

Minutes of the Ordinance Committee meeting
Sheffield Lake, Ohio
September 3, 2015

This regular meeting of the Ordinance Committee was held Thursday, September 3, 2015. Chairman Kovach called the meeting to order at 7:14 PM.

ROLL CALL OF MEMBERS:

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

MINUTES: July 2, 2015, *Motion by McCullough/Second by Erdei to accept the minutes with any corrections. Yeas All.

PRESENTATIONS: None.

CORRESPONDENCE: None.

OLD BUSINESS:

Industrial District – **None.**

Subdivision regulations – **None.**

Building Permit fees – Councilman Erdei stated I looked them over and questioned the commercial fees but I am kind for it. We haven't changed them in I don't know how long and it is time to get them updated a little bit. The commercial part, we really don't have nothing major going on in commercial. I would be happy to see this get brought up to Council or Worksession to talk about it a little bit more because it really hasn't been talked about. **Chairman Kovach advised refer to Worksession.**

NEW BUSINESS:

Tampering with water meters/Opening vaults – Mayor Bring advised the ordinance we have right now for tampering with water meters, I don't think is going to sufficient enough especially with these new water meters and I think Avon Lake's is a \$500.00 or \$1500.00 fine if you tamper with the water meter. I think we need to look at increasing our fine or putting stronger language into that to keep these people out of these pits. We just had somebody just take one of the water meters and transfer them to his own house that didn't have water and he did go to court for that but basically it is theft but if we also have an ordinance for tampering even if somebody goes in shut that water off and do something which is totally illegal and we have these new radio reads and that screws that up you are talking a lot of money. So I think that we need to look at that and see what you guys think and read the old one and consider that. Councilman McCullough stated is there any way when we get these new ones in that we can tag them with something metal or something more permanent that says this meter is installed with a GPS and is trackable. Mayor Bring advised I don't think that would make a difference to people who are going to tamper with them because they are going to go in there anyways because they know they are not supposed to be in there. Councilman McCullough stated but with the warning

of any software or IT problems is also over and above because you are going to have to have that thing have some teeth. That is going to take dates and times with GPS because if you think about it those things are sending out a read. Take my street, Roberts Street and it sees it on Cove Beach it is going to screw the whole system and someone is going to go wait a minute you are supposed to be over there. Mayor Bring advised my thought process is that when we did get the new water meters in that we do put it on the water and then put it on our website and put that on the bill for approximately 3 or 4 months in a row so nobody misses the point that we have changed this and said that we do not want people tampering with these things. Otherwise we are going to have about 3,500 tags. In Avon Lake I think it is \$1500.00 for tampering with meters, it is an automatic fine.

Ordinance mandating for water service if you reside in a home – Mayor Bring advised we have 2 people doing that right now and we have no way of evicting them or getting them out of that house which I think is totally unsanitary even with the Health Department they will not get rid of them. But if we have an ordinance stating that if you have no running water going to your house you cannot reside that house. Councilman McCullough stated not even a neighbors hose counts. Mayor Bring answered correct, right now we have 2 meters that have been pulled and there is 2 people living in each residence. Councilman Erdei asked is that rental property? Mayor Bring answered one is a rental property and one isn't but you guys all know what is going on on Lake Road. Chairman Kovach asked you have talked this over with David. Councilman McCullough advised this rental property thing was my concern when we were trying to put teeth in protecting the renter, that that water should stay on regardless and that is homeowners fault. Mayor Bring advised in certain instances when the renter owns the property and they have somebody living there especially with a child we cannot go and shut that water off. The person that owns the property is still responsible for that, so if the people leave and they are evicted then we can shut the water off or whatever. But if somebody is still living there and they are not being evicted we cannot shut that water off if there is a child in there. Councilman McCullough stated so on the rental property they were already evicted, the Sheriff came and through them out? Mayor Bring answered they are not supposed to be there so I am just telling you.

Vehicles on commercial properties – Mayor Bring advised this is vehicles or boats parked on commercial properties and have been on there for a number of months and we cannot remove those. The other thing is that you have got some residents that have multiple vehicles that are in the yard and in transition to be sold so we are thinking that they should be registered and after 3 months of not selling or 2 months of not selling they either come down and get re-registered at a fee and/or we can tell them that that is the limit of how long they can put it on the property to sell. We had the boat down there at the corner of Abbe and Lake Roads for 6 months. Councilman McCullough stated longer than that. Councilman Erdei stated it has been a year. Mayor Bring stated we finally got the one removed. Councilman McCullough stated

the offshore was there a year. Mayor Bring advised the only way we got that removed is because there was no engine in it and we declared it a junk vehicle and that is how we did it. Otherwise, that thing would still be sitting there. So somehow we have to have something in our city and I know there is other places that have to have that because we cannot continually keep this up. We just had a gentleman come the other day and said there is an attorney who owns a piece of property and I have a boat and he said I was allowed to put that on there. He wanted to know where it was and I told him if you don't know where it is that is not my problem and I am not telling you. So this is going to be an on-going thing now so I think that somehow we have to stop this because we don't need boats, junk cars and everything else on these commercial properties and leave them laying there forever. Councilman McCullough stated I agree with you.

CITIZEN'S COMMENTARY:

Paul Alexy, 575 Buckeye Drive stated I was a resident of Sheffield Lake for 27 years and moved away and only because of 6 grandchildren my wife and I now live in Sheffield Lake. We like the town and we like where we live but I have a serious problem. A neighbor just north of me 563 Buckeye and his last name is Schneider has had an above ground pool 4 foot deep in his yard for 2 years with no fence around the pool. I asked him politely to put a fence with a gate and he said I have no money and I told then drain the pool. Mr. Alexy said I have grandkids that want to come play in my yard and I can't have them in my house, my kids won't let them come visit me. We all know what happened to a 4-1/2 year old who was visiting grandparents don't we? Grandparents can't always be – we are supposed to but can't always be touching that grandbaby. I came to the city about 6 weeks ago and I made a complaint to the Building Inspector and he in my opinion foolishly gave my neighbor 4-1/2 weeks to put a fence up. Your ordinance says fence the yard or fence the pool and if you don't it is \$50.00 a day fine. I said that pool should be drained until the fence is up or he should be fined \$50.00 a day and I got ignored. After 4-1/2 weeks my neighbor puts a 15-inch fence on top of the 4 foot pool because that is what the city ordinance says. Fence the yard or put a fence on top of the pool and tip the steps up. Now I have raised 3 children, 2 boys and a girl and they don't always do what I ask them to do when they were teenagers and when teenagers are in a hurry. If they tip the steps down and climb up in that pool and swim and then go someplace, there is no fence between my yard and their yard. Guess what my grandkids who could get out of my site could go up and Mayor we would have another problem. I am upset that he wasn't fined \$50.00 a day and I am upset that he was given 4-1/2 weeks without draining the pool and then he puts up this little picket fence and on either side of the steps which are tipped up there is a 2 foot gap. So guess what I did as a concerned grandparent, I just spent about \$800.00 and stuck my own fence up. I got a permit and it is a 6 foot wood fence and I am going to be able to have my grandkids come visit me now. What I am coming here for today and

you can tell I am a little emotional I want this city's ordinance changed today that says what the State of Ohio says – fence the yard with a fence minimum of 4 foot with a trigger to open that fence 52 inches up in the air which is what they have at swimming pools. If you want to open the gate you reached up here. I want you to remove in your ordinance that says and/or fence the top of the pool which is stupid. So please help me so I can take a deep breath, change your city ordinance and I am willing to do whatever it takes to change it. If it requires me coming to Council meetings, if it requires me suing the city because sometimes that gets attention. I have already spent money for a fence out of my own pocket. I will hire a lawyer and sue you if you tell me. Tell me what needs to be done, tell me it can be done in a month not a year. This is an emergency sir, this is not something that can wait a year to change. Councilman McCullough concurred it is and I am not going to argue with you. Mayor Bring advised I just recently heard about what was going on and I was totally unaware of the picket fence being installed on there and I have to agree with you 100% because we discussed these swimming pools how long ago Steve. Councilman McCullough stated it was before I was on Council so at least 4 years ago. Mayor Bring stated we demanded that they put the fences up and I know that some of this has been ignored but I was not aware of this around the pool thing. Councilman McCullough stated I knew it was around the pool but I thought it had to be 48 inches above the pool? Mr. Alexy clarified no the pool is 48 inches and they put a 15 inch picket on top of it and I happen to know that there are some stumps against it that are at least 24 inches high. Did you raise any boys and do they always do what they are supposed to do? Councilman McCullough answered of course not. Mr. Alexy stated are they going to put those steps up every time and what good does the picket fence do if the stupid steps are down. He continued “oh they only went in the house for one cold beer”. We do not need another accident in this city and you have to tell how long will it take to change that ordinance. Councilman McCullough stated first of all we have to refer it to Council and actually David has to write the legislation and it would have to go to Council and go under emergency and they usually they won't pass it under emergency unless it goes through Worksession one time. Now with something like this with some talk about it and citizens commentary before the first vote, what 3 weeks? Mayor Bring stated you aren't going to get anything done before winter time. Councilman McCullough stated at the earliest would be 3 weeks and then the pool is closed. Mayor Bring stated I don't understand the 4-1/2 weeks if that is what the gentleman got. Mr. Alexy stated that is what he was given because he said he didn't have any money to do it. So I said then drain the pool, problem solved – you go get money. Now I know they put money into landscaping and they both work, life is tough – drain the pool. Why was he given 4-1/2 weeks and not fined \$50.00 a day and not told to drain the pool? Steve thought I was being irrational, I should be more patient. Mayor Bring advised as far as the ordinance getting changed I would not foresee that being done before winter time unfortunately. Mr. Alexy asked do I have to be here to change that ordinance? Mayor

Bring answered no you just told these guys what to do. Chairman Kovach advised you are more than welcome to and you can come in and sit in the Council and Worksession meetings. Mr. Alexy stated I am going to be out of town and that is my problem. Chairman Kovach re-iterated you don't have to be here but you are more then welcome. Mayor Bring stated you can send an email and I can print it off and read it on your behalf I can that and these guys can do that. Mr. Alexy stated I will have my wife send an email. He advised it is good to be back in Sheffield Lake and I have heard good things about you sir. Mayor Bring thanked Mr. Alexy.

All ordinances before Council at this time: None.

MEETING ADJOURNED: With no further business before this committee,
*Motion by Erdei/Second by Kovach to adjourn at 7:34 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 September 3, 2015.

CHAIRMAN

Steve Kovach

COUNCIL PRESIDENT

Rick Rosso

and/or

COUNCIL PRO TEM

Alan Smith