

Minutes of the Ordinance Committee meeting
Sheffield Lake, Ohio
December 6, 2012

This regular meeting of the Ordinance Committee was held Thursday, December 6, 2012. Chairman Smith called the meeting to order at 7:25 PM.

ROLL CALL OF MEMBERS:

Present: Smith, Kovach, McCullough, Service Director Smith, Law Director Graves, Councilman Erdei

MINUTES: October 4, 2012, *Motion by McCullough/Second by Kovach to accept the minutes with any corrections. Yeas All.

PRESENTATIONS: None.

CORRESPONDENCE: None.

OLD BUSINESS:

Law Director Graves advised I would like to brief the Committee on the changes that the state has getting ready to adopt on the internet cafes. Yesterday the Ohio House passed a bill that passed 60 to 23 I think which if it becomes law will effectively end internet cafes in Ohio. They have basically applied the same standards and regulations to the sweepstakes café as for amusement style carnival games and that is they can only play non-cash payouts under \$10.00. So it will effectively end the internet cafes. They took several days worth of testimony; the Attorney General and many others and it is now in the hands of the Ohio Senate and they have indicated that they are not sure what they are going to do with it or how soon they are going to get to it. But if that passes in Senate and the Governor signs into law it will pretty much eliminate the internet cafes, they won't be a viable business anymore. Just something to keep on your radar, we do still have 2 operating in the city. The state does have the moratorium currently in effect which went into effect in July I believe – they put a 1 year moratorium on them that any that were doing business prior to that could operate but no new ones will be allowed in Ohio. Councilman McCullough stated that will be 2 more empty buildings in Sheffield Lake. Law Director Graves stated there is a pretty significant lobby going on from the casino's and from the charitable gaming.

NEW BUSINESS:

Commercial building permit fees – Service Director Smith advised one of the things that the Building Department has brought to the attention and again this isn't the first time is the fact that we don't have commercial fees such as other communities that have state building departments. We don't have commercial fees that we charge. Chairman Smith stated for clarification, there has not been anything brought to Council about commercial fees. Service Director Smith stated

Jon brought something that he wanted us to look at and I held back because of the ruckus over the refuse rates. I didn't think that it would be the right time to bring this up at that point and time when we were discussing the refuse rates with the dumpsters. It was something that he felt very strongly in and I brought it to David and David has got it. He is looking for it right now and it was something for your review. Chairman Smith advised the only reason why I was a little upset because the whole purpose of going to a commercial building department back in 2004 or 2005 was to be able to do commercial fees and that was supposed to be I thought all done at that time because why are you going to do a commercial fee if you don't have any fees. So all this time nobody has ever been charged any type of commercial fee whatsoever. I was always under the assumption that we were, this is the first I have ever heard that we haven't been collecting them. That was the whole purpose of going through a commercial department. Anyway if we are doing it now, let's get it done before we have to. Councilman McCullough stated I think that maybe what might of slowed that down didn't we just pass legislation about Ford Plant, since we didn't have the commercial stuff? Chairman Smith stated that was a fee for Ford, strictly a fee schedule that Sheffield Village, Sheffield Lake and Avon Lake put together for Ford. What I am saying is if we don't have commercial fees, I agree we need to get something there. I have always thought that we have had it since we have had a commercial building department because that was the whole purpose of doing it. I don't know how fees were never incorporated into that department. If we haven't, they need to be. Law Director Graves stated collecting revenue was not the only reason to get a certified commercial building department. We could inspect them locally because prior to that and I know this sounds crazy but prior to 2005, we didn't do any inspections on commercial buildings, only residential. If you need something from this committee, let me know the sooner the better to get the fee schedule up. Law Director Graves submitted this section of the Ohio Building code which gives us the authority to post fees if we have adopted that which we have and these are his recommended fees. Chairman Smith advised if there is no objections we can look this over and if it looks good we can have him draw up the legislation for three readings and then at least we have time to go over it. Service Director Smith advised Jon would come in to explain everything to everybody at either a Worksession or whenever you need him. Councilman McCullough asked when did we start doing 2-year occupancy permits? Chairman Smith stated I think 4 or 5 years ago. Councilman McCullough stated we need to change that, when they change occupancy we need to change that. Councilman Kovach stated that is on rental properties. Councilman McCullough stated we need to change that back to change occupancy change the permit because there are those poor people living in that piece of crap across the street from me and if they would have waited 2 months they would have never been able to get back in there because he could

sneak them in there under the 2 years they are living in that – it has got mold growing in that with 7 kids and I feel bad for them. Chairman Smith stated if it was inspected in 2 years, a lot can go wrong in 2 years. Councilman McCullough stated that is what I am saying is if you have a landlord who is neglecting it, you have no way of protecting the neighborhood. You are letting them go 2 years. Councilman Kovach stated that doesn't mean that you can't go in there, you are describing a public nuisance. Councilman McCullough stated you can't go in a house and tell somebody they are a public nuisance. They got mold growing in the house, the house is falling in. Service Director Smith stated we have already been through the hoarding issue completely. Chairman Smith asked how do you know, were you in it? Councilman McCullough answered yes. Chairman Smith stated we will do a little research on going back into that because I want to get through this building permit thing before we do anything. We have to get something soon. Law Director Graves advised for all intent purposes Avon Lake will handle the inspections for Ford. *Motion by McCullough/Second by Kovach for the Law Director to draw up legislation for a commercial fee schedule. Yeas All. Law Director Graves to prepare for the next Worksession. Councilman Erdei noted we have to get this going with Speedway coming up. Councilman Kovach asked does anyone have an objection to adding the emergency clause to it? No objections were heard, Law Director Graves advised I will prepare for 3 readings with the emergency clause on it.

CITIZEN'S COMMENTARY: None.

All ordinances before Council at this time:

Council#059 – SECOND READING – an ordinance adopting an Investment and Depository Policy for the City of Sheffield Lake.

Law Director Graves advised there will be 2 additional pieces of legislation; one which was recommended out of the last Council meeting which be adding the longevity pay for the Clerk of Council and the other one is adopting the sanitary sewer contract extension with the City of Lorain which I am happy to report that the Lorain City Council has already passed and their Safety/Service Director has already signed. So I am hoping that we go ahead and pass that. It is a good deal, our current sanitary sewer contract was actually passed in 1980 with a specific expiration of December 31, 2012. So why they picked that I don't know, somebody suggested that they knew that the world was ending on December 31st. It is a 2-year extension with 1-year rolling. Lorain is looking at some changes over there.

MEETING ADJOURNED: With no further business before this committee,
*Motion by McCullough/Second by Kovach to adjourn at 7:46 PM. Yeas All.

CLERK OF COMMITTEE AFFIRMATION:

This Meeting of the City Committee 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's Office.

CLERK OF COUNCIL/COMMITTEES

Kay Fantauzzi

I, Kay Fantauzzi, duly appointed Clerk of Committee Of Sheffield Lake DO HEREBY CERTIFY that this Is a true and exact copy of the Minutes of the Ordinance Committee of December 6, 2012.

CHAIRMAN

Alan Smith

COUNCIL PRESIDENT

Rick Rosso

and/or

COUNCIL PRO TEM

Eric S Elliott