

**MINUTES OF CITY COUNCIL WORKSESSION
SHEFFIELD LAKE, OHIO
September 20, 2016**

The regular meeting of the City Council Worksession was held Tuesday, September 20, 2016. President Rick Rosso called the meeting to order at 7:07 PM.

ROLL CALL OF MEMBERS:

Present: President Rosso, Pro Tem Smith, Mayor Bring, Finance Director Smith, Kovach, Erdei, Wtulich, Stark, Law Director Graves
Absent: Council Members; Cizl and Gee, Superintendent Hastings (excused)
Attending: Concerned Citizens, Members of the Media: Journal

PRESENTATIONS: None.

*******COMMITTEES*******

ROADS & DRAINS: None./SAFETY: None./BUILDINGS, LANDS, VEHICLES & EQUIPMENT: None./ORDINANCE: Chairman Kovach advised we are back here for discussion regarding amending section 1345.01 of the codified ordinances of Sheffield Lake regarding certificates of occupancy. I said the other night I felt we had done our due diligence and from what I had seen I thought it was appropriate and ready to go but apparently there is not complete agreement on that. So it is time for you to put in your feelings and input. President Rosso stated I will open it up to Council Members first. Councilperson Stark asked Portland cement concrete, could I just want to know what is Portland cement concrete? President Rosso stated isn't supposedly harder than some other kind of concrete. Mayor Bring advised they use Portland cement when they do block and stuff like that. Councilman Smith stated isn't it just a different powder they put in to make it stronger. Mayor Bring answered yes. They just had that over there at the new building over there where you are building that because some lady was trying to steal it, she stole like 20 bags of Portland cement. They got her, but that was Portland cement which they mix with aggregate to put the block up. President Rosso stated I have read this multiple times and I have interpreted it multiple ways so I got a question or a couple of questions. If I have a regular gravel driveway today, it is just a gravel driveway – no extension, just one of the older homes on an unpaved street that has a gravel driveway. Then I sell my house, do I have to remove that gravel driveway and put in concrete because I read it that way once. Law Director Graves advised that would be considered an existing non-conforming and so long as that gravel driveway is maintained it was in compliance with the code when it was originally installed. Now if it was ever removed for any reason it

would have to be replaced with the correct materials. President Rosso stated because I read it one way thinking when I first read it that oh my goodness, if someone goes to sell their house they are going to have to add \$6000, \$7000 or \$8000.00 or whatever cement would cost to do it would be big money. When I read this I thought there was a minimum of driveway width to be 10-foot, but there is no maximum is there or is there? Law Director Graves answered, I don't think there is a maximum. President Rosso stated if I have a gravel driveway that is 10-foot, a normal gravel driveway today and I make it 15-feet because it was gravel to start with does that just mean I have a 15-foot driveway or when I sell it doe I have to go back down to 10-foot. Mayor Bring answered no as long as their existing, we are not going to make them do anything. President Rosso stated so we are really talking about if I have an asphalt or a cement driveway and I put gravel on the sides. Mayor Bring answered, correct. President Rosso stated so under these two existing ordinances which one are we saying that that violates, the 903.05 David? Law Director Graves answered it is unclear whether 903.05, I will be honest with you it is clear that the intent was that it only applied to new construction of brand new driveways. We have interpreted this construction of any driveway addition as well as new driveways. The portion that would violate 903.05 regarding any new driveway would be Portland cement. President Rosso answered okay, fair enough, I am just trying to get it all straight because to me, I guess my thought is and my comment is going to be I don't think there is a thing called a driveway extension. When you do that it is now your driveway so you can't make a new driveway the way you are interpreting it, we are saying you can't make gravel on a new driveway if you have existing. I don't know if anything says it, I don't think it does and I don't know if we want to go and say we are just talking about extensions because once you add it to it its your driveway just like you put an addition on your house. It is your house, you got your existing house and then you put an addition on it so you would always call it an addition. Even if you register that and you are paying taxes on it it will say an addition because you are paying additional taxes on that property. President Rosso stated alright, I guess in my mind, I assumed the house just got bigger and it is just called my house. Councilman Kovach stated I believe what this is designed to help curtail is that for most of the properties that are under discussion here, the residents that already have asphalt or concrete driveways and they are supplementing their driveways by adding a gravel side drive. In most cases, they are not really even putting in a base for a like a whole, they are throwing like limited amounts of gravel down. If you were to put in a gravel driveway, it would be a couple inches thick and from what I have seen, now not all of them, but some people are putting in like a whole truck load and some people are throwing just enough to kill the grass and park something. President Rosso stated so is the question then if you put it in with a border if you will or a

firm edge and it is 4 inches deep and it is maintained, is that an issue versus what Steve described that they are throwing a bucket of gravel next to their driveway and parking on it. Mayor Bring stated, all you have to do is go down Irving Park and take a look at what happened to Irving Park. At one time back when we grew up Irving Park was one of the nicest streets around here and they have absolutely made that look terrible. It is just like I made the comment to Mr. Kovach on his street; Hollyview which is a very nice street. So if everybody starts adding gravel next to those driveways, it is going to make that street look terrible and then if we start doing that then we go over to Elm, Parkview and some of those other ones like that. That is what I think is the problem and in the first place when this ordinance was put in in 1970's everyone that did this was illegal. Now back then we had Mr. Trubach and he was very lax, he never had records of anything so we are in the situation where they are starting to do more and more of this. If you go down some of these streets and see what they are doing, its my opinion but I think it looks terrible. President Rosso stated I wouldn't disagree that there is probably a spectrum of some that look terrible and maybe the majority but some look okay. Mayor Bring asked are we going to make an ok ordinance? Law Director Graves stated one of the facts of the matter is they have not been permitted and there are no construction standards or specifications for a gravel addition so they are just kind of thrown in willy-nilly. If Council's direction ultimately is to allow these then there should be specific standards and specifications for a gravel driveway addition, where it has to have so much depth of gravel and has to have solid borders to prevent expansion and so forth, with a location then it would be permitted. You have to define it, there is no definition now so we have all number of different. President Rosso stated obviously I don't have a vote and I don't have a strong feeling one way or the other I see what you are saying and I see what Mr. Smith is saying about the gentleman on Lake Road. He has got a nice, firm edge and filled in probably 4 inches and blah, blah, blah and I don't know if there is a happy medium or not. My only other concern is we say okay, you don't have to do anything until you sell your house, so I have an extension. I sell my house, I rake it up and put in dirt. Next week, I put my extension back because I don't have to worry about it again until the next time I sell it – how do we stop that? Mayor Bring answered no because once it is done, then we will have a record of that at the point of sale and it will be recorded then they will not be able to do that because the next time they do it it will have to be in concrete. President Rosso asked how do we say that with this ordinance that says you only have to worry about it at the point of sale? I want to make sure we don't leave a loophole, if we are going to pass it. Mayor Bring answered, I totally understand where you are going and it makes sense, but I think the thought process and this is just me, when they put it back to the dirt they are not allowed to go back to the gravel because once it is

done and once we pass this then there will no more gravel extensions. That is their intent is what I was assuming, so once this is passed and somebody buys the house they cannot put a gravel extension, they can put a gravel extension. They can put a concrete extension on there with no problem. President Rosso stated, but my concern is I don't think it says that or at least I am not understanding if it does. Mayor Bring stated it is a good point, I am not disagreeing with you and it is probably something we didn't think about it. President Rosso stated if that is our intent which I believe it is we should address it before and say once you put it back you can't do it again. I read through it and said ok what is going to stop me for the next week just throwing it out there and say I will worry about it if I sell it in 20 years. Mayor Bring stated I know that when they talked this, this was mentioned that once this is passed but maybe we never worded that. President Rosso stated there is no doubt in my mind that is our intention and I think that is what we are trying to do I am just not sure it says that. Councilman Kovach stated realizing too that this more than likely, the majority of it was brought on due to the fact that we took the off the street parking and there are many people in the community that have for whatever reason; they have got kids there and I think the bigger problems would be in the Knolls and over on Belle, Brockley in the smaller neighborhoods with the smaller lots and making them pull their cars off the street and for whatever and not that their driveways didn't necessarily have enough room for the cars. But if you have the car that goes out first thing in the morning is actually parked in front of like a single drive and they have made adjustments. I can understand that but they also didn't go by any kind of conformity. Again some people did a nice job and some people did a minimal job. President Rosso stated that is something now I think we need to consider or at least be cognizant of the fact that when a lot of this stuff passed you could park on the street where now you can't. Councilman Smith stated I have several questions and one of them being why is this even an issue now, how did it come up after 40 or 50 years of allowing people to do it. How did this even become an issue? Mayor Bring stated they never allowed it, they just didn't enforce it. Councilman Smith stated okay well nobody has enforced it for 40 years so changed all of a sudden now? Councilman Kovach attempted to answer because of what I just. Councilman Smith asked you think it is from the parking? Councilman Kovach answered I think it became more prevalent since that time. Councilman Smith stated so obviously for the past 40 some years everybody must have thought it was okay because nobody did anything about doing it. So now that you have allowed and there is a heck of a lot of them out there, now that you have allowed everybody to do it now you are saying eh, wait a minute those guys were all wrong so we are going to say no you can't do it no more. What is wrong with them, first of all what is wrong with allowing people to put in and put them in right? Mayor Bring answered because they put them in

illegally. So if we want to do this Alan, why do we have any ordinances? Councilman Smith stated because it is all interpretation is what it comes down to, it is not enforcing it is interpretation because you have been here – you didn't do nothing in your term and John didn't do anything nothing in his term and Gary didn't do nothing in his term. The first time it has ever brung up and I am trying to figure out what is wrong with it, if it is done right like the guy on Lake Road what is wrong with it? You took the parking away from the people and you know the driveways on Irving Park, if you got 2 kids and 2 family members and got 4 cars there is no way you are putting them in there. Mayor Bring answered what is wrong with putting concrete in? Councilman Smith stated you have to put it in if you put a new construction driveway in but if you want to add an extension to put a boat on or put a car on, I don't understand what is wrong. Mayor Bring stated it looks terrible, you know back in 1970 they had enough forethought to put that in there to say this is going to get out of hand and it has gotten out of hand and it is making the city look terrible. Councilman Smith stated that is your opinion. But my opinion is it is okay. Mayor Bring stated it is no different than if we go back to the Dillewood thing, well it is Rick's opinion that that property looks terrible but in my opinion it looks great. So this is what we are going to do with the ordinances? Councilman Smith stated no but it is all opinion. Mayor Bring stated I don't understand Rick, why are we going to have ordinances if it is only interpretation so do we bother sitting here and having any comments. Councilman Smith stated I am trying to figure out what the big issue is and why it is so wrong. Mayor Bring stated because it makes the city look terrible and it reduces the property value. Councilman Smith stated so the house over there that is a brand new house that he put a concrete driveway in because he was supposed to and he went out and bought a boat and put the gravel down and he parks his boat on it you are telling me it looks terrible. Mayor Bring stated yes it does. Councilman Smith stated to you. Mayor Bring stated it not only doesn't look bad it is illegal. Councilman Smith stated a lot of it is illegal but that is why it is here because we are trying to determine what we want to do about it. Instead of spending so much time in making it so you can enforce it illegal, why don't we spend some time on entertaining the thought that we allow people to do it but if your going to do it you got to get a permit, you got to dig it out, you got to put a border on it, you got to put gravel in it, it can only so wide and so long, if you want to put on a boat on it. I personally just like you have your opinion don't think it is a big issue. I personally think there is a heck of a lot more important things in this city that needs to be handled then somebody putting a driveway extension on their driveway because we have token their parking away because they can't park on the streets no more. Mayor Bring stated you can only not park on the streets from 2 to 6. Councilman Kovach stated I don't know if that house with the boat really fits that bill there

Alan. We didn't take any boat parking away from that gentleman. Councilman Smith stated what I am saying is if you can't park in the street no more which is what people did for the last 40 years and I understand that but you can't blame them for doing it and I get according to your interpretation now after your interpretation but everybody else of the last 40 years has interpreted it that way so that is why it is here. You are interpreting it differently. Mayor Bring stated it is black and white. Councilman Smith stated that is why we are here to discuss it and I personally don't see the issue with it if you control it, I think they look terrible when you have driveways that are overgrown with grass and weeds and people parking on them, you can't even tell it is a driveway. That I agree with you, that looks like crap but when you got a guy that puts gravel down to put his boat on that to me does not look bad at all. Councilperson Stark stated but if go to Thelma, you have very small front yards so I have a very narrow driveway but if you put an extension in that front yard it looks like crap because now I am looking at a boat or a car because the houses are so close to each other and they are so small yards. In that point you should not even be able to do an extension in the front. I am sorry and I feel bad but nobody wants to buy a house when you are looking out at your porch and you are seeing a boat right there. President Rosso stated but they could put a cement driveway in and extend it and put a boat in there. So your issue isn't the driveway, it is having a boat on a small lot. That is the real issue that you are talking about. Councilperson Stark stated maybe the way you have to word it is if you have a certain amount of front acreage you cannot put any extension in the front and maybe that is the issue. President Rosso stated so that is your real concern, it is not whether the driveway is gravel or cement, you don't want to see a boat in your front yard. Councilperson Stark stated if it is a nice gravel driveway and they keep it up that is one thing but it should not be in the front yard when you are already on somebody's house and now you are going to put that right up against the neighbor's house. Mayor Bring stated I could go out and give you 100 pictures of trailer's, boats, cars, dualley's, cars, you name it they are parked all over the place on gravel that is probably an inch thick. Not only on one side, they are on both sides and now they are starting this all over the city. Like Leanna said okay we might have taken the parking away from 2 am to 6 am but that doesn't mean that everybody can as now they have drug their boats, trailers and everything else onto these pieces of property and that is why most of them can't use the driveway. Councilperson Stark stated I feel horrible that they don't have places. Mayor Bring advised then you got the nice people that want to take care of their properties that having to put up with this and that is what is going on. There is a lot of people that are very upset about these little additions with the stuff because there are constant complaints. You don't hear them, we do. Councilman Smith stated well like I said it is my opinion, I personally don't see an issue with it if they are

done right. Mayor Bring stated just like you said it is an interpretation but then you can take your ordinance and every one of those ordinances I can interpret it I guess my way and you can interpret it your way so then why do we have any ordinances is my point. President Rosso stated that is why you have a Law Director. Law Director Graves stated actually I was going to give my opinion on that. Councilman Smith stated I guess my biggest issue is that it has been allowed for all these years and now all of a sudden we are going to just say eh can't do it no more because I think it doesn't look good. You are not creating a health and safety issue. Mayor Bring stated then you are just going to lower your property values. Councilman Smith stated you are not going to lower property values. Mayor Bring stated absolutely and you are out of your mind if you don't think that. Councilman Smith stated the other issue is if it is good enough for the city it should be enough for the residents. We are not here to work against the residents, that is not our job. We are supposed to be here for the resident at some point it seems like everything that we do up here we are doing it to put a burden on the residents and that is not what we are here to do, we are here to help our residents. Mayor Bring stated we absolutely are, we are helping the people that want to keep their yards nice and make it good. Councilman Smith stated we are talking about gravel in a driveway and the reason that this ordinance was passed in 2000 was because we wanted to put concrete aprons in, it had nothing to do with driveway extensions. It had to do with a concrete apron being able to be put in and Council has to approve certain structure and that was the amendment that was put onto that ordinance. But you know it is pretty ironic that we are telling our residents that they got to do something but they drive down our city streets and we have gravel roads. Mayor Bring asked where? Councilman Smith stated off of Walker, Joyce Hanks lived on a gravel driveway. Mayor Bring stated ok one, maybe two. Councilman Smith stated there has been gravel roads, you just did a few of them. Mayor Bring stated but I guarantee that by the end of my term that they will not be gravel. Councilman Smith stated you got gravel parking lots out here that we have added onto and just threw grindings down. So you are wanting the people to do something but we are not, I just don't understand it. Mayor Bring stated you want me to spend the money, I will spend the money, I will pave the whole damn thing. You want even let me do anything because you are constantly asking why are you doing this and why are you doing that but if you want me to spend the money I will have everything paved. Councilman Smith stated no I am just trying to understand. Mayor Bring stated because we are trying to make the city better Alan, we are not trying to stay in the 1950's. Councilman Smith stated we are not staying in the 1950's but I can't allow somebody to do something and have them keep doing it and then just say..... That is my opinion and you guys all know how I feel and I will probably be voting no on that ordinance and if that makes it illegal then

whatever. Councilman Erdei asked do we have any kind of ordinance that specifies your lot size and if you can put an extension in the front yard, if somebody wants to add onto their driveway and they put a 2-car extension right smack in their front yard in front of their house. Is there anything in the books that prohibit that? Law Director Graves stated I think you could concrete your whole front yard. Mayor Bring stated I don't think that is true. Law Director Graves stated you can concrete it. Mayor Bring stated I don't think that is true, I think there is something in the building code for that. I may be wrong but I am 99% sure that I am right. President Rosso stated I thought so too that you couldn't cement your whole front yard but reading this ordinance. This isn't the ordinance that says that though. President Rosso stated this is turning into Bill Clinton but what is the definition of new construction. Law Director Graves answered we have interpreted that as any new construction of driveways, not new construction of a structure. President Rosso stated well it is not just driveways. Law Director Graves answered no but it includes driveways. I would not interpret that to mean that it only pertains to a new house, a new building. President Rosso stated that is exactly what the question I was asking. Law Director Graves added no it is new construction of a drive. President Rosso stated so putting in an extension is considered new construction because you are adding something new. Now and again to the Mayor as I talked about in Worksession, my argument with Dillewood is the sidewalk, the fence is missing. Mayor Bring stated that is an interpretation Rick, it is your interpretation that that looks bad, my interpretation I think it looks great now. President Rosso stated I am not saying it is an interpretation, I am saying that the Building Inspector told me it is a violation to take a sidewalk out. Mayor Bring concurred it is in violation of everyone of these things that we just did. President Rosso stated you can't have a pool without having a fence. Mayor Bring stated I am just saying but every one of these things that are put in there are in violation so that is what we are up against right now. President Rosso stated I am just saying that I am only complaining about Dillewood because I don't like the way the gravel is. Law Director Graves stated I don't think we are going to argue that we are not going to enforce code because we are not enforcing other code, we enforce our codes. Councilperson Stark stated I am just going to make a comment and then this gentleman here in the front has been trying to say something. President Rosso answered well he is not allowed to say anything, this is not open for public discussion. Councilperson Stark stated I think to Alan's point, we are feeling like we are burdening the citizens and I think partially we do own some of the blame on this because we did have it on record and before Dennis took the position of Mayor we let it slide. So now we are having to own up and try and fix this situation that should have been previous Administrations would have followed through would not have come to this point. So it is not necessarily trying to make it difficult for

people but it happened, we own it and now we have to sort of fix it. It is sort of a 2-way street, people have gotten a way with it and it is illegal and you got to own up for that but at the same time we should have and now we are going to start enforcing these rules. I am sorry but we have to enforce the rules that are on the books. President Rosso stated Alan brings up a good point, this isn't directed at your term at all but we built that new building back there for the Service Department and under new construction they should have had to put in a cement driveway versus gravel back there. Mayor Bring stated again I will be more than glad to pave it you just give me the money. President Rosso stated the city should have put it in and not allowed the building and again that wasn't your fault. I was on Council then. Finance Director Smith stated was it commercial? Mayor Bring stated doesn't make any difference whether it was commercial, he is 100% correct. It should have never gotten that way and I agree. President Rosso stated I am not saying it was you. Mayor Bring advised it would not have been that way had I been here. President Rosso stated to Alan's point, the city did it. Mayor Bring stated it is illegal so let's fix it, I would be more than glad to do it. Councilman Smith stated okay it is illegal and it is here to try to get worked out. My only question is if it is illegal what is the big issue about making it legal and putting stipulations on it. Mayor Bring advised I think you are going backwards again Alan. Councilman Smith stated according to who though? Mayor Bring stated if you want my opinion – me. Councilman Smith stated I am just trying to figure out what is wrong with allowing it. Mayor Bring stated do you see Bay Village, Avon Lake or Avon doing any of that – no. Councilman Smith stated yes you do, you go down Moore Road they are all parking on tree lawns, they pull their cars on the sides, they got gravel driveways all the way back. You drive down Moore Road in the mornings and cars are lined up this way and that way. Mayor Bring stated is it illegal in Avon Lake? Councilman Smith stated I get your point about you think it was illegal but if it had been illegal and nobody has enforced it but is wrong with making it legal. Mayor Bring asked what is wrong with making them fix it when they sell the house and it is not hurting anybody. Councilman Smith stated you are going to get into a costs factor of adding a burden onto the residents that want to sell their house they are going to have to spend more money to put in. Then to have to spend money to make money. Councilman Wtulich stated the one point I would like to make is that you put the parking ban in and being a homeowner who has 2 college age kids with a single wide driveway just like probably 80% of the houses in this community are and having to have to do that constant shuffle of cars around, it is a burden and a pain in the butt to do that. So I mean I can see why people are trying to find ways to get around that by putting the gravel and it should probably done right like Alan says but if we are going to take the parking away on the streets and leave no other options. I think we need to come up with something or go back to being able to

park on the streets from 2 to 6. Law Director Graves stated I just wanted to clarify that many times in this discussion it seems that we are making two arguments at the same time. I think there is a threshold argument that Alan is talking about and that is do we want to allow these or not and what the Mayor is talking about is he has decided he does not want to allow them and trying to remedy the situation. But I think before we get to how to remedy the situation there should be a consensus on Council as to whether they want to prohibit these type of things or not. If they want to prohibit them then we can talk about how to remedy the problem. If you want to allow them then at a minimum there should be specifications. But I think that there need to be some 2 ordinances at a time. President Rosso stated with Mr. Cizl and Mrs. Gee not here tonight, we are not going to make any decisions tonight that we want to do one way or the other, fair is fair and obviously Rosa has been involved with this from the beginning. We are not going to walk out of here saying we are going to do this. Mayor Bring stated in the same aspect right now there is probably 150 or 200 cars parking on the grass, you want to allow that? Councilman Smith stated where at, what are you talking about? Mayor Bring stated I can't even tell you how many I can give you. Just going down Ferndale right now, I bet you I can get 20 cars right on Ferndale. Do you want to allow that, is that nice for you? Councilman Smith stated that is not what we are talking. Mayor Bring stated this is another thing about not allowing parking and talking about burden, so now they are parking on the grass do we want to stop that too because that is illegal. I want you guy's opinion on that, do we want to allow them to park on the grass then too? Councilman Wtulich answered absolutely not, I would say no. Mayor Bring asked what is the difference? Councilman Wtulich stated well you take parking away off the street and people have to park somewhere, they're yards are only so big and they're driveways are only so wide and when they have 4 cars. Councilman Smith stated we are talking about driveways not parking in grass. President Rosso stated I understand what Dennis is saying, he is just saying hey if we are not going to enforce this one why enforce that one type thing. I think David really brought to a head what we really need to figure out is which way do we want to go, the way we guys talked about in Ordinance and this legislation says that when you sell the house you take it away and you can't put it back. I agree that that was our intent, I think this needs some work to say that. I think the other thing that we need to do quite honestly is at least entertain some conversation on definition of a driveway, can I do my whole front yard, can I only do 10% of my yard? Mayor Bring stated Rick I think there is a percentage and that I think that you are exactly right when you brought up a percentage. I talked to the Building Inspector once about that and I think that is a percentage of the yard as far as the driveway. President Rosso stated I thought when Council banned parking on the streets, somebody said something about they were just going to pave they're whole front yard and we said

no you can't do that. But maybe I just think there is a percentage and there really isn't. So David will figure that out but I think that is where we are at on this and which way do we want to go because I see Alan's point and they if look nice and properly maintained, if that is Council's thoughts then we will go that way. If it is not, we will get rid of them, we need to tighten this up a little bit that says let's get rid of them and when you sell your house you cannot do it again. Mayor Bring asked so who is going to enforce the 2-inches of gravel or this or that and you guys determine that this is what is going to be to be nice because you know what it is going to get violated almost instantly. Councilman Kovach stated I think what David had suggested is that no matter which way we go it should be permitted, properly permitted with these measurements. Mayor Bring stated I agree Steve here is the thing, you have already got all of these people with all the violations so do you go back and make them do all those things so who is going to be inspecting all these things and doing all of this stuff. You got 360 of them. President Rosso stated we already have where a driveway has to be 4-inches thick so when I put in concrete who comes out and makes sure I am putting in 4-inch concrete. Mayor Bring stated all I am saying is that yes the Building Inspector did that but you already got violations, so we are going to have to go back and send letters to all these people. Do you know what that is going to do to all these people? President Rosso stated they are going to come and say hey I am going to replace mine with concrete and I need to get a permit or they are going to get cited because that is the way the ordinance reads. Mayor Bring stated either way you are going to cite people, whether we do it this way or the other way. I am just saying it is going to steer up a big thing. You are putting a burden on the people. President Rosso stated if Council's decision is to allow gravel extensions that are maintained to a certain level and it doesn't meet that level then you don't have a choice you just cite them. You have a choice but you know what I mean. Mayor Bring stated you are going to be in the same situation, I am just telling you. President Rosso stated you are going to get a lot of people up here complaining that don't want to do it. Councilman Smith stated I do get it and from end of the spectrum to the other. The guys whose house looks good, did it right and did it nice. Hollywood down at the end of my street, what did they do – put a one-foot gravel strip this way and a one-foot gravel strip that way and they parked their truck on it. That is not what that is supposed to be, I mean somebody who puts it in right versus somebody who just throws it something down, I get it but that is why I am saying maybe we should look at allowing them but when you do it do it right. I mean don't let the weeds go over, spray them and put new gravel down and make it look nice. Mayor Bring stated my point is that you are talking about putting a burden but you are going put a burden on these people to go back and re-dig all these things out and do it right because they just threw gravel on ground and you are going to end up with the

same situation and that is all I am saying. Councilman Smith stated with this other ordinance, we are kind of talking from this day forward from this day forward though aren't we because we are going to grandfather those who have gravel driveways in. President Rosso stated I wouldn't grandfather anybody that has gravel next to a hard driveway now, they have to bring it up to code. Now a house that has just a gravel driveway don't have to do that. Mayor Bring stated they are okay. President Rosso stated but if I have a gravel extension and I have thrown a little bit of gravel down. Councilman Smith stated persey you were allow it and put specifications then they would have to go back and redo it and do it right. President Rosso stated no one would be grandfathered in because they really did violated it in our interpretation. Councilman Smith stated I guess that is my point, it is just the opposite view of not allowing but when you allow it just allow them to do it right and then it won't look bad. Mayor Bring stated but by the time they go back and do all this stuff they could probably do the concrete and it is only going to be about 1000 or 1500 more and it would be done right, that is my point. By the time they send somebody out to dig that out and come back out and re-gravel all that and put their borders around it, they spend 2000 or 3000 dollars on that and for another 1500 dollars they could have a concrete extension and they are done. President Rosso stated true but to some people 1500 dollars is a lot of money to people. Councilman Wtulich stated it really is. Councilman Smith stated I was just talking to a concrete guy and asked him what it costs to put an average driveway in and it was 8000 to 9000 dollars for an average driveway because concrete is way up. President Rosso stated we are not talking about a complete driveway, we are talking about a couple of feet. Councilman Smith stated I don't know why I am even arguing this because I added onto my driveway in concrete. Mayor Bring stated it looks nice. Councilman Smith stated because that is what I chose to do. Mayor Bring stated you have to have certain criteria in the city to follow because if you don't you get this. Councilman Smith stated that is my point though if you are willing to entertain a distant thought of allowing it and how we could allow it, that would be one way. President Rosso stated which I think David mentioned earlier if we allow that we would to define the criteria of when we allow it and when we don't. Councilman Smith stated back to David though, I personally don't have a problem with allowing them with all the guidelines and everything else, that is my opinion. President Rosso stated I think everybody who has an opinion has stated their opinion and we have already agreed that we are not going to make a decision tonight without Mr. Cizl and Mrs. Gee being here. Mayor Bring stated it is like I told you in the very beginning we are not going to do anything this year because the winter time is coming up and we have time to discuss this. Councilman Kovach added we were never in any hurry. President Rosso stated I understand and I think we have all raised some valid questions on, it is very easy when you are in the

middle of it to know what you are trying to accomplish and what you are trying to do and when you are sitting outside of it and you read it and say well what about this. That is all I was trying to get to, this discussion that we are having today. So I think at this point when Rosa and Mark get back next week, I will recap what we talked about and the next Worksession we will continue. I don't want this to go on for 8 months so that we are sitting here next September still talking about it but as Dennis and Steve just said we are not going to do anything during the winter. But let's tie it down to the way it should be and there is no interpretation, it is black and white and this is how we are going forward. Law Director Graves advised I just looked at the code and the sum total of all structures on a lot cannot exceed 35% of the overall size of the lot and driveways would be considered structures. That is the only restriction that I can find. President Rosso stated maybe we want to do something about that say you can't cement your front yard. Mayor Bring offered again, if you guys want to give me the money I would be more than glad to pave that whole parking lot. Law Director Graves advised we could do it in asphalt, not concrete because it is commercial. Councilman Kovach stated I do believe I invited this gentleman here this evening and when I told him I didn't think there was an actual place for him; citizen's commentary but if he spoke with you prior to it that you might give him a few minutes. So if you would give him like 2 minutes. President Rosso stated since you invited him here Steve, I will be more than happy to allow him to speak. Normally during Worksession, all this is Council discussion and in Council there is a citizen's commentary where you would get to speak but we really don't have that at Worksession. Since Steve invited you here but I don't have a problem and I hope no one else does to allow you to speak. You can go ahead and speak but you are limited to 3 minutes.

Daniel Taylor, 750 Grantwood stated the first thing I would like to say about this is if I have heard you guys say I have interpreted, I have interpreted – we have an English language here and there are times on occasion when you can't foresee a possible problem and then you have to interpret what you have desired. But you guys are saying I interpret this way, I interpret that way so if you are going to write a law then the law because it is ridiculous that you should have to sit there and have 14 different interpretations of a law in the first place. Now the reason I came here is because next to my house there is a field, they knocked down one of the old cottages that was built there probably in the 1920's. There is a driveway there and I maintain that field for 25 something years because nobody else will because I got critters and bugs and everything else. I went out and bought a riding lawnmower to maintain that field. My daughter had to park her car over there for a couple of hours, I still some stuff in my driveway. Her car broke down and it sat there for a couple days now this isn't the place to argue a traffic ticket but I mean I am looking at this traffic ticket and it says it is \$15.00 if it is paid within 24 hours and

this ticket was given on Friday and Saturday there is no one here, Sunday there is no one here. Monday I got a problem with it and I can't given argue with somebody and now I am past the 72 hour mark, just because of that my ticket just went up to \$25.00. Are you telling me that 24 hours isn't 24 hours? Law Director Graves advised only if you want to waive it, you have the right to go to Mayors Court and make your case. Mr. Taylor stated that is not what the Clerk of Courts told me, they said you don't pay it in 24 hours it goes up, 48 it goes up, 72 it goes up. Law Director Graves advised excuse me, that is if you want to waive it you still the right to come to Mayors Court and make your case. Mr. Taylor stated okay your Clerk of Courts says different. Law Director Graves answered no. Mr. Taylor stated yes I was there. Law Director Graves stated that is if you walk in the door and want to pay the ticket, it goes up. You still have the right to come to Mayors Court and make your argument. Mr. Taylor stated your Clerk of Courts said different. Mayor Bring stated he is the Law Director. Mr. Taylor stated I know what she said and I am telling you what it is. President Rosso stated what happens on a Friday though? Mayor Bring answered you put it in the drop box and we don't do anything we let them go until Monday. Finance Director Smith explained a Friday ticket we honor as 24 hours on Monday, we have always done that. Mr. Taylor stated so you just wave your hand and say the law doesn't mean anything, what is written down here doesn't mean anything and we are going to interpret any way we want to. Mayor Bring stated then pay \$45.00. Mr. Taylor stated it doesn't say that, you guys are writing the laws and you don't know what you are writing. Law Director Graves stated okay this is not a unique situation to parking tickets in Sheffield Lake. All parking tickets in municipalities have the same language, if you want to go look at parking tickets in other community have at it because I enforce the parking tickets in Avon Lake too. But anyway I have read all the nasty letters over there but you know look that is if you want to walk in the door and waive the ticket. President Rosso stated number one my understanding was the reason Mr. Kovach invited you here to talk about the gravel driveways, if I had known you were going to argue about a parking ticket you wouldn't have even got this far. Mr. Taylor argued it wasn't that, I was parking in a driveway. President Rosso stated I don't care, it had nothing to do with the topic we have here. We are moving on./**FINANCE: None./PARK BOARD:** Member Kovach stated the meeting was cancelled last night but we are meeting next Monday. Clerk Fantauzzi concurred rescheduled for next Monday.

*******ADMINISTRATIVE*******

MAYOR: Councilman Smith stated do we have somebody that actually drives around this city and looks for building violations? Does our Building Inspector do that? Mayor Bring answered we also have a Property Maintenance person. Councilman Smith stated I am talking building code violations? Mayor Bring

stated well the Building Inspector does do that, he goes out in the morning and issues his permits but he looks for violations and I will tell you that he is pretty good at doing that. He may miss one here and there but he is pretty good. Councilman Smith stated I didn't know but does the Zoning Officer does he do building too? Law Director Graves advised we don't have a zoning officer. Councilman Smith stated so he doesn't deal with building stuff, it is just property maintenance ordinances. Law Director Graves asked what do you mean by building stuff? Law Director Graves answered okay the real property exterior maintenance code is enforced by the Property Maintenance Officer. So he does go around and look for exterior maintenance violations. Councilman Smith stated say I start putting a fence up, is there somebody that drives around and looks and says wait a minute he don't have a permit for that. Law Director Graves stated that would be a building code violation, that is not the exterior maintenance and would be the Building Inspector. Councilman Smith stated that is my question, that would be a Building Department deal. So the Building Department is separate then property maintenance. President Rosso stated correct if I am wrong on this, the way this contract reads they get a percentage of permits but they charge an hourly fee on top of that to drive around and look for violations. Mayor Bring answered right. President Rosso continued so I wouldn't encourage to say we want them driving around. Councilman Smith stated I was just asking if we had anybody. Mayor Bring stated your right but at the same thing like I told you when he goes out and does the permits then he sees them. But on the weekends I also have the Police Department driving around and have them checking the windows to make sure that the permits are in the windows. If it is not on there, they come and tell me and then I take that down to the Building Department. Law Director Graves stated keep in mind, again I feel like we are talking about two different things; they charge us extra to do the exterior maintenance enforcement but if someone doesn't have a permit that is part of their regular responsibilities. President Rosso stated if you call and say so and so is putting a fence up can you check his permit – yes but they will charge an hourly rate to drive around and look for that. Law Director Graves advised they don't police it, no. Councilman Smith stated that was my question, do we have anybody out there that drives and looks so we really don't? We don't have anybody look. Law Director Graves answered most communities don't have someone driving around looking for people doing that. If they happen to see construction going on, they might stop and say hey do you have a permit because I don't remember issuing you one. Councilman Smith stated that was my question if we had anybody that actually does or if it is just a general drive around and people see it and call. Councilman Wtulich asked have you had anybody looking at renting out the Dollar General space? Mayor Bring answered we are working on that. Councilman Wtulich continued the other thing I was wondering is

has there been any change on those talk-n-plays, the ones they have in Sheffield Village that we had here. Law Director Graves stated the internet cafes, no there hasn't been any change. In my opinion, they are illegal whether other communities choose to enforce them is they're business./**FINANCE DIRECTOR: None.**
SUPERINTENDENT: None.**LAW DIRECTOR:** *Disposal request from Fire Department of SCBA units and bottles;* Law Director Graves explained the Fire Department has obtained new self-contained breathing apparatus units and the bottles and wishes to dispose of the old ones. They have inquired with other communities and entities about purchasing them. They really don't have any value, they don't meet current code so they would like to dispose of them or maybe donate them for training purposes. As you are aware, whenever we talk about disposing of municipal property it requires legislation so this would be just authorizing the Fire Chief to dispose of these outdated units and bottles. President Rosso advised so if someone has a problem, I will just add it to next Tuesday's Council agenda./**COMMUNICATIONS: None.****OLD BUSINESS:** President Rosso stated this is where I stuck the request the lady had about **donating those 5 lots on Dorchester**. I guess I am just asking, does anybody have a feeling one way or the other/we should take them or not take them? Councilman Erdei stated I think we should stay away from it myself. It is nice that she wants to donate them but I would rather have the city stay away from them as we have been through this before. President Rosso asked what headaches would it cause? Councilman Erdei stated it is just property that we are going to have to maintain. President Rosso stated it is woods, we don't have to do anything. Councilman Smith stated the only thing I would even think of remotely that we could even use for is if a development ever goes in there you could a little park in there or something. That would be the only thing I would think. Law Director Graves stated that would create a buildable lot if someone wanted to develop it the city could sell those. Councilman Smith stated yes but I am saying if the city had them the only thing I could perceive the city doing would be to put a little park in the middle of that development I guess, that would be the only thing I would ever see but I don't have an either way of whether we do or whether we don't, doesn't matter to me. Councilman Wtulich asked the property taxes will be really be cheap on that? President Rosso stated well we wouldn't be paying but they pay combined \$300.00 a year if that on those 6 vacant lots. Mayor Bring stated the only caveat would be if there were dead ash trees in there and stuff, we would have to cut those down, if we take the property. If there is nothing back there then we wouldn't have to worry about it but we had several trees this year, we had to cut down because they were actually in our right-of-way and they fell on some people's property. Councilman Smith stated if we did take it though I guess we could get rid of it I guess. Whenever someone wants to give the city property, who knows what you can use it for down the road and it is

not going to costs anything. Councilperson Stark stated I say take the property. Councilman Kovach stated we can take it, I don't see where it would hurt us. Councilman Wtulich stated yes, take it. President Rosso stated I would definitely like to make a decision one way or the other by next Worksession so we can at least tell the lady yes or no we don't want it. Mark and Rosa aren't here, this is the classic where I let it hang on the agenda for a year and a half, just want to let her know. **Keep on agenda for next Worksession.** **NEW BUSINESS:** Councilman Kovach advised the **service credits?** President Rosso stated the **PERS** stuff. Law Director Graves stated do we want to talk about it. President Rosso asked did everyone have the opportunity to read through what the Finance Director put out. Tammy I am going to ask for your opinion, if we changed the compensation legislation to read that it would be a minimum to be qualified for a full year's credit in PERS. Finance Director Smith stated we wouldn't have to change it every time they changed it. President Rosso stated so they change it and then it changes automatically so we don't have to do this 6-year thing. Do you have any concern about the negative financial impact on the city? Finance Director Smith answered no. President Rosso stated so I think what did we decide, this has to be passed by December. Law Director Graves answered I would say by the first Council meeting in December. President Rosso stated again I think when Mark and Rosa are back coming out of next Worksession, if all in agreement ask the Law Director to write up the legislation. Again I think as just said it has got to be a minimum of that and go from there. Law Director Graves stated currently President of Council makes an additional amount. Finance Director Smith advised currently the President of Council makes 10% more then Council members. Councilman Kovach advise she factored that in. Law Director Graves suggested make the President of Council 10% then the Council Members, that way everybody stays and quite honestly I could care less. Finance Director Smith quipped yes you are not here for the money for sure. President Rosso stated that will get everybody on the same so we don't have to worry about it 10 years from now and all that. Steve is doing a great job of making sure that we don't forget it and miss it again. So we **will talk about it at the next Worksession** but if I was a betting man I would say we will be asking you to write legislation up.

ORDINANCES AND RESOLUTIONS: Councils Agenda –

Council#042 – **THIRD READING** – an ordinance amending Chapter 159 of the codified ordinances of Sheffield Lake regarding the creation and duties of the Economic Development Advisory Board.

Council#043 – **THIRD READING** – an ordinance amending section 905.08 of the codified ordinances of Sheffield Lake regarding yard storm drains.

Council#044 – THIRD READING – an ordinance adopting a political policy for the City of Sheffield Lake and the declaring of an emergency.

Council#053 – EMERGENCY – an ordinance providing for the establishment and increase and decrease of certain funds within the annual appropriations ordinance of the City of Sheffield Lake, Ohio and the declaring of an emergency.

Council#054 – EMERGENCY – an ordinance determining that municipal personal property of the Sheffield Lake Fire Department is not needed for public use, is obsolete and unfit for the use for which it was acquired, that the property has no value and authorizing the Fire Chief to appropriately dispose of the property, and the declaring of an emergency.

MEETING ADJOURNED: With no further business before this council, Motion by Kovach/Second by Erdei to adjourn at 8:10 pm.

CLERK OF COUNCIL AFFIRMATION: This Meeting Of The City Council 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 offices.

CLERK OF COUNCIL/COMMITTEES

Kay Fantauzzi

I, Kay Fantauzzi, duly appointed Clerk of Council of Sheffield Lake DO HEREBY CERTIFY that this is a true and exact copy of the Minutes of

WORKSESSION of September 20, 2016.

MAYOR

Dennis Bring

COUNCIL PRESIDENT

Richard Rosso