

Minutes of the Ordinance Committee meeting
Sheffield Lake, Ohio
May 5, 2016

This regular meeting of the Ordinance Committee was held Thursday, May 5, 2016. Chairman Kovach called the meeting to order at 7:18 PM.

ROLL CALL OF MEMBERS:

Present: Kovach, Gee, Erdei

Attending: Mayor Bring, Law Director Graves, Park Board Gee

MINUTES: April 7, 2016, *Motion by Erdei/Second by Gee to accept the minutes with any corrections. Yeas All.

PRESENTATIONS: None.

CORRESPONDENCE: None.

OLD BUSINESS:

Industrial District – Law Director Graves advised have draft that he will revise.

Subdivision regulations – Law Director Graves advised have draft that he will revise.

Building Permit fees – Councilperson Gee asked are we considering the fact that the school has been sold and we still haven't looked into doing anything with the building permit fees. This is like 2 businesses since we started talking about this that have now been changing. I understand that no one wants to raise it against the residents and I totally agree with that. I understand our waiting until the company has been here for a year but some of the issues aren't just money for that company. There are issues that we need to address as a city. Chairman Kovach advised as I recall and as Council President Rosso made a very good point as far as what little additional money we would actually pull in on that even with the amount that we could have collected possibly additionally when Erie Shore Landings was sold to the Perch, it was a matter of a couple hundred dollar's tops. So I don't see much of an increase coming in on the fees on that building. Councilperson Gee stated I don't think it is just a money issue, I think there are things that really need to be looked into. Chairman Kovach advised I don't know quite what you are talking about, this is here for the discussion of fee's so what are the potential issues you are talking about? Councilperson Gee stated on the fees with the Industrial, the other neighboring and surrounding communities all have raised their fees. I understand that we want to bring business into the city but at what expense, other people aren't going to those cities because of the expense I am sorry I don't believe that. It is not that much of a difference, I think we really should be up to date more with what everyone else is doing in regards to industry. More than just the fees, I understand this part is the fees but the Industrial District we keep basically leaving it sit here and there is a lot of issues to be addressed with it. Chairman Kovach asked so what you are discussing is the Industrial District as opposed to the fees? Councilperson

Gee explained any of it, the building permit fees all of that in a way are tied together. It is something that we keep putting on the back burner, all these things and other cities aren't putting them on the back burner and I really don't think that is to our benefit to either. Chairman Kovach stated I don't know exactly which area you are leaning towards? I don't know where you are at with the draft on the Industrial District itself? Mayor Bring advised something that might come into play in the near future here is when Ford announced that addition over there. We don't know exactly where they are going to go but potentially it is going to be in Sheffield Lake so what Rosa is talking about may come into effect. I was just thinking about this as she is talking. I just asked David and it depends on how it is categorized and the agreement between the 3 cities too. But that may come into play there a little bit. Councilman Erdei stated I know at one point, Rosa and I definitely wanted to straighten out and raise the commercial end of it and not the residential part of it. Council pretty well didn't want to do nothing on it and they said wait until the contract is up but I think the commercial end of it is important to our city at least to get the ball rolling. Who knows if somebody does purchase the shopping center or like you said Ford, even though it isn't a lot of money it is still the main fact about it. Just to keep us all updated with the other communities. Law Director Graves advised I have Kay running off copies of what I have, I will give that to you tonight so you can take a look at it. Chairman Kovach advised well that is one issue. I honestly believe that we could come up with an ordinance to sponsor and I don't believe it would pass. Councilperson Gee stated if we could at least separate the two; residential and industrial. We never even got that far. Councilman Erdei stated everybody on Council didn't really want to do nothing with it. The last time we brought it up was in Worksession if I recall. Chairman Kovach stated that is where you would discuss it. There is no sense proceeding with it if nobody is interested in doing it at this time. Law Director Graves advised at least in terms of Ford if you recall several years ago the State came to the 3 communities and said that in these types of situations we really don't want 3 different Building Departments, 3 different Fire Departments, 3 different sets of fee schedules on these types of situations because the Ford Plant does span the municipal boundaries of all 3 communities. So we came up with an agreement between Sheffield Lake, Sheffield Village and Avon Lake that defines what the type of improvement is going on in there and how it is to be handled. We also adopted the uniform fee schedule which was I think Avon Lake's fee schedule since they were going to be doing the bulk of the inspections. So for Ford we would utilize that, improvements in Ford are broken out into a joint improvement which would affect basically the entire plant. Avon Lake handles all of those and if it is a singular Sheffield Lake improvement, that would something that is billed entirely within Sheffield Lake or something that is entirely within Sheffield Village then Sheffield Village or Sheffield Lake would handle those inspections using that uniform fee schedule. If it is something that is shared between Sheffield Lake and Sheffield Village then whichever is the majority would handle that. With Ford we

do have that agreement and we do have a uniform fee schedule for that. Councilman Erdei stated well that is covered basically so any kind of move that make we are already covered. We don't really have that much commercial building going on let alone the land to have it done. Law Director Graves stated when I and you will see when get your copy for industrial, our Industrial ordinance is outdated. Councilperson Gee stated very outdated. Law Director Graves continued it goes back to 1967 and it is very short, it is only a couple of pages and many of the types of industry that are listed are kind of antiquated and a lot of modern type of industry isn't included. So we have actually had to kind of work within this in some things. There is a problematic portion of this where it says any use not expressly permitted is excluded. So you can take a look at what I have put together, it is largely based on what Avon Lake has and they have a lot of industry there. One thing that is different is they separate into light industrial and industrial and we don't have the need for that I don't think. Mayor Bring stated at some time with the old Abbe Road Lumber Company over there, that gentleman has proposed on fixing that up and doing that too. I think that is a commercial piece of property, it is not industrial over there. But that would be one of the big projects and the other one would be the Shoreway Shopping Center if anything ever happens. Law Director Graves stated so you can take a look at this, it also creates which we don't have permitted use or conditional use. It is very common in various zoning codes but not common in our code but in most codes in different zoning districts and even in residential versus business there are certain uses that are just permitted and there are uses that would conditional uses that would require Planning Commission approval and perhaps City Council. Usually it is Planning Commission with Council before they're permitted. There is a lot here, like I said the first 3 pages are existing ordinance and the rest of this would be the amended. Chairman Kovach advised we have food for thought at this point. We could review these over the next 4 weeks and we can move further ahead with that at next month's meeting.

Chapter 1381 for permitted business in Industrial District usage – Chairman Kovach advised this is what Rosa had brought to us. Councilperson Gee stated the animal experimentation and the monkeys and the fur farm. Law Director Graves asked what do you want to do with that? Councilperson Gee advised you were going to amend it the last time we talked about it. Law Director Graves asked did you guys vote on amending it? Councilperson Gee stated you were going to look into for us. Law Director Graves asked for clarification? Chairman Kovach stated I am going to guess possibly in a comparison with surrounding communities and what their issues are. I guess some of the issues are probably either outdated or don't fit well with this size community for the size of the area that would be required for some of these businesses to move in. I don't think they have the land mass to be able to do it. Law Director Graves asked are you coming at it from a stand point of this is not the type of business that we would want to see in Sheffield Lake? Councilperson Gee answered exactly. Law Director Graves stated then why don't you just propose to

repeal it I mean what am I looking into? Councilperson Gee advised there is a paragraph that I printed out and gave you a copy. Law Director Graves stated I have it right here. Councilperson Gee stated all the yellow, you were going to look into about just amending the ordinance and removing some of that. It talks about you are allowed to raise fur bearing animals and we are allowed to have scientific experiment animals. So many cities are chasing those businesses out of town and we have determined we did have a few places in the city that actually did have the land for those businesses. Chairman Kovach stated I guess what you have suggested David is probably the best option is to repeal. Law Director Graves stated I need specific direction here, do you want to permit stables but not medical experimentation or do you want? Chairman Kovach stated I think your suggestion of repealing the ordinance completely probably fits the bill. Councilperson Gee advised we had originally talked. Law Director Graves advised we are not going to repeal all of 1381. Councilperson Gee advised no we had originally talked David about the scientific experiments on animals and the fur bearing animals, the ones that were highlighted in yellow were the things that we talked about. Law Director Graves stated I understand I think that this committee should have discussion about where you want to go with these type of businesses. I mean is there a consensus among this committee that you want an amendment to this ordinance that prohibits those type of businesses and you want to recommend that to Council. Is that the consensus? Councilperson Gee stated I thought that was already what we agreed upon. Law Director Graves stated no I don't recall that but that is fine. Chairman Kovach stated it has been several months since we first discussed that and there was no further discussion basically because he wasn't here last month and that may be why we didn't go any further with it as far as discussion. Law Director Graves clarified so you are asking me to draw up an ordinance amending 1381 to prohibit those type of businesses? Councilperson Gee answered yes. Law Director Graves stated fine and do you want that to go to committee or do you want that to go to Council? Councilperson Gee stated how about next committee. Chairman Kovach advised yes we can go over it that way and review it. Law Director Graves asked for clarification to prohibit animal experimentation? Councilperson Gee answered yes and the fur bearing. Law Director Graves asked what about fur bearing? Councilperson Gee stated we talked about that also because all that does is draw scandal that Sheffield Lake doesn't need and the way it is written on there I have got that highlighted. In other words somebody can raise and skin coons if they want and that is not a cool thing. It is not a popular thing now a days. Councilman Erdei stated I don't think we could discuss it at Worksession with Council. Chairman Kovach stated let David come up with the first draft with the amendment. Law Director Graves stated I am not sure that these type of businesses, there might be a conflict already within the code in that 1381 – title 13 is the building code. That is not the zoning code, the zoning code is title 11. So this is pertaining to building code standards, so if you have these type of facilities in those districts I don't even know why this is in there.

If you go to the zoning code, it says here B3, B4, B5 those might not even be permitted uses under those zoning codes. I would have to take a look at that. Then under the new proposal Industrial ordinance whether that would be a conditional use or a permitted use even in Industrial. Councilperson Gee stated that is if we consider doing a new Industrial. Law Director Graves stated yes and I don't know if that is permitted under the old one or not. I think it is a little bit odd that it is even in the building code. Chairman Kovach asked what was the date that was actually through? Law Director Graves answered 1976. Councilperson Gee stated newer then we thought originally. Law Director Graves stated I think that sometimes throughout the history of the city, there has been times when the zoning code amendments require 3 readings and it is easier to amend the buildings codes. I think sometimes things might have gotten put in the building code that would be more appropriately put in the zoning. Chairman Kovach advised now that we have had clarification on that I guess we can move on. Councilperson Gee asked you are going to check for a fact this time to see that is corrected in the zoning code already? Law Director Graves answered no I am going to draft an ordinance, I will review our zoning code to find out what that permits and doesn't permit as far as animal experimentation and raising of fur bearing animals. Councilperson Gee asked then do a draft? Law Director Graves answered then I will put together in ordinance amending 1381 to prohibit those types of businesses and if necessary I would have to amend the zoning code as well.

943.07 Stormwater User Fees; Developer Contribution – Chairman Kovach stated this was brought again by Rosa in regards to desiring rear yard drains and grading for these drains being the responsibility of the contractor in new construction. As I have made my point I would believe that that would work in a brand new development but I find it hard to work in the spot lots that we have and I think we did have a minor discussion on that Dave how that may or may not work. Councilperson Gee stated they came down Kenilworth, all older homes. They did back yard drains for any of us that wanted, the problem with this for example; me doing one in my back yard on Kenilworth was it would have cost me too much to go underneath my house. Now my neighbors with the same age house, she had a bigger yard she connected. If we do it for all new construction, there gradually the whole city will be done eventually and it is much easier to do the back yard drains when you are building the home then try to put one in after the home is already built and the way the city so far in everything I could find on it it has always been up to the discretion of the contractor building whether it be the homing development or building the single home. Steve you have a back yard drain? Chairman Kovach answered yes and it goes through the whole neighborhood, starts at Oster and goes all the way down. That is why I am saying if you install it like where 4 houses have it or don't have it and 1 lot gets built up that is in between the already developed areas which is what I would say 80% of the available lots are in this community I just feel that it would be extremely hard and I don't know that it would be efficient.

That again would be dependent upon the actual topography of the particular lot because when they put in Hollyview those back yards were all designed where the homes sat like on the top of a hill and the front ran towards the front drains and the back yards ran to the back. Where you have many of the properties here, you got where the back of the yard is high and to make water run up hill is just not going to work. That is my only thoughts on that. Councilperson Gee stated when they have built the newer homes on Kenilworth after they have torn down an older home not all of them have had to have the drains in even though after storm water was created the piping did go down the street. Some of those homes on Kenilworth have the back yard drains and some of them don't, some of the older homes do even. We want to get rid of the flooding in the city and in my personal opinion we can't keep making excuses to let the flooding keep happening. Chairman Kovach stated you owned a piece of property on Kenilworth Dennis, what are your feelings on that and again just due to the grade of the land? Mayor Bring answered honestly I went and talked to the Building Inspector and the Building Inspector actually agreed with Rosa. He said that there should be no problem putting a drain in through a new construction yard. My son lives over on Devonshire and they got all those new houses over there and I think out of the east side where he lives there is 3 people with drains because we just went down there and marked those because we are going to do that piping. Then the rest of the yards don't and actually have standing water in them. That was what prompted me to ask the Building Inspector about that and I asked how difficult is that and he said it really isn't that difficult and he would recommend that. I could get something from him if you would like but he could probably give you his thought a little better then what I can and now you were asking about that house on Kenilworth, after I purchased that the lot next to me which was also mine was 70 X 110 that used to have a foot of water in it at this time of the year and then the back yard behind my house. I actually rented a trencher and piped the whole lot through and went all the way around the back of the house and I cut the sidewalks and ran the drains out into the ditch and that eliminated all my water. It does work and what I did was much more difficult because the house was still standing but I did do that. Like I said I did approach the Building Inspector and he thought that was a good idea. I will tell you that the front of my yard over on Kenilworth because I put a sidewalk in, that was blocking all the water and that was because when the house sold that that is what was required. So that sidewalk actually blocked the water from draining so that is why I cut the slots in there and did that. It did alleviate all that water. Councilperson Gee stated if they are already made when the home is being built, they are already there to connect if there isn't drainage yet. It is much better then in my position on Kenilworth, there was nothing I could do. I really needed the drain especially after the sidewalks went in but there was nothing that I could do that was within a feasible amount of money. I would have had to have gone under my house to do it because I didn't have the land. All we are doing is saving the future residents and the future neighbors a problem because not all the homes are having

them but eventually every home will have one. Then we are ready to further on with our storm water it is already done, it is already there. The flooding is really getting bad and the more that comes from neighboring communities the worst I am afraid our flooding is going to get. Mayor Bring advised for the next meeting I can get the Building Inspector to give me a little write up if you like. Chairman Kovach stated that will work and Dave if you could write a draft in regards to this, installing rear yard drains. Councilperson Gee stated the maintenance afterwards is the home owners responsibility. We have got a lot of calls over at the Service Department thinking that those back yard drains are the city's responsibility, if it is in the ordinance then we just show them the ordinance and there is no problem. When they buy the home they realize that is their responsibility. Chairman Kovach advised storm drains have always been whether they are in the front yard or in the back yard, whether they are a drain or a ditch. Law Director Graves concurred yes they are the home owner's responsibility. Chairman Kovach stated but I guess we could add that language if you feel that. Mayor Bring stated the one thing that we had on Irving Park if you remember when Bill Gardner talked about when we had infiltration when we had those heavy rains, people were actually the man hole covers over there for the sanitary and that is how they were draining the water. We have actually sent letters out to people warning them not to do that anymore and I don't think that they do do that anymore but that was a practice for quite some time. They have no way of draining that water back there because I don't think they ever put any drains back in there which should have been done a long time ago. Law Director Graves noted for clarification of language; for all new construction, residential only or also commercial? Commercial would already have a site plan review where they would see what kind of drainage is necessary, so are you talking about residential and are you saying rear yard drains or where necessary or what about the side yard? Mayor Bring stated if you want my opinion, normally what happens is if the contractor comes in they put one drain in and then the home owner decides later if they want to run and connect it to different parts of the yard they can do that. But that is normally what happens is there is just one drain, one pipe and that is the contractor's responsibility and anything after that then the home owner can connect to it but that at least gives them the opportunity to connect to it. Councilperson Gee stated as long as it is being graded towards it, during new construction the grading can be done really easy at that time with no added cost. Mayor Bring stated well you got piping's and stuff but it is very inexpensive when you are doing it that way versus the way I did it. I think it would just be the rear yard of residential and just one drain. Usually when they do that too then the contractor will grade the back yard accordingly or just make that a low spot there so the water goes through. Councilman Erdei stated a lot of times these contractors come in and slant towards the neighbor. I go through town sometimes and see a lot of side yards under water too. Mayor Bring stated you got to remember that Sheffield Lake was extremely low when it was actually founded. If you look at the demographics of the clay and everything else, it never

was raised and they put houses on ground that was not purposely set for having a house on it and then never raised it up. So then when people started putting cottages up they left it the way it was and then people with new houses came in and they raised it up and that is where we have the problems. That is throughout the city and I don't think you are ever going to be able to correct all that. Councilperson Gee stated we just need to get it to the lake and cleanly. Law Director Graves advised for all new construction in residential there shall be required a yard drain at the appropriate grade as determined by the location of the drain. Mayor Bring stated either the Building Department or Service Department can determine that. It would be part of their drawing. Councilperson Gee stated we are getting a lot of homes that are being tore down and empty lots. If we don't correct the problem now it is never going to get corrected. There was a brief discussion of what is happening now.

Councilman Erdei stated on the driveways on our ordinance you were talking about **NEW BUSINESS:**

Mayor Bring stated I think I told you guys during our Worksession some of my thoughts. I have been thinking about this for a long time and obviously when there is a law and people are violating it we have to enforce it. But in going around town and looking at how many driveways are in violation, there were more than I anticipated. So instead of having 300 people come down here and screaming at you and me and everybody else. My thought process was that we grandfather the driveways in the way they are and if they have a gravel extension next to the concrete right now they will be able to leave it that way and they will have to maintain it. I talked to the property maintenance guy and to the Building Inspector and a couple of other people about this and we would treat that like we do the sidewalks. So if the house transfers into a different name they would have the option of taking that extension and reverting it back to the natural state of dirt and grass and seed and once they have done that they would never be able to put the extension back on. Otherwise they would have to put in the concrete and/or asphalt. We don't have asphalt down now for a hard surface, it is strictly concrete but I don't think asphalt is a bad idea. The cost is almost exactly the same so I would think that most people would just do the concrete. This would be through a point of sale which I talked to the Building Inspector about so when the house would go to sale he goes around and checks and makes sure everything is alright and we would have that in ordinance form. As the house would sell they would present that and say this is your option, you either have to revert back or you put it in concrete. I think that would solve all of the problems and it may take 20 years to get everything resolved but I think that would be the easiest way for the city to address this. I would still recommend that there would be nothing on tree lawns and there still will be no parking on the grass. So if there is an existing gravel driveway you can still be gravel and they would not be required to change that into concrete or asphalt, they could still have that. These are the extensions onto what was already there. Chairman Kovach advised that is a much more viable solution. Mayor Bring advised we probably have close to 200 and

maybe more. The Property Maintenance Officer said that he would go around and make sure of that, there would be no more once this ordinance passes, there would be no more extensions with gravel in it it would have to be either concrete or asphalt. I just think this would be the easiest solution. It is throughout the whole city, it is just not in one little section and that is what I said when I start driving around and start counting I was like this is going to get ugly. Chairman Kovach asked would we be photographing all the existing properties the way they are and have a record of that. Mayor Bring advised in speaking with Tom we can get aerial views of the county maps and then Tom was also going to go around and address the ones that have them now and list all the addresses. It will take some time but he already drives around all the time and said he didn't think it was a big deal to make the list. Law Director Graves advised it is a bit strange as they are illegal now and normally when something is just not mentioned in the law and we want to make something illegal it is prospective in existing as grandfathered, unless you wanted to go back and make it specifically retro-active which in many cases like this would be unequitable because you force people to spend that kind of money in something that was otherwise illegal at that time they did it. It is a little strange to change to kind of exempt existing violations and then say well if anybody else wants to do it going forward we are not going to permit it. Mayor Bring stated some of the people were talking that when we put this in when we moved in and we should be grandfathered in and that was a big sticking point. Like you said it wasn't legal but up until this point we were going to allow it, so some people said okay let's start with 2000 something and we will do it then. So then we got to go around and figure who in 2002 had these in and who didn't. Then the people that didn't have them in we are going to complain and have an uproar because these other people are allowed to do it and that is why I thought the whole thing as a whole. If we just did it as a whole it would just make it simpler and that is why I was trying to eliminate that because I had 4 or 5 different people telling me all these things and they were all telling me something different. The thing that came to me was the sidewalk ordinance because we enforced that when we sell the house and that was the thing that stuck in my head that that was how we could correct this. Councilperson Gee stated on the driveway ordinance, technically anyone with asphalt can't have it either. That makes no sense because when Griffith goes down your street, if you don't have a decent driveway they knock on your door and have a great price. A lot of places asphalt is better than cement, it is a better price. Law Director Graves advised there is a bit of a conflict within the code, there is a provision that goes back to 1970 I believe that talks about drives being concrete or asphalt then sometime later in the code the provision went in that said all new driveways must be Portland cement. So you have got the 2 working together and I would interpret that that drives is more for commercial where you might have an asphalt parking lot or something like that. The later ordinance and usually the later one controls and it is more specific and the specific will always control over the general so that the later specific ordinance for driveways, requires

that all new driveways be concrete. But you do have this going back to at least 1970 that drives had to be made at least asphalt. If you have an existing you can always add on or maintain what is existing, so if you have an existing gravel or existing asphalt driveway and there are a few. Chairman Kovach advised I would think you would find as many asphalt driveways in the community as you do the gravel ones, just again on all this and not necessarily on the newer and new construction yes they are going to be concrete but I bet you there is as many or more asphalt then there is gravel. Mayor Bring concurred that is a good point too and that is something I was thinking about too. I had an asphalt driveway since 1950 something before we moved in and then we maintained that and I ended up tearing it off and put concrete in. My neighbors have an asphalt driveway so there are a lot of those. I think that is why I brought that up is because if somebody already has that there and then they put concrete next to it, that looks as bad as if you put gravel next to it. So that is a good point. So that is my food for thought. Chairman Kovach advised I think on top of what you are suggesting is that maybe we should review and eliminate the conflict in those 2 issues there. Law Director Graves advised it is not that big of a deal because like I said you have a later more specific ordinance that controls all new driveways have to be Portland cement, that is very specific. So if you build a house and you put a driveway in today it has got to be concrete but unless you are doing an addition to a driveway that is existing asphalt or gravel then you are adding onto existing so you don't want to put concrete next to asphalt or vice versa. Mayor Bring stated another thing is that I drove around and I didn't think we had as many gravel driveways as we do and we do have a lot of gravel driveways. Like I said in my opinion too I don't think it is fair we would want to make somebody change that into it. Now resale value – yes but if they want to maintain it and keep it that way and that is what it has always been then I don't have a problem with that either. That is my thoughts. Chairman Kovach advised the Law Director why don't you assemble something that we could look at for next months as far as moving towards a vote on Council in regards to that. Law Director Graves asked can committee tell me specifically what you want in this ordinance or do you want me to come up with something. Councilperson Gee stated grandfathering in what is already existing, is that something that we agree upon? Chairman Kovach and Councilman Erdei agreed on that point. Chairman Kovach advised I guess would we tie it to any point of sale it would revert to the natural driveway or concrete or asphalt. Mayor Bring advised but if it does revert back to the dirt then the next person that owns it is not allowed to go back the other way, back to gravel I should say. Councilperson Gee stated so at point of sale it has to be up to modern code, it is no longer grandfathered in. Law Director Graves asked are you talking about extensions, additions or the entire drive? Mayor Bring answered extensions as most of what we have they are already some type of a hard surface, either asphalt or concrete. What they have done is just add next to it, that is what we are trying to get resolved here. Law Director Graves clarified so it must either revert back to dirt, grass or be brought up to the hard surface

of the existing driveway? Mayor Bring answered correct. Councilperson Gee stated a lot of the homes don't have cement anywhere. Mayor Bring stated I know that, that is what I am saying is it is not as simple as I thought it was when I first started looking into this and then when I said when I started really driving around and looking at it it was much more involved. Then you get into the word fairness and you are treating one person one way and you are not treating another person the other way and this was the only thing I could come up. It is no different than the sidewalks, we started this a long, long time ago and as the houses have sold we have gotten sidewalks in and it still isn't 100% but it looks a lot better than it was but I think once this gets going at least there is something in place. Law Director Graves advised as everyone is aware one of the options for the sidewalk is if you are selling your house and don't want to put in the sidewalk, you can escrow the cost and there is a calculation based on the linear feet and then the city as part of a city wide sidewalk program will put that in at some point with the money that is escrowed. Are you considering that for the driveways too, the driveways are a little different as they are on private property? Chairman Kovach answered I don't think so because then the city would have to do the install. A sidewalk is in theory continuous and on-going through the community where each separate driveway its own entity. Mayor Bring stated I did think about that too and I have to agree with Steve on that because if we get involved in that people are going to put it in. Councilperson Gee asked I thought we were getting away from the sidewalks? Mayor Bring answered no we are still doing that. Councilperson Gee stated I mean getting away from the city doing it? Mayor Bring answered no we hire somebody we hire people to do that though. Law Director Graves stated most people I think escrow the money because you are selling your house throughout the year and maybe the weather is not good and it is hard to say I bought this house and now hire a guy to put a sidewalk in. So it is easier for them to just deposit the money and sell the house and then at some point the city comes out and does it. Chairman Kovach stated that also alleviates should there a road and/or drainage project. Mayor Bring advised that is something that I didn't think about though is bad weather, you know like winter time. So maybe David does have a good point there with the escrow money. Law Director Graves stated the other thing is to make it very clear too it is going to be a hindrance on a lot of people trying to sell their homes, they are not even going to know they have to do this. They are going to say well I want to sell my house and they are going to negotiate with a buyer and then they are going to come to find out wait a minute you have got to do the driveway. Mayor Bring advised I did think of that and we are going to have to start notifying the real estate companies that this is something that is new in our ordinances. There is more to think about then just what I said. Chairman Kovach advised we are slowly trying to undo all the issues that have either been inappropriately allowed and somebody is going to have to help for it. Law Director Graves advised you are mostly talking about the gravel extensions so it is like we are requiring them to put in a concrete driveway that is going to cost them \$9000.00.

In many cases it would be you have got to scrap out this gravel that you have put down and it may not be that big of a project. Chairman Kovach advised in many cases if it has sunk down low enough you can throw dirt on top of it and grass seed and you are done. Mayor Bring advised you should have to remove the gravel that is in there because people are just going to throw stuff on top of it but the problem is if we continue to allow what is going on and don't correct this it is getting worse because as I drove around too I saw numerous sites where gravel was just added and I saw probably at least 40 or 50 of those. As people put those in and other people see that they are going to start doing it more and more and it is going to get way out of hand. Even if you go down Irving Park right now, the appearance of some of those driveways is horrendous. Chairman Kovach stated the maybe something that once we do approach this is that we should maybe start attaching that to the monthly water bill as a notation. Mayor Bring concurred right and we will put it on the websites and send out letters to the real estate companies, at some point it should be done. Councilperson Gee stated they always have to make sure that their water bills is paid up on the property before it goes for sale, can't it be attached to that notice when they request that? Chairman Kovach stated that falls on the part of the Administration, it is our job to help create the ordinance that allows them to do that. Law Director Graves advised the intent would be going forward that all driveway additions or extensions be made of same material as the existing drive. They will require a permit, so even now people should be when they decide to add onto their driveway coming in and getting a permit to do it and being told you have to do it in concrete or asphalt. So these people aren't even getting permits that are doing this with gravel. Mayor Bring stated the other thing is that when we started the sidewalk thing and I know that was probably a problem but somehow that worked out and everybody now knows that and I think after this and a period of time everybody would realize this too. So it would probably be for the first 6 months to a year be a pain but once everybody gets wind of it then there should be no problem. Chairman Kovach stated we are going to hear about it as we did with the parking which is more than likely was the cause of the 30 to 40 new driveway extensions. Law Director Graves stated they can't park on the streets so they just throw gravel down.

CITIZEN'S COMMENTARY: None.

All ordinances before Council at this time:

Council#020 – THIRD READING – an ordinance authorizing the Mayor to enter into an agreement with D.J.L. Material & Supplies, Inc. for the purchase of Hot Mix Transporter with Hydraulic Dump for the Service Department and the declaring of an emergency.

Council#022 – SECOND READING – a resolution authorizing the Mayor to enter into an agreement with Life Force Management, Inc. for Community EMS Billing Services and the declaring of an emergency.

Council#023 – SECOND READING – a resolution authorizing the Mayor to enter into an agreement with Cost Recovery Corp. LLC for Community Public Safety Services and the declaring of an emergency.

Law Director Graves advised first off on the existing ordinances, I just want to remind everyone and if you have any questions we will try to answer them in regards to numbers 022 and 023 on those contracts. Those need to be enacted prior to May 15th I think they have to be passed at the next Council meeting. I know they are up for a second reading. Chairman Kovach advised they have the emergency clause so it shouldn't be a problem. Law Director Graves stated well you are going to have to suspend the rules and pass them on a second reading. Chairman Kovach advised right absolutely. Law Director Graves stated the emergency and rules are different. Chairman Kovach stated that suspension is usually my job, I got it Dave. We have been doing this we are just changing companies on this. Law Director Graves answered right we get a better rate and they seem very eager to work with us and responsive. Mayor Bring added it is easier to read the report, Mr. Card could not read the report that the previous company we had gave. Law Director Graves stated we will have the amendment to the North Coast Woodshop lease. We are going to bring you a proposal to amend the composition of the Demolition Board of Appeals to include the Superintendent because right now the Service Director is on that board and we need someone else on that board. The salt ordinance, it is time to place our order for next year's salt so that is coming. I will have the 3 or 4 ordinances that we discussed tonight ready for next Ordinance meeting and we will go from there. Also thank you for having a special meeting to pass the CHIP application yesterday. I am sorry I couldn't be here last night but I did talk with Linda Blanchette and we had to get that done. In fact, they were assuming that we could just do it and I advised them no we have got to get a Council meeting. The Commissioners actually passed that first which they don't usually do but we stand to potentially have at our disposal \$500,000.00 for home improvements. The last time it was \$400,000.00. Chairman Kovach advised it was no problem for me because I was going to be here anyway, I already had a special meeting that got bumped up.

MEETING ADJOURNED: With no further business before this committee,
*Motion by Erdei/Second by Gee to adjourn at 8:21 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 May 5, 2016.

CHAIRMAN

Steve Kovach

COUNCIL PRESIDENT

Rick Rosso

and/or

COUNCIL PRO TEM

Alan Smith