated to food truck regulation including permissible hours of operation, noise, licenses, registrations, etc. I think we're putting the cart before the horse here. Regarding the legislation amending table 1107-3, it is contrary to the purpose of industrial districts and it essentially amounts to a constructive rezoning without going through the proper process. It discriminates against other property owners who may want to substantially alter the use of their own property, but still will need

to apply for rezoning approval. Under the code, the purpose of industrial is largely within an enclosed building to allow for quiet and clean industrial areas. Outdoor recreation is the opposite. While not technically a zoning map change, this legislation completely alters the primary use of an industrial district from businesses largely indoors and quiet to business primarily outdoors and loud. This is the definition of a rezoning and here it is especially egregious, because the September 17th work session minutes show it's being done solely to benefit one property owner. Lastly, food truck parks do not meet the code's definition of outdoor recreation facility, which states it is providing outdoor participatory and/or spectator activities. The primary activity being performed at food truck parks is food and eating, not physical activity. They are restaurants and should be classified as such subject to all the building and other regulations as well as applicable county and state laws.

President Rosso says we aren't passing anything. It is setting up a process that they would have to apply for and then go through all the steps going back to planning and addressing all the concerns. Mrs. Cheyne replies this legislation came forward as a result of the September 17th work session. So, it may benefit other things along the way, but the reason that it came forward and we all know it, is because they proposed at that work session that they are interested in putting a food truck park and Director Graves said if council wants to move forward with this, we need to introduce legislation that will make this process. We were kind of coerced into not speaking at the ordinance meeting on October 8th and I believe we were and I felt that. We were told nothing is going to happen, you don't need to speak and like you are doing right now, I feel the exact same way. President Rosso responds I apologize.

Cynthia Mihalic, 5320 Willow Lane says similar concern to the past couple speakers about the same thing about this code text amendment change. To clarify, from the planning and zoning chapter, the city does describe industrial as accommodating manufacturing, general business, office services, etc. To largely take place in an enclosed building to allow for quiet and clean industrial areas. We did purchase a home near this industrial property and we have been there two years. We waited a year to kinda see how it was gonna be. We moved forward with some major renovations in our backyard and the interior of the house and now we were getting ready to come to the city because we had an architect draw up plans for a large addition and to finish the exterior of our home and we found out about this proposed project. Our concern is we were reading and it talks about under planning and zoning that all code text amendments and map amendments should go through when they are being recommended and a decision being rendered on them, so recommended I'm assuming is from the ordinance to planning, etc. that there is supposed to be a review criteria and there are eight points under that review criteria. The eighth one is the one I'm most concerned with. The proposed amendment is not likely to result in a significant adverse impact upon the property in the vicinities of the subject tract. My question is where is this review? Where is the criteria? Where did that happen to allow it to move forward? Who did that review? Law Director Garves replies there are a number of factors contained in the code. They're a consolidation of factors for both code text amendments and code map amendments which are rezoning. As everyone is aware, when you go to rezone property it is a much more stringent review process. Many of those factors apply to a rezoning. Code text amendments are a lot less impactful usually, so there are some of those factors that apply to code text amendments, but not all of them. Those factors would ultimately be considered by the planning commission in making their recommendation and by council if they were to choose to move forward with changing the code. Preferably, in your discussions there should be some

reference that you either believe or don't believe that those factors have been met. Mrs. Mihalic replies the only discussion that I found in meetings and records were from the actual work session on September 17th where the service director was asked about traffic in the area and somebody asked about noise and residences. I think the response was there's not really any residences around there. There is; directly to the west there is an apartment building, to the northeast and northwest there's residences everywhere. So, I guess my concern is just sound. We've got these large storage units that will act as an amplification. What I've been doing is trying to get in touch with an acoustical engineer or company to help us to understand how this evening noise, etc. will look like for us. It doesn't sound like any review was done before moving this forward.

President Rosso states there will be a public hearing on November 26th and the first reading will be in two weeks. Then it's the first council meeting in December before we even consider voting on it. It's the time for us to do our due diligence, for residents to make their comments, etc. Mrs. Mihalic says I want to know if there is going to be some kind of review on this. President Rosso replies we will go through and make sure our t's are crossed and our I's are dotted. Our guidance will be from the law director. There won't be any shortcuts.

UNFINISHED BUSINESS: None.

NEW BUSINESS: Councilman DeBottis states the lion's Club is having their pancake breakfast Sunday, Nov. 3rd from 9-noon. Tickets are available at the door for \$5 each at Brookside High School. Councilwoman Gee says next Monday is the senior's Monday morning coffee Halloween party. It is a potluck. If you are over the age of 55 and wish to attend, please feel free to bring something to share and enjoy the party. That is at the Joyce Hanks Community Center.

Public Hearing set for Nov. 26th at 6:30pm for code text amendments.

ORDINANCES AND RESOLUTIONS:

COUNCIL #011- TABLED- AN ORDINANCE VACATING PORTIONS OF PARKVIEW DRIVE, IVANHOE AVENUE AND FERNDALE AVENUE AND THE DECLARING OF AN EMERGENCY.

COUNCIL #047- FIRST READING- A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH NEIGHBORHOOD ALLIANCE TO PARTICIPATE IN THE SENIOR PROGRAM FOR CALENDAR YEAR 2025 AND THE DDECLARING OF AN EMERGENCY.

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

ROLL CALL FOR SUSPENSION: Cizl, Petrucci, Wtulich, Kovach, DeBottis, Gee. Yeas All.

*Motion by Gee/Second by Cizl FOR ADOPTION.

ROLL CALL FOR ADOPTION: Kovach, Wtulich, Gee, Cizl, DeBottis, Petrucci. Yeas All.

Resolution Passes #43-24

COUNCIL #048- FIRST READING- A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING WITH THE LORAIN COUNTY BOARD OF COMMISSIONERS TO PROVIDE AN EMERGENCY NOTIFICATION SYSTEM AND THE DECLARING OF AN EMERGENCY.

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

ROLL CALL FOR SUSPENSION: Kovach, Cizl, Gee, Wtulich, DeBottis, Petrucci. Yeas All.

*Motion by Kovach/Second by Gee FOR ADOPTION.

ROLL CALL FOR ADOPTION: Gee, Wtulich, Kovach, Petrucci, DeBottis, Cizl. Yeas All.

Resolution Passes #44-24

COUNCIL #049- FIRST READING- AN ORDINANCE AMENDING SECTION 969.06 OF THE CODIFIED ORDINANCES OF THE CITY OF SHEFFIELD LAKE REGARDING RENTAL RATES FOR THE JOYCE HANKS COMMUNITY CIVIC CENTER AND THE DECLARING OF AN EMERGENCY.

Councilwoman Gee says we have discussed raising the rates at the community center for quite a long time now. When the original board started looking into it, the community center's rates were half of what other buildings its size were.

COUNCIL #050- FIRST READING- AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE STATE OF OHIO OFFICE OF BUDGET AND MANAGEMENT (OBM) TO ACCEPT ONE TIME STRATEGIC COMMUNITY INVESTMENT GRANT FUNDS AND THE DECLARING OF AN EMERGENCY.

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

ROLL CALL FOR SUSPENSION: Cizl, Petrucci, Wtulich, Kovach, DeBottis, Gee. Yeas All.

*Motion by Kovach/Second by Cizl FOR ADOPTION.

ROLL CALL FOR ADOPTION: Kovach, Wtulich, Gee, Cizl, DeBottis, Petrucci. Yeas All.

Ordinance Passes #45-24

COUNCIL #051- FIRST READING- A RESOLUTION AUTHORIZING THE MAYPR TO ENTER INTO A FOURTH AMENDMENT LEASE AGREEMET WITH EZ TRANSITIONS LLC AND AL AND MARILYN WHITMER FOR THE PREMISES LOCATED AT 4210 (A) IVANHOE, SHEFFIELD LAKE, OHIO AND THE DECLARING OF AN EMERGENCY.

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

ROLL CALL FOR SUSPENSION: Wtulich, Kovach, Petrucci, Gee, DeBottis, Cizl. Yeas All.

*Motion by Gee/Second by Kovach FOR ADOPTION.

ROLL CALL FOR ADOPTION: Gee, Kovach, Wtulich, Cizl, DeBottis, Petrucci. Yeas All.

Resolution Passes #46-24

COUNCIL PRESIDENT: None.

MEETING ADJOURNED: With no further business before this council, *Motion by Kovach/Second by Wtulich to adjourn at 8:24 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 22, 2024.

COUNCIL PRESIDENT

Rick Rosso

MAYOR

Rocky Radeff