

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

This regular meeting of the Ordinance Committee was held Thursday, December 3, 2015. Chairman Kovach called the meeting to order at 7:05 PM.

ROLL CALL OF MEMBERS:

Present: Kovach, Erdei, McCullough, Mayor Bring, Law Director Graves
Attending: Council elect Rosa Gee, Park Board Member Joe Gee

MINUTES: November 5, 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 – Chairman Kovach advised still on there for future discussion.
Ordinance mandating for water service if you reside in a home – Mayor Bring advised Alan Smith made a really good suggestion at the end of the meeting, it was after the meeting. He made a suggestion that if the water service is off we should automatically put a sewer bill onto that residence and that would probably pretty much solve the problem. Councilman Erdei stated I just want to make something clear too because I know somebody that owns a house in a town and he bought it to renovate it and I just got off the phone with him. He pays \$6 to \$8 dollars sewer fee every month and what he does is he has so much in the account and then they just deduct it. So I know this for a fact so we should be charging everybody. Mayor Bring stated but we are not on those other ones but I just thought that was kind of the whole jest of what we were talking about and why that was brought up was because we are losing money there. I thought that was a good idea. Councilman McCullough stated I thought about that and the thing that I was thinking though which I will never vote on because it will never get that far, something else you could consider on that is not just the sewer fee but also our storm water utility fee and the refuse. Whether the cans are moved or not. Just because your water is shut off doesn't mean our city services stop. Council Elect Rosa Gee stated the year my house was empty I had to pay the storm water every month. Chairman Kovach asked was your water turned off? Council Elect Rosa Gee answered I had it turned off, I had everything turned off. Chairman Kovach clarified so you had no water and sewer bill but you had storm water and no refuse either. Mayor Bring stated the only way they figure the sewer bill out is the amount of water that you use so we would have to come up some kind of basic fee. You know like \$25 or \$50 a month or whatever. Councilman McCullough stated the thing is look at my Mom's, that is a single person household

and she maybe does laundry twice a week so I would be you she has a pretty low sewer bill but that would give you some kind of base. I would say that the storm water utility and even so much as the trash collection which is figured on a whole and everybody getting their trash collected. That is leaving the city as a shortfall. Mayor Bring stated but you can stop your trash collection because when I had rental houses and there was nobody there I stopped the trash collection even though I had a water bill and then they have computers on their truck and they check the residence and they know who has trash collection and paid and who doesn't. Upon arrival of the Law Director, Chairman Kovach gave a brief review of the discussion being held at hand – minimum sewer fee, storm water utility and refuse in place of what we discussing on item D which is the ordinance mandating the water service. Where we were going to come up with a sewer service fee charge even if there was no water service. Mayor Bring advised of suggestion from Councilman Smith for basic charge for sewer fee. Law Director Graves stated isn't there already a base sewer charge because of the sewer capital improvement and all that, see we don't monitor sewer we monitor water. Mayor Bring stated it would have to be a flat fee. Law Director Graves stated there already is a base sewer charge that goes to sewer capital improvement. Chairman Kovach stated if that would be the case then perhaps what we would then be considering is increasing it and therefor imposing it. At that point if there is a fee then imposing it would be on your behalf. Mayor Bring stated even if we made it \$25.00 it would probably cover that because most of your water bills are \$57.00 or something like that. There is a ton of things out of it but I am just saying that if you are going to live there without having your water turned on - \$25.00 fee is not outrageous and you shouldn't be living there in the place. That is not saying that you don't have 10 people coming in there and going to the restroom and having parties and throwing everything down the drain, you don't know. So that would discourage them from staying there. Chairman Kovach stated if you do the research on that and then we will refer that one back to Worksession and come up with what would be acceptable fee. Law Director Graves stated when the water is shutoff, do they still get a water bill that would show the – they are still responsible for their storm water utilities and refuse and things like that that are on the water bill. So in other words, even a home where the water is shutoff there is people that should still be getting a bill for the other base charges. Council Elect Rosa Gee stated I got one every month. Law Director Graves stated I know people sometimes say my water is shutoff at this rental house why am I getting a bill, you are still responsible for the storm water utility and other things. Councilman McCullough stated to that point that is true and why should that person not be paying into the capital improvement with the rest of the city because eventually that person with the capital improvement is going to benefit. If I owned a home and I didn't pay anything for 30 years and then all of a sudden everybody paid into a capital improvement fund but me and all of a sudden the street gets new sewers. Maybe our capital improvement base needs to be added into that too. Listen it is keep your water bill current because

the fact is even if you got an empty thing you still have storm water and you still have capital improvement and why should they gain an advantage by not paying a bill. Law Director Graves stated I think in the past when the water bill has gone into arrears our only remedy that we sought was to shutoff the water and I think that they are still responsible for those other charges. Maybe we should be more aggressive in going after them for the unpaid storm water utility and refuse and whatever else is included in that. Councilman McCullough stated do you understand what I am saying, even if it sits empty you are still going to benefit from the capital improvement fund. Law Director Graves stated arguably they would still and I think the way the language reads, they would still owe that even if they are not using water. Councilman McCullough stated well just make you include that when you guys pass it. Law Director Graves advised it might just boil down to coming up with a better enforcement, we will look at it. Chairman Kovach stated I think too of what has been suggested here this evening is Rosa in her instance had the water turned off and it was set up whereas the other 2 units have just been turned off and then I guess the billing department was left out of those 2. Mayor Bring advised in some of the cases there were extremely high water bills so we ended up pulling the meter because of no payment. In her case she knew that she wasn't going to be at the residence which was probably current but then had the water shutoff. Law Director Graves stated I think we just shut the water off and then we say whenever they want it back on there is a reconnect fee and then you have to bring the account current whatever it might be. So if you get a situation where someone says I don't care if the water is shutoff, I will just live here without water and let those charges continue to roll we should explore other enforcement options I think. Councilman Erdei stated give them a 90 day limit. Chairman Kovach stated the way we handle the billing on that we continuously turn the issue over to the county to assess their taxes but what is to stop us from proceeding with legal action against them on our own? As opposed to sending the bill? Law Director Graves stated well we will look into that enforcement. Chairman Kovach advised refer back to Worksession for continued discussion. Mayor Bring advised why don't we just keep it here because I am going to find out about the billing, I am going to talk to the girls and see exactly what we do with all this stuff and then I will give those sheets. Chairman Kovach stated okay.

NEW BUSINESS: None.

CITIZEN'S COMMENTARY: None.

All ordinances before Council at this time:

Council#068 – SECOND READING – an ordinance amending Chapter 191 of the codified ordinances of the City of Sheffield Lake regarding earned income tax and the declaring of an emergency.

Council#069 – SECOND READING – an ordinance amending section 149.01 of the codified ordinances of Sheffield Lake regarding the Tax Administrator and the declaring of an emergency.

Law Director Graves advised we did receive communication from RITA and they are requesting that Council act on the Tax code amendment at the next meeting if possible. If you pass it on December 29th, that is cutting it kind of close so if you would consider it. Chairman Kovach stated technically speaking I would have been comfortable just voting them at the last meeting. Councilman McCullough stated these are one of those things that if you got to do it why put it off? Mayor Bring stated the thing of it is you got the Christmas holidays and everything else and they have to rush right in after the holiday on the last day to get everything done. Councilman McCullough concurred why put off tomorrow what you can get done next week.

MEETING ADJOURNED: With no further business before this committee,
*Motion by Erdei/Second by McCullough to adjourn at 7:21 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 3, 2015.

CHAIRMAN

Steve Kovach

COUNCIL PRESIDENT

Rick Rosso

and/or

COUNCIL PRO TEM

Alan Smith