

**MINUTES OF CITY COUNCIL WORKSESSION
SHEFFIELD LAKE, OHIO
November 17, 2020**

The regular meeting of the City Council Worksession was held Tuesday, November 17, 2020. President Rosso called the meeting to order at 7:04 PM.

ROLL CALL OF MEMBERS:

Present: President Rosso, Kovach, Stark, Wtulich, Gee, Cizl, Radeff, Erdei, Mayor Bring, Finance Director Smith, Law Director Graves, Superintendent Hastings.

Excused: None.

Attending: None.

PRESENTATIONS: **None.** See Communications.

*******COMMITTEES*******

ROADS & DRAINS: **None.** **SAFETY:** **None.** **BUILDINGS, LANDS, VEHICLES & EQUIPMENT:** **None.** **ORDINANCE:** Councilman Radeff states we moved the certifying of contractors to tonight's agenda. We are also continuing to talk about the driveways at Ordinance. **FINANCE:** Councilman Cizl reports we just received our appropriations for next year. **PARK BOARD:** Councilman Kovach reports we met last night, and I will have a full report at next week's meeting.

*******ADMINISTRATIVE*******

MAYOR: Mayor Bring reports since the last meeting with what is happening with COVID, we had to cancel the Christmas party. We are now locking the doors again to the public. We are wearing our masks all day and being careful. We have one policeman out with it. Hopefully, everyone has seen Irving Park. Mr. Hastings did a great job coordinating all of that. We also put the speed sign up over there and it is working really well. A telephone pole with lights on it by the fire station fell over after the windstorm. We put a new pole with LED lights up and they work fantastic. **SUPERINTENDENT:** Superintendent Hastings reports there will be legislation on the agenda for Tuesday on some grants I prepared. It is to submit to the land, water and conservation fund for improvements to the parks, new playground, splashpad, etc. Council woman Gee asks as far as the women's groups like knitting, etc., will there be any change? Superintendent Hastings replies most likely we will consider suspending it. It hasn't been decided yet. Mayor Bring

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states for the next council meeting we have a part time patrolman and also Miss Fantuzzi is retiring at the end of January, so we will also be bringing a dispatcher to you. **/FINANCE DIRECTOR:** None. **/LAW DIRECTOR:** None.

/COMMUNICATIONS: None

/OLD BUSINESS: President Rosso states in my 19 years, I have never received legislation from outside council proposing a change. Law Director Graves states since the last council meeting, I have had several conversations with legal council for the applicant. Especially in regard to one of the provisions in the legislation which is: prior to the commencement of new construction, the current single-family homes on Lake Rd. would be demolished. This is the only provision they are requesting to change. Their lawyer dropped off a revision stating prior to the issuance of any occupancy permits, they would be demolished. In other words, not prior to construction, but prior to occupancy. This is not something we negotiated or agreed upon. They are just proposing it as a change. Mike Wilson, attorney for applicant states there was just this one issue. One reason being, those are rental incomes for the Morrows, second, Mr. Corna lives in one of the properties. They want to get a model built so everyone can see it before the construction. We would like to allow Mr. Corna to stay in the house until the first build of the single-family house on the lake. President Rosso asks you are saying the first construction will be Mr. Corna's house? Mr. Wilson replies that is my understanding, and the model home. I talked to Attorney Graves about it. He didn't agree, but I said I would provide some change. That's the only way I thought to go about it. Mr. Corna states one of the houses is leased until March and the other I live in. We are going to build my house in front of it. I had not heard this ordinance before, that we had to tear them down. We want to start our model so it's ready in the spring. This compromise allows us to start. President Rosso replies you want to build a model in front of a home that people are renting, while they are still living in it. You want to put it in front of the house to the East? Mr. Corna replies no, the house I am living in. It will be in front of that. That would allow us to start building now. President Rosso replies this won't even go through the process until January. That's the fastest. When this went through planning, I'm not sure any of this was covered. I think planning just reviewed the plans for the development, correct? Law Director Graves replies they were guided by the factors in the codified ordinances on limited use rezoning. They understand that even if this goes through, contingent on them building this plan, it still has to go through the site plan review process. This is not the final review of the plan. In my conversations with Attorney Wilson, he has represented to me that they have no problem guaranteeing that the two northern houses would remain single-family homes forever. They would never be multi-family. Councilwoman Gee asks when Mr. Corna says in front of, he means north of, right? President Rosso replies south of the house that is there. His single-family home will be north of the two

existing homes. The model will be south of the houses. Councilwoman Gee asks so between his home and Lake Rd.? President Rosso replies yes. Mr. Corna replies the model home will be in front of my home now, towards the lake. President Rosso states my understanding the last few weeks was it would be to the south. I misunderstood. Mr. Wilson has asked us to consider this change, we don't have to take any action on it. This is up for a third reading next week. We will have to amend the ordinance prior to voting. Councilwoman Gee states I think we should wait until Tuesday. Law Director Graves asks without objection, do you want me to include language about those two northern homes remaining single-family? President Rosso replies yes. I just can't trust it will be done. I would prefer to have the language.

NEW BUSINESS: Law Director Graves states this is language recommended by our Chief Building Official, Mr. Carleton. He and I and Mr. Melbar met and talked about it. They both are in agreement that this is needed. It includes requirements for ensuring that contractors doing residential as well as commercial work are registered with the city. Certain specialized trades would also require state licensing. This would also require certain insurance provisions and bonding. The vast majority of this we are already doing with the exception of the bond. According to our building officials, any contractors doing business in most other communities are already meeting these requirements. We have had some situations recently where people have done residential contract work and it has not been done up to standard. This would make sure anyone doing that, unless you are doing it yourself as a homeowner, is licensed and insured and bonded. President Rosso asks does that mean that contractor has to be registered with the city? Law Director Graves replies yes, all contractors would have to register. The five specialized trades would have to have the state license. Mayor Bring states I had some reservations about this because years ago Lorain got very stringent with how you obtained a license, and it was very difficult. Eventually, most of the contractors said they just aren't gonna do business there anymore. I don't want that to happen here. In talking to our building officials and Mr. Graves, it was reassuring. This takes the little guy out of it that really doesn't know all the codes and rules. We got into a situation where someone's uncle pulled a permit and went in and butchered a plumbing job. On one end, we don't want that type of work in our city and on the other end, we don't want to chase everyone away. I asked Mr. Melbar if he personally was to go and do a plumbing job, with this ordinance, could he? He replied no, I do not have a state license. There is a fine line, so we have to think about it. I care about the little guys doing jobs and don't want to chase them away. Commercial stuff is all state required, so it doesn't affect that. Law Director Graves states the five specialized trades are HVAC, hydronics, refrigeration, plumbing and electrical. Mayor Bring states this should help us with the city's insurance as well. If there is a problem or someone does something wrong, well, they are state certified. There are pros and cons. President Rosso asks my understanding is if I bring someone in who is not licensed or bonded

and something happens, wouldn't the homeowner be responsible if he is injured while doing it? Law Director graves replies I think it is more to protect the homeowner if the contractor were to screw up the job. You have someone with insurance coverage or a bond to recover from, if he doesn't have those, you have to go after the guy individually and he may have nothing. Mayor Bring states if you are a homeowner and hire a contractor who isn't licensed and bonded and something does happen, you can get sued. If that gentleman hurts himself, the homeowner would be responsible for him. Councilman Radeff asks what's the difference between 1335.05 and .10? Law Director Graves replies I will take a look at it. The thing that jumps out at me is the criteria in 1335.05 says the building official shall suspend or revoke, under .10 it says he may revoke. Without really looking into it, I would say that the occurrences under .05 mean it must be suspended and the occurrences under .10 it may or may not be suspended. Councilman Erdei asks Tom keeps an eye on anything being built even if the homeowner has his own worker, right? Mayor Bring replies he does, but if there is nothing in place to prohibit it, there is nothing he can do about it. President Rosso asks Rocky do you want this to stay in ordinance? Councilman Radeff replies yes.

ORDINANCES AND RESOLUTIONS: Councils Agenda –

COUNCIL #051- THIRD READING - 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.

COUNCIL #053- THIRD READING- AN ORDINANCE AMENDING SECTIONS 115.03, AND CHAPTER 169 OF THE CODIFIED ORDINANCES OF SHEFFIELD LAKE REGARDING EMPLOYMENT PROVISIONS FOR FULL-TIME NON-BARGAINING EMPLOYEES AND THE DECLARING OF AN EMERGENCY.

COUNCIL #054- THIRD READING - AN ORDINANCE AMENDING CHAPTER 133 OF THE CODIFIED ORDINANCES OF SHEFFIELD LAKE REGARDING THE DIVISION OF POLICE AND THE DECLARING OF AN EMERGENCY.

Law Director Graves states in addition to the two resolutions to proceed with the grants for the parks, we also have an agreement for the purchase of the lots across from the community center, we will have some ordinances for non-bargaining pay raises and also the resolution we passed for the library and sent to the auditor has been sent back by the auditor and they have asked us to use their template and redo it. Councilman Kovach asks will we then repeal the one we passed? Law Director Graves replies yes, we can do it that way or just pass a new one.

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 WORKSESSION of November 17, 2020.

MAYOR

Dennis Bring

COUNCIL PRESIDENT

Rick Rosso