

Minutes of the Ordinance Committee meeting
Sheffield Lake, Ohio
September 4, 2014

This regular meeting of the Ordinance Committee was held Thursday, September 4, 2014. Chairman Kovach called the meeting to order at 7:25 PM.

ROLL CALL OF MEMBERS:

Present: Kovach, McCullough, Erdei, Mayor Bring, Service Director Smith,
 Law Director Graves

MINUTES: May 1, 2014, *Motion by McCullough/Second by Erdei to accept the minutes with any corrections. Yeas All.

PRESENTATIONS: None.

CORRESPONDENCE: None.

OLD BUSINESS:

Industrial District – Law Director Graves stated I really don't have anything for you tonight and I will try to have something for the next meeting.

Subdivision regulations – same as Industrial District.

Water deposits – refer back to Worksession for further discussion.

Housing Study/CRA zone – same as Industrial District. I have some census data and I have a draft which I just have to revise for you. Ultimately what I would like to see is the entire city designated as a community reinvestment area and that would enable us to give tax abatements or tax exemption agreements with businesses that want to build or expand here. We could give for commercial – 10 years @ 75% or industrial we could give 12 years @ 15%. Anything over 50% would require school district approval. It is really a nice economic development tool but the first step will get the city designated as that. I have a draft of it, we get that approved and then with our legislation we can start offering this. It takes time and I will get it to you soon. Councilman McCullough stated Harts that live just west of 83 on Lake Road on the lake side, there is a person or persons who just purchased that home and gave them their full asking price of \$600,000.00 and told them they could take whatever they wanted to including the house if they wanted to get it out of the way. But the house was coming down and I understand that they are buying up a lot of property in Avon Lake to put up duplex's, investment properties? Do you know anything going across there? Law Director Graves answered lakefront property is not zoned multi-family – that is single family residential for which he explained. Councilman McCullough advised I was wondering if they are running through Avon Lake buying all this property, not just theirs. I had heard a rumor that actually coming through them that the people that bought their house has also bought other properties in Avon Lake looking to build multi-family dwellings and also I guess they are doing it as investments. I know Avon Lake is really good about tax abatement. Law Director Graves advised first of all you have to understand that this is an economic

development pool and it is used for businesses. To my knowledge the only tax exemption that was given for residential is for the redevelopment of the Aqua Marine property. There was a brief discussion on Avon Lake ventures. Law Director Graves advised I don't want to dwell on what Avon Lake is doing, the point I am trying to make is the idea is (CRA) Sheffield Lake – it can be used for new housing but the real thrust is for new business development. There is a job retention and job creation requirement with each CRA agreement that you enter into with these businesses. For instance; you give 10 year @ 75% tax abatement to build your building but along with that you will agree to retain your 20 employees and create 20 new jobs over that 10 year period and that would be reviewed annually by a local housing counsel and if you are not meeting your job retention and creation obligations then your tax exemption could be revoked. Councilman McCullough stated that is what I am saying are we missing the boat on something; is somebody going in there and buying stuff up and did you hear anything. Law Director Graves answered no. Councilman McCullough stated are we missing the boat because it is not done. Service Director Smith advised if you remember right we ran into a situation last year where the city and Council looked at giving the Mayor authorization to give some types of incentives to businesses so this is just a continuation of that type of thing. This would give more incentives to have businesses.

NEW BUSINESS:

Solicitation ordinance – Councilman Erdei stated I know we charge \$10.00 a permit for soliciting, could we raise it \$5.00 just to make it \$15.00. How many solicitors do we have a year in this town, maybe 15 or 20? Mayor Bring answered it is not so much the amount of solicitors, it is the group that comes around once or twice that we get all the phone calls from people. It happens probably 2 or 3 times a year, they use my signature which they are allowed to do which I don't really sign it but it is a form that they pick up saying they have my permission. That is just something they just come in and apply for which is that \$10.00 fee. But I think on that if we could raise it up substantially, maybe make it \$35.00 or \$45.00 that might help. Again that would be something that David has to look at and find out what we are allowed to do and what we are not allowed to do. Councilman McCullough stated the people that come in that don't reflect the demographics of our area that claim that they are from here. Service Director Smith advised some have been very pushy with some elderly residents. Mayor Bring advised we had somebody just this past summer with going around with something but they actually did not have a permit but they were being very pushy and going around to the residents and stuff. We stopped it but periodically that happens too. They were in the Knolls doing that and they had some signs and stuff but they were found to be illegal – no permit. There is 1 or 2 groups that go around each year and it does happen but for the most part everybody that does apply that is very honest and open and a lot of it is a fund raiser for the kids or

some special needs or something like that which we don't want to chase away. Councilman Erdei stated so an actual background check which maybe takes 15 minutes or half hour. Mayor Bring advised it takes longer than that because if somebody is doing something, we need about 5 days. Councilman Erdei concurred you would need a grace period and for \$35.00 that would cover somebody's hourly wage doing that work. That is something to think about. Chairman Kovach advised you will look deeper into that for us David.

Mayor Bring advised Mark Cizl was in last night to Safety and he did bring up that poultry thing and I think we do need to look into that and give some kind of a ruling which is part of the ordinance. He was asking if the city allows to do that and I told him to bring it up during at Ordinance to find if there is an ordinance. Law Director Graves advised actually the answer is no – we don't prohibit poultry in the city, we don't prohibit chickens in the city. If you are just going to keep them in a pin for the eggs or whatever you are doing. We have noise ordinances so you know if you got a rooster or something that is creating a nuisance of noise/unreasonable animal noises is prohibited. There is also property maintenance code which addresses noxious odors so if they weren't keeping the pin clean; you know creating a foul odor then you have an issue there. The Building Inspector is aware of that but you are not prohibited from having chickens in Sheffield Lake. Councilman Erdei stated whatever happened with Amherst – did they agree with chickens on like an acre? Councilman McCullough stated like the Village they probably don't have a choice but to allow chickens. Councilman Erdei stated yes if you got roosters next door to you. Councilman McCullough stated oh well. Mayor Bring advised we did have that but they get them for a noise ordinance because that happened about 4 or 5 years ago. We did have somebody that had a rooster and was waking up neighborhood and they were fined for that. Councilman McCullough stated Frank Kepp had roosters for years over there and nobody complained. Service Director Smith stated we had a person with an alligator. Law Director Graves advised you are not allowed to have an alligator; you are not allowed to have dangerous or exotic animals. Chairman Kovach asked would the peacocks that used to reside here, would that exotic? Law Director Graves answered we do case-by-case review. Service Director Smith advised they got loose too. Councilman McCullough stated yes they were always loose. Service Director Smith advised they were running all over the place. Councilman McCullough stated we used to keep a horse at the house. Mayor Bring advised Serfanics used to have horses. Law Director Graves advised I will have to look at the code; we require a certain amount of acreage. If you can't keep mice or rodents or you can't breed them for commercial. Somebody wanted to do that, they wanted to breed mice for food or for labs who use them for tests. Chairman Kovach advised can we pursue doing something with it. Law Director Graves answered yes. I don't see a reason why the city couldn't outlaw them but I think you have to grandfather anybody that already has them. Mayor Bring advised you can't keep a wild turkey as a domestic animal – it is illegal. Councilman McCullough concurred

you can't keep a wild animal as a domestic animal. Mayor Bring advised via the State of Ohio if you keep a wild turkey as a pet – that is illegal. Councilman McCullough stated one lady was all upset, she took a little baby deer that got hit over to the thing and they said well put him down. She said oh no I don't want that to happen. They told her really you are going to nurse a deer with no hind quarter. She didn't understand that they were just doing their jobs as the most humane thing to do. Chairman Kovach stated the consensus of the Ordinance Committee is at this time we will leave the ordinances surrounding the issue which are noise and property maintenance and the others to control this at this time. I am sure that you will keep an eye on the situations that are at hand. Councilman McCullough clarified what do we have one person with chickens? Mayor Bring answered maybe 2, I don't think it is a big issue. Law Director Graves explained right now it is almost like a curiosity but I mean if they become a nuisance we have ordinances to address that. If they become a noise problem or odor problem or health problem, we have ordinances to address those things. Mayor Bring advised I almost agree to the point that you get to the point where you can't outlaw everything. David makes a good point – we have avenues to take. Councilman Erdei stated as long as they don't have 30 chickens in their backyard. Councilman McCullough stated you are not going to hear them, chickens have lips?

CITIZEN'S COMMENTARY: None.

All ordinances before Council at this time:

Council#048 – EMERGENCY – a resolution authorizing the City of Sheffield Lake to accept and approve the donation of a KA-Band single antenna package from the Ohio Traffic Safety Office and the declaring of an emergency.

Law Director Graves advised he will be here on the 9th for presentation of package and it is valued at around \$1500.00.

MEETING ADJOURNED: With no further business before this committee,
*Motion by Erdei/Second by McCullough to adjourn at 7:48 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

CHAIRMAN

Chairman Steve Kovach

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 September 4, 2014.

COUNCIL PRESIDENT

Rick Rosso

and/or

COUNCIL PRO TEM

Alan Smith