

Minutes of the Ordinance Committee meeting
Sheffield Lake, Ohio
April 7, 2016

This regular meeting of the Ordinance Committee was held Thursday, April 7, 2016. Chairman Kovach called the meeting to order at 7:22 PM.

ROLL CALL OF MEMBERS:

Present: Kovach, Gee
Attending: Mayor Bring, Law Director Graves
Absent: Erdei (excused)

MINUTES: March 3, 2016, *Motion by Gee/Second by Kovach to accept the minutes with any corrections. Yeas All.

PRESENTATIONS: None.

CORRESPONDENCE: None.

OLD BUSINESS:

Industrial District – Law Director Graves still reviewing.

Subdivision regulations – Law Director Graves still reviewing.

Building Permit fees – **None.**

Chapter 1381 for permitted business in Industrial District usage – Law Director Graves still reviewing.

NEW BUSINESS:

943.07 Stormwater User Fees; Developer Contribution – Chairman Kovach stated Rosa has presented this issue regarding 943.07 on stormwater user fees. Councilperson Gee advised if you read it the way it is written now, it doesn't mention anything about backyard drains. When I found out for example, Steve's home has a backyard drain and it has been more at the discretion of each individual contractor whether to install a backyard drain or not. In ordinance we are not requiring it, if we add that to ordinance then all contractors building new homes would have to install a backyard drain but at the same time if we put in that ordinance the future maintenance of the drain would be the owners responsibility and that would help prevent some issues in flooding in future home areas. Chairman Kovach stated my only question for you is that a good portion of our construction is single lots dispersed all over the city. Whereas you know we have got the leftover of the development over at the old Gilfeather estates which is a straight line connection. Whereas anything on a single lot would ultimately have to be runout to the front storm drain. Plus I think the epigraphy of the actual lot might play into that too. You know if you have got a really high backyard. Councilperson Gee stated in other cities this is being addressed for all future home building and it has been in effect in numerous cities for quite a while including Avon Lake I believe. It saves the city from taking the brunt of something after a contractor builds a new home and sells it to the homeowner and then the homeowner comes here screaming saying I didn't

know I was going to be flooded. This way it is already taken care of before the homeowner ever buys the home. Chairman Kovach stated I don't have a problem with it, I am just bringing up my thoughts and concerns of the whole issue. Councilperson Gee stated that is why I am explaining why I thought it would make sense to correct this now before we go any further with any more trouble. Law Director Graves stated I think it is a good idea and I am wondering if it might be more appropriate for future subdivision regulations. Councilperson Gee stated don't we want to cover it for every new home built? Chairman Kovach stated I think it is a really good issue but I think maybe 30 days of additional research on what David's thoughts are on it. Councilperson Gee stated I used Avon Lake as a basis when I was studying this and then I started looking and realized if we would have had this in effect with some of these homes we wouldn't be dealing with the flooding in the next neighborhood because it wouldn't be getting all the water from both neighborhoods. A lot of the newer homes are causing flooding towards the older ones. Mayor Bring added what probably wouldn't hurt either is to get the Building Departments opinion for those smaller lots and how that would be connected and how it wouldn't be connected. Law Director Graves stated the question is if you are in an older street and there is a house that is torn down or there is a vacant lot and you say I want to build a new singular home there. Then you say well you have to put a rear yard drain in and where is that going to drain to and if it is just a ditch which aren't draining effectively. For like new subdivisions where there is going to be storm sewers; absolutely I think that that should be required. Councilperson Gee stated but at the same time, I see what you are saying but for example Kenilworth they came down and put in the storm drain piping. I had a chance then to tap in with a backyard drain, I just couldn't afford under my house and all the way. If the homes are done prior to them being built there isn't that big expense. Once that pipe went in down Kenilworth it caused the flooding to both Sue Savy's property and mine to get worse. A large percentage of our older streets have the storm water piping now. It is just a matter of when a home is being built, before it is built they run the pipe. Mayor Bring advised the other thing is through the years like I have stated at Roads & Drains that storm water is going to be paid off in 2021 and like I said whoever the Mayor is then I would hope would go back and revisit it and maybe continue those bigger projects and maybe that would help also as far as hooking these up. Chairman Kovach stated at this point I am going to suggest that we leave it in the hands of the legal department and the administration to get the input of the Building Department. Mayor Bring advised I will follow up on it. Chairman Kovach stated we will continue on with this, this isn't something that has to be done tonight. This one will require some thought. Mayor Bring advised I will talk to Mr. Fillar and have him type up a report and see what they think too. Councilperson Gee stated David you could check with Avon Lake on part of this. Law Director Graves stated I have one in my backyard and I think all the new developments have this and it is the homeowners responsibility to maintain. I know when I had an extra drain in my yard

we just tapped into it, it is your drain it is not the city's. In new subdivisions – absolutely this should be required but when you are talking about every new home on these older streets I don't know and I don't know if Avon Lake requires that. Councilperson Gee stated if we don't start doing it we are never going to. Law Director Graves stated some of the older neighborhoods with ditches, I don't know that it is required on every new house. I will have to look at that.

Chairman Kovach advised the Mayor has recommended purchasing a 4 ton hot box at a very acceptable price. Mayor Bring advised I would like to have the emergency clause on it to be honest with you. That is the only one that is available, that is it.

*Motion by Gee/Second by Kovach to have the hot box legislation with an emergency clause on the purchase of this hot box as it is a demo and the price reduction is fantastic and saves us \$10,000.00. Yeas All.

CITIZEN'S COMMENTARY: None.

All ordinances before Council at this time:

Council#010 – THIRD READING – an ordinance by the Council of the City of Sheffield Lake amending the zoning classification of five lots known as permanent parcel numbers 03-00-033-108-006 through 03-00-033-108-110 located on the east side of Pleasantview Dr. from R-1 single family residential to B-4 Business.

Council#012 – THIRD READING – an ordinance amending section 521.08 of the codified ordinance of Sheffield Lake regarding littering and the declaring of an emergency.

Council#013 – THIRD READING – an ordinance authorizing the Mayor to enter into an agreement with Greve Chrysler for the purchase of one Police Department vehicle and the declaring of an emergency.

Council#019 – EMERGENCY – an ordinance approving the recodification, editing and inclusion of certain ordinances as parts of the various component codes of the codified ordinances of Sheffield Lake, Ohio and the declaring of an emergency.

MEETING ADJOURNED: With no further business before this committee,

*Motion by Gee/Second by Kovach to adjourn at 7:35 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

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 April 7, 2016.

COUNCIL PRESIDENT

Rick Rosso

and/or

COUNCIL PRO TEM

Alan Smith