

**Minutes of the Ordinance Committee meeting**  
*Sheffield Lake, Ohio*  
**February 6, 2014**

This regular meeting of the Ordinance Committee was held Thursday, February 6, 2014. Chairman Kovach called the meeting to order at 7:45 PM.

**ROLL CALL OF MEMBERS:**

Present: Kovach, McCullough, Erdei  
Absent: Mayor Bring, Law Director Graves (excused)  
Attending: Service Director Smith

**MINUTES:** January 9, 2014, \*Motion by Erdei/Second by McCullough to accept the minutes with any corrections. Yeas All.

**PRESENTATIONS:** None.

**CORRESPONDENCE:** None.

**OLD BUSINESS:**

*Expand the role of Architectural Review Board under Planning Commission: 1139.06c – problematic piece of code; needs to be eliminated or to be explained what kind of standards and criteria the ZBA is supposed to use (our code is 1101) – continue for next month.*

*Industrial District – continue for next month.*

*Tap-in incentives – continue for next meeting.*

*Subdivision Regulations – continue for next meeting.*

**NEW BUSINESS:**

*Water deposits – Councilman Erdei stated I myself believe we should have something to cover our tracks; \$500.00 is a little way too much. I would say like \$250.00, I could see grandfathering the rest of the residents in and then anybody new comes in or renters. The property owner would have a \$250.00 deposit, this city we are being burned a lot on water bills or we are waiting on money from the county and from the banks. Councilman McCullough stated I was thinking about the renters and if somebody has an investment property in Sheffield Lake, we tag that tax on there, and we set up for a tax duplicate they cannot get out from underneath their investment – they have to pay it off. Where if somebody is walking away because they are losing their house we are never going to see the money anyways. So that one? However, definitely, for new homeowners, I think with transfers and I think when it comes to rental properties we need to take a hard look at it only because it would be an income stream for the city. For the simple fact that it is never going to be returned, it will only be returned when the property turns over and that person will be replacing that money which might be a way. Councilman McCullough asked Lenny how much is a new meter for the ones that*

you just drive down the street – the radiometers. Service Director Smith answered the pricing has changed over the last several years along with the technology. Councilman Erdei stated I thought Dennis said at the last meeting it was like around \$160.00 or \$170.00. Service Director Smith stated probably around \$200.00 and that is depending what system you have. The new systems out now are not what the radio reads were 3 years ago, radio reads 3 years ago; you drive up and down and get that. Now they put a small tower, like a cable box that you see on Ferndale – they put a tower section there in several locations of the city and the meters are read automatically from the Water Department. That just happened in the last couple of years. Councilman McCullough asked how much are those meters - \$180.00? Service Director Smith stated I never went through a price comparison on that. Councilman McCullough stated I think my point is this, those can help start funding those meters. Service Director Smith stated you have to know what system you have, you have to be committed to it. Councilman McCullough stated but even if we do not commit to it right away, that money can be sitting there. It will help fund those as it changes. Service Director Smith stated I could go ahead and get information, new and updated information on the costs and the types of different systems if you want. Councilman McCullough stated well this is in Ordinance and that is going to rather be for Roads & Drains, Water, Sewer, and Refuse. We would probably need direction from David that can we charge a deposit and in lieu of that deposit we actually put in a new meter, the city borrows money from itself is what it is doing. Are we allowed to do that? Service Director Smith stated enterprise funds are like new construction parks, they are not really looked at as a great way of doing things. They are when you are receiving the money but people have to pay them do not look at them as a good way. There is a lot of laws and stuff I guess. Councilman McCullough stated do you get a little thing on your gas and electric bills that says deposit interest. Service Director Smith stated I do not know, I know it says surcharge. Councilman McCullough stated there is a little like .21 that says deposit interest; you got a deposit on every other utility so why should we not have a deposit. Service Director Smith stated I did not say it was a bad idea. Councilman Erdei stated I mean our estimates of where we are going, I do not what happened with Avon Lake yet, and with our amount of money we owe. Service Director Smith stated the Avon Lake issue is pretty well solved, I mean it was solved. Councilman McCullough asked we owe them the money? Service Director Smith stated we were getting off by having a meter that was not reading full amount of water. To be very honest with you, when I got out of the hospital I came down here to stop in and see everybody and I heard about the water issue and I was like there is a file on my desk. I was told well you know Pat went through his big investigation and pretty much came up with this issue. I said to them here why do not you open up the file on my desk – it was done a year ago. I left the stuff there for everybody. Chairman Kovach stated well

you verified the conclusion. Service Director Smith stated I sure did, I used accurate information – I did not use Bill Gardner’s information. Councilman McCullough stated okay that is another committee, the reason we are asking you this is and I am just spit balling here is this ordinance passes and new people who move in that money is basically ours unless they don’t pay their water bill and then we would still be out that money and we couldn’t charge it back. Service Director Smith stated I do not know David would have to tell you exactly whether you keep it or lose it. I do not know how that would work. Councilman McCullough stated I think if we got a fund we could get this started. You were talking the other night and again this is the wrong committee. Chairman Kovach stated well I would tell you what we are going to do here, why we do not just forward this one to Worksession for further discussion. Service Director Smith stated I agree with you 100%, I think a deposit for new service is right but here is the other thing how do you treat a landlord who has a tenant because there is another issue going on here which has to do with shut-offs. A property owner owns the house and rents tenants, when they get that final reading that water should be shut off. That water is not always shut off especially if there is a tenant moving in 3 days later or they call and they say the new tenant is moving in 3 days later and then the new tenant does not move in for 2 weeks. Councilman McCullough stated here is something else too though Lenny and this is where I kind of get into that gray area, you say okay we should charge landlords but sometimes the only way a landlord has to get their person to respond is to shut off their water because they haven’t paid. However, on the other side the house that sits across the street from my house I know people paid their bills and paid him his rent and he never paid the water bill and their water got shut off. Service Director Smith stated it depends on what is on file. What is on file, there is always duplicate billing for tenants. The property owners get upset when the tenant does not pay, they cannot understand why they got a duplicate billing. Well when they rented the house out, long time when they set up the account they requested a duplicate billing and 2 they are responsible ultimately because they are the owner of the property. They are what they call the owner of record. Chairman Kovach advised it does not matter, in this state the property owner is responsible to supply water to tenants and that is the law. Councilman McCullough stated okay then if that is the law then we can have those deposits. Service Director Smith stated it would come out of the property owner, not the tenant but my question would be as long as that deposit is on file the deposit is on file right? Therefore, if he or she rents that house 3 or 4 times it does not matter because the deposit is still there. Councilman Erdei stated that way we at least got something, if the people do not pay the water bill just when they get their warning or whatever then shut it off. Until they pay it or the property owner covers it, somebody has to cover it and we should not be eating it. We got enough people that are dodging it and not paying their bills and that. Chairman Kovach

stated I think a good portion of those are foreclosure properties. \*Motion by McCullough/Second by Erdei to take our water deposit ordinance that we have been discussing and refer it to Worksession for further input. Yeas All.

**CITIZEN’S COMMENTARY: None.**

**All ordinances before Council at this time:**

Council#008 – donation of land.

**MEETING ADJOURNED:** With no further business before this committee,

\*Motion by Erdei/Second by McCullough to adjourn at 7:58 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.

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**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 February 6, 2014.

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**CHAIRMAN**

*Chairman Steve Kovach*

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**COUNCIL PRESIDENT**

*Rick Rosso*

*and/or*

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**COUNCIL PRO TEM**

*Alan Smith*