

**MINUTES OF CITY COUNCIL WORKSESSION
SHEFFIELD LAKE, OHIO
March 21, 2017**

The regular meeting of the City Council Worksession was held Tuesday, March 21, 2017. President Rick Rosso called the meeting to order at 7:04 PM.

ROLL CALL OF MEMBERS:

Present: President Rosso, Mayor Bring, Erdei, Wtulich, Stark, Cizl, Gee, Smith, Kovach, Superintendent Hastings, Law Director Graves
Absent: Finance Director Smith (excused)
Attending: Park Board Gee, Members of the Media

PRESENTATIONS: None.

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

ROADS & DRAINS: None./SAFETY: None./BUILDINGS, LANDS, VEHICLES & EQUIPMENT: None./ORDINANCE: None./FINANCE: None./PARK BOARD: Member Kovach advised I will have a full report at Council but there was a young lady that has interest in becoming a member of Park Board and I presume that Dennis will be presenting her the next Council meeting.

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

MAYOR: None./FINANCE DIRECTOR: None./SUPERINTENDENT:

Superintendent Hastings reported I just wanted to update and I have been talking with the Mayor and the Law Director regarding our Lake Breeze water line. As you know you approved the authorization of us to apply and it is all but 99.9% approved as I am told with one caveat in that they need to know who the job is bid to. Our intention was to get the loan approved first and then come to you for the authority to bid and do the project. However, this particular fund source, the city kind of circumvented DEFA which is the Ohio EPA's Division of Finance to fast track and in doing so the Ohio EPA has their own bidding process. They have their own review of finance and budget, they have their own review of plans and so forth. So, when we took that out of the equation and went straight to the fund source which is streamlined, they expected to see our low bid/possible bid. So, with that said, as I understand it the Mayor I guess would sponsor legislation for your consideration at the next Council meeting so that we could bid and have the plans prepared, well they are being prepared but have the bid prepared for OWDA with the projects approval contingent upon the loan being approved which as I said is all but a given. In short, they will not provide a blank loan based on the engineers estimate which is typically 10% higher then what they expect. They want

that number much tighter, they are not going to arbitrarily grant \$600,000.00 take what you need – they want to see that number and the appropriate qualified bidder that has been vetted and all that. So, they expect the city to do that in advance. That is partly my error, although we are working with our cap to prepare that. Even they were a little blindsided but it is logical. So, just so you know that will be coming Tuesday. President Rosso clarified so, is that a bid for the water line and a separate bid for the street? Superintendent Hastings answered yes it will be separate, two separate fund sources. Law Director Graves advised at this point, we are just doing the water line, the street will come down the road a little. Superintendent Hastings answered correct, the Council already approved the application for OPWC which was done some time ago. These things take a year I guess to come to fruition but you are absolutely correct, this is water line only. So, logistically the city is trying to prepare a bid and have the water line done in advance of the construction season of asphalt which that job is lined up to go right after. So, it is a little tricky but certainly doable. Mayor Bring advised the lady that Pat is working with, I met her the other day and she is very helpful in the process. So, it is worthwhile in working with that particular agency. Superintendent Hastings clarified we continue working with the EPA on the sewer side for the pump stations which I have been reporting for many months. That is the \$600,000 approximate dollars to rehab our pump stations and I anticipated having a full report on that but, unfortunately, I got a little sick last week. So, I don't have everything all together as far as the quotes that I wanted to present as part of a total plan but I will have that in the near future.

/LAW DIRECTOR: None./COMMUNICATIONS: None./OLD BUSINESS: None.

NEW BUSINESS: Planning Commission March minutes and recommendations attached. Representative Erdei advised Planning Commission met March 15, 2017 and they pretty well came up with some proposals or ideas for the driveways and on the last page of your packet there is the list of everything. I don't know if you want me to read through every one of them but that is what they decided to go with for now to give to Council. But they still have a couple of things that they want to work out. Law Director Graves advised these are more or less the direction that they have decided to go with on these particular issues. They still are going to discuss them, there is a couple of things that they still want to finalize but just generally speaking there was consensus on the Board for these points. President Rosso stated okay the first one "establish moratorium on gravel going forward", we already have that. Law Director Graves stated no. President Rosso stated absolutely you cannot put a gravel driveway in a new house going forward. Law Director Graves stated a moratorium would be on anything existing. When they speak of a moratorium, it is a moratorium on enforcement of the prohibition. So that there would be a period of time where the existing gravel driveway owners

more or less would register them with photographs, we would establish a registry and then when the moratorium is over, there would be no new ones. It would be corrected somewhere down the road when there was a transfer in ownership. President Rosso stated in my mind, I put the word new in there, not existing so I was off base on there. Councilman Smith stated right, now nobody can put gravel extensions in correct? Law Director Smith answered correct. President Rosso stated I still don't know the difference between Portland concrete and the other stuff? I guess it is what it is though. Councilman Smith advised I can answer that, I called a concrete guy today. Portland cement is the powdery concrete that they mix in with aggregate to make concrete cement. Portland is like the hardening powder that adheres it. President Rosso stated it is the cement. Councilman Kovach added the glue. Mayor Bring stated it is the binder. Councilman Smith stated that is all it is but you can't make it out of Portland, you got to make it out of cement which Portland concrete helps make it. Mayor Bring stated it is a mix with sand and this and that. If you are doing it in small applications, you get bags of it and then you mix the products together, it is basically an adhesive. Councilman Smith stated if you use the word concrete, usually Portland cement it is. Mayor Bring concurred exactly. We were talking about the gravel additions which we have had several of those put in just recently but we have not done anything about it just to let you know until we figure all of this out. These that we just discussed are recommendations going forward to you guys. President Rosso stated when I read that first line I thought it was about that we would allow a moratorium on enforcing it versus we already had that. He continued are we making it very difficult to monitor, I mean this says – well, how hard it is going to be to enforce if we have photos of every one and make sure that we have one? Mayor Bring answered actually I think the process would be pretty simple to be honest with you. The last time I had the Property Maintenance Officer go around and do that, it took him two weeks to take the pictures and what we do is just create a file with everybody's gravel driveway and we just keep track of that. But then if they are not on file and it is a new one then we know that there is a violation and/or if they sell the house or whatever. It would actually be a pretty simple process and that process would be passed onto the Building Inspector and he would have a folder on it but it would actually be pretty simple to do. It may take a month or so to set it all up but once it is set up. President Rosso stated then it should be okay. Mayor Bring answered yes. President Rosso continued maybe I misread this second line too, are we saying that going forward that we will allow gravel extensions if they have in this case a border? Or are we saying the existing gravel extensions have to have a border but once this all passes, I couldn't put a gravel extension on with a border going forward? Law Director Graves stated I believe that is correct, that would be the recommendation from the Planning Commission. That for the

existing ones that are going to be registered and more or less grandfathered in that they are going to have to meet certain standards similar to what is in the code for commercial that being minimum 4 inches of #57 limestone and also with some borders to keep them from spreading. Then once they are all registered then you couldn't put a new one in. President Rosso stated so after everything passes we are not going to allow them to get more. Law Director Graves answered no and then the existing ones would have to be either converted to concrete or removed and restored to grass upon any transfer of property. Mayor Bring stated I think that is still up for discussion to be honest with you too. I think after driving around there is more involved. So, that line in particular is something that I think Council should have more discussion. President Rosso clarified about restoring it? Mayor Bring answered yes, the fact that if they do have gravel right now some of these people are just throwing a bucket of gravel down and parking on it. If we are going to have that situation, then it needs to be addressed and make it nicer.

Representative Erdei stated the only thing that I do have a problem with and I think we should discuss on this is 35% of the whole property can't exceed concrete? I think that we should look at that per lot size instead of keeping it 35%? I mean I would think that would be common sense to make that work a lot better and we discussed that at Planning Commission with the way the houses are. President Rosso stated I don't disagree with that, my only thing that I want to say on this is let's keep it focused to the extensions. This last line here about backyard, I mean I don't have a problem with talking about that but what we sent to Planning Commission and what we were hoping to try to get resolved was the driveway gravel extension. So, let's just be careful that we don't keep getting into too many other things. I am not saying that we should allow people to park in their backyards but let's not lose the top 4 things because we are talking about 5th and 6th things. Law Director Graves stated well, the way the code currently reads is driveways are considered new construction, they are considered structures. The problem with that is calling them structures creates a problem where virtually every driveway in the city encroaches to some degree into the side yard and you are not allowed to have structures in the side yard. We have to kind of exempt driveways from that categorization as a structure. The problem with that is the percentage of lot coverage is that all structures shall not exceed 35% of the yard. So, if you take them out of structure category then you could technically pave your whole yard and it wouldn't count toward the 35%. It is kind of evolving into a little bit of discussion which includes that you can park in the rear yard, so long as you are on a concrete surface that extends into the rear yard, a driveway that extends into rear yard. But creating specific language exempting driveways from the side lot encroachment and then trying to decide what to do with this percentage lot coverage and whether you want that square footage of impervious surface to count

towards that. So, that is part of this discussion. President Rosso stated I understand in the backyard because you don't want people pulling a bunch of cars into their backyard but I think you can make the argument that if you have a detached garage in the back and you want to put gravel to the side of it and border in and put something on the side of that, I don't know if that is really that bad of a thing. I am not sitting here arguing for it. I would like to get 1 thing done and move onto the next 2 is all I was trying to say. Councilman Smith stated it is like commercial, why do we allow commercial to have gravel? That doesn't make any sense whatsoever. It is like they can put up 2 buildings and have gravel instead of concrete or asphalt, why you allow him to not have concrete or asphalt but we are going after the residents saying you can't put gravel down. I don't get that. Law Director Graves answered a commercial building can use asphalt or concrete. Councilman Smith stated that is what I am saying, why do we allow them to have gravel but we are veering off. Law Director Graves explained commercially zoned districts are a lessor or less restrictive district. If you think of classic pyramid zoning, R1 single family residential is the most restrictive. Councilman Smith stated that is not the question, the question is why do we allow it? Law Director Graves answered it is the question because traditionally in a residential neighborhood you are going to have the most restrictive guidelines, so you want consistency and in new construction you want usually concrete driveways. In business district, there is much less restrictive standards and many times they have paved parking lots or gravel in a business district. It is apples and oranges, you can't compare a business district with a single family residential. Councilman Smith stated this was my point for a lot of stuff to be discussed because you aren't going to tell me that Dollar General put down gravel and everybody would have been happy about it. Councilperson Smith stated that is open for discussion later on down the road but those are things that need to be taken into consideration when we are doing this, such as; gravel roads that we have, gravel aprons that were required to have. In my backyard, I just put up a shed, permitted and all, I put it on gravel but I can't take a boat back there and put it on gravel. So, these are all things that we need to put in the big pot. President Rosso stated I think to your point, that is why they are trying to revise the Master Plan. Councilman Smith stated but like you about the side and putting the extensions on, it kind of covers a lot not just an extension. Like Mark said there is 35% coverage, cars parked in front yards, so there is a lot involved. You can't just take one area and say this is what it is, you kind of got to include everything together. So, I just hope that we are all looking at everything when we are doing it, that's all. President Rosso stated I am trying to keep us on top and again to the Mayor's point of trying to revise the Master Plan. Things have changed dramatically since what do you think Dennis, 15 years ago? Mayor Bring answered yes because I was on it. Law Director Graves stated 2004.

President Rosso stated no it was before 2001 because I was on it and I wasn't on it as a Council Member. Mayor Bring stated at least 15 years, if not 16 years. President Rosso stated John was on it and he got appointed to Council and then I took John's spot on Planning Commission but John was then the Council Representative once on Council. Law Director Graves stated I know I was on Zoning Board. Mayor Bring advised like I said there is a lot involved in this and like I told Planning Commission too when you are talking about rear thing you don't want to penalize somebody to enhance it if they want to concrete this and do that. But to David's point, you don't want them concreting the front yard. That is the whole thing, it might not be just cut in stone we might just have to figure this out. There is a lot to it. President Rosso stated it is better to talk about them now then come back two years from now. Just like we are doing, what was their intent twenty-five years ago. Mayor Bring stated the other thing too is you can make an ordinance but you can also repeal an ordinance if you find out it isn't working. Councilman Cizl stated I don't know if this is related but I just had difficulty as a Councilman answering questions like what are they allowed to do and what are they not allowed to do. I know we are in the process of aprons and that but I fielded three questions already and I am kind of like pulling back because I don't know as it is an enforcement issue. One of them is the side yards, I guess that is what we are talking about; how can they park and boat and a truck next to this house on Ferndale I was asked? I tell them it looks terrible but I don't know how they can do that, it is right on grass from what I gather. It is a construction thing by Stark there. Then are they putting a fence in front yard on Lake Road, can you put fences in front yards and I am saying I don't believe so but when I want to get an answer it is kind of like I don't want to give the wrong answer but I should be the one that they come to or the city and have the answer. The third one was sidewalks, I remember my father-in-law was on Planning Commission or Ordinance or whatever it was years ago and I was so glad that they passed an ordinance when you sell a property you put a sidewalk in. So, then someone asked well, why isn't there a sidewalk on the house on Dillewood come up again. I tell them I am hoping that it is in the process of being done but I don't know. So, I am feeling suspended because they come to me and ask me and I feel stupid. Not to rush us because we don't do it wrong but all these things are related. So, if you can tell me if any of those 3 things are related to the sidewalks or the driveways or if they are not related I would appreciate it. President Rosso stated I don't think any of them are related to driveway extensions but Dennis has something he wants to say. Mayor Bring answered whenever you get a question about or if you see a fence or something like that, you just call the Building Department and ask them and they will tell you. In regard to the fence on Lake Road, the post are up very high and it is illegal to put a fence up that high. So what they are going to do is cut

those post down to 3-foot which is allowable height for front yard decorative fence and in the back it will be 6-foot. President Rosso asked is that allowable or doesn't he have to get a variance? Law Director Graves answered on the front yard, it is more or less a 3-foot decorative fence, it is supposed to not enclose and that is all you are allowed. Councilman Smith stated he is enclosing the whole property except for the driveway, that is enclosing. Law Director Graves answered I haven't seen it so I don't know. President Rosso stated I think if you have front yard fences, you have to get the Police Chief and Fire Chief approval to do that. So, anyways David, I would just ask that you browse that before next Tuesday, the front yard fence requirements. Mayor Bring advised we have another one on Lake Road that is right down by Irving Park. President Rosso stated oh yes, I don't know if they got the right approvals when they did it. Mayor Bring advised Elyria Fence came down here and that is when we had the previous Building Inspector and he allowed it because that is what the code said. Councilman Smith stated you are kind of stretching the decorative to mean that but it surrounds, I mean that is not a decorative fence, decorative fences are sections. President Rosso stated I believe that we ran into this one time and I can't remember where or what the specific was but I believe that it says that the Police Chief and Fire Chief have to okay it because it could impact response. Law Director Graves answered I will have to take a look at it. President Rosso stated like I said I am not 100% crystal clear on that but I thought that was in that language somewhere David. Councilman Smith stated actually I think if the guy on Lake Road brought that fence down his side property all the way up to the front but didn't have the front enclosure and made it 3-feet, it would probably go. Now if he comes around and encases where the driveway is, that is enclosing his whole property. President Rosso stated that gentleman across from Irving Park that Dennis was talking about has it across the front. Councilman Smith stated it is just an interpretation of decorative fence. Law Director Graves stated it supposed to be non-enclosed. Mayor Bring advised as soon as the guy put the posts up over there I went to the Building Inspector and said what are you doing and he said they are cutting the post back to 3-foot high because I questioned it too. I drive all over this city. President Rosso stated I know that we have legislation regarding front yard fences and the Law Director will look it up. Law Director Graves stated I am pretty sure it is non-enclosed. Mayor Bring stated legitimately if you were driving by and you did not know that then yes you would assume that guy was going to put a 6-foot fence over across the road which would be illegal. So, that is why they are questioning it too. He advised Councilman Cizl, just tell them I am not going to give you an answer right now but I will get back to you. Councilman Cizl advised I do but I would like to know. Mayor Bring advised I don't know anybody that can just throw stuff off of the top of their head so you just have to find out. President Rosso stated you are not

expected to memorize every ordinance that has been passed. Mayor Bring stated the next time they say something you hand them one of those books that Kay has and say here. President Rosso stated you just look it up. One was fences and what was the other one Mark. Clerk answered sidewalks. President Rosso stated sidewalks have to go in escrow. Councilman Cizl answered Dillewood? Mayor Bring answered that is Kingsboro and that is going to be taken care of. Councilman Cizl advised the other one was on Ferndale, parking the trucks next to the garage? President Rosso stated you are not allowed to park on the grass. Mayor Bring concurred we got into all this and people parking next to the thing and they said you can't do anything about it, remember. They told me not to do anything so I didn't do it and that is when everybody started throwing everything in the backyard because we told them they couldn't do it in the front yard. Councilman Cizl asked so is that where we are at right now? Mayor Bring answered yes. Councilman Smith asked if somebody has a gravel extension right now and it is not in the best of shape, it has some grass and leaves growing over it. Can they kill the grass down and fill it right now? If it is already there and it is just grown over. Mayor Bring answered technically we are not doing anything about it. Law Director Graves asked what do you mean? Councilman Smith explained in other words if somebody already has an extension to their driveway but over the last year and a half the grass has grown up. You know if you look at it, you can see gravel was there but can they fill it with gravel and kill the weeds. Law Director Graves asked is there an existing concrete driveway? Councilman Smith stated a gravel extension, you know to make it look nice. I am saying before all this starts. Law Director Graves answered technically they should never have gotten a permit for that gravel driveway. Some people may have gotten one and some people may not have and most people did not. Councilman Smith stated it is an extension and what we want to do is make it look nice. Mayor Bring stated according to what Planning Commission also said too is that it is going to have to be 4-inches deep. President Rosso stated currently they can't do anything. Law Director Graves stated right they can't do anything. Councilman Smith stated no they just want to fix what is there right now. Law Director Graves stated can I answer your question, you have interrupted me three times. He continued some people may have gotten a permit and some people may not have gotten one. The Planning Commission recommendation is leaning toward allowing them to be grandfathered but that is not law yet. Councilman Smith stated I know that. Law Director Graves continued so they do that they are doing that at their own peril and they are doing it in violation of current ordinance. Now, chances are it will be okay but I would not advise it. Councilman Smith stated so say that that is there and you go by and you look at it and you say that that just looks like grass but it is not, its gravel. Instead of doing something about it now and then goes around and starts snapping pictures

of it. President Rosso stated so you are concerned that they won't snap a picture of it now so it wouldn't be grandfathered. Councilman Smith stated exactly so I guess it is a chance he is taking I guess. Mayor Bring stated I will make sure he checks everything when he gets out of the car. President Rosso stated I would think that if there is anything there he would catch it. Councilman Smith stated can he make it look nice or no or are we enforcing it and saying no we are not allowed to touch them? President Rosso stated I would say with the city right now and Dennis correct me if I am wrong, we are not enforcing the gravel driveway extensions until the city decided what they wanted to do for it. Councilman Smith stated okay that answered my question and he wants to take a chance on it and it not being law or whatever. Law Director Graves advised the key word there being is that he is just taking a chance because this could go a whole different way. Councilman Smith stated okay he is just saying that if worst comes to worst and everything changes then no but if not it is what it is, it is there. He continued with second question, if you see something and you call the Building Department and you ask the Building Department to look into it and you don't agree with his answer then what is the next avenue? In other words, I don't agree with his answer then what do you do, just suck it up and say oh well. Law Director Graves stated the Zoning Board of Appeals has two functions which most of the time they hear variance request but they are also an appellant board, you can appeal a determination by the Building and Zoning Official to the Zoning Board of Appeals. So, in other words, our Building Inspector is also a Zoning Administrator and if they make a ruling, you can make a choice and say I disagree with his interpretation I am going to appeal it to the ZBA or you can say I accept this ruling, I want to request a variance from the ZBA. An adverse ruling from the ZBA can be appealed to the court. Councilman Smith stated that goes for me too right? President Rosso stated hold on, I want to see if I can ask it another way Alan. Law Director Graves added you have to have standing, you have to be an affected party. President Rosso stated so I can't call and say the guy down the street did this, is that legal and the Building Inspector says yes and personally I don't think he should have been allowed to do it but I can't go the Zoning Board of Appeals to overturn that? Councilman Smith stated so what do you do when you know for sure that he is in a violation and it was allowed to be done. Law Director Graves answered you could go to the Mayor or ask me for a legal opinion or you could have a committee take up the issue and pass a more specific piece of legislation. Councilman Smith stated what if you don't get an answer from the Law Director. Law Director Graves stated then you have a committee take up the issue and pass a more specific piece of legislation that addresses the issue. Mayor Bring stated 99.9% of the time when somebody comes to me and I don't have the answer, I go to David. Councilman Smith stated alright to be honest with you I haven't talked to him so he is next on

the list. President Rosso advised but David correct me if I am wrong on this but if push came to shove and if I disagreed with you and I disagreed with everybody. I guess I could take it to court. Law Director Graves stated if you are an affected party, not just because you are a Councilman. Councilman Smith stated if you are a representative of the city knowing there is a violation that got allowed, there has got to be some form of a recourse? Law Director Graves explained you have separation of powers, this is a legislative body and Administration enforces the code. If you don't agree with the way it is being enforced then your recourse would be to take up the issue in committee and pass a more specific law that says what you think it should say. Councilman Smith stated I will talk to Dennis. President Rosso stated it is no different than asking the Law Director for a legal opinion on a topic. He gives it and it is not the opinion that I wanted, I can't say sorry your wrong. I mean somebody has to make the ultimate decision and I might like it but. Law Director Graves stated again if you are an affected party you can appeal it and take the matter to court. Councilman Smith stated you said I should go talk to the Mayor so I will follow that. Councilman Cizl stated I have two things and you have already addressed one. When we hear this phrase of "it looks like hell" which a number of us have said that and that is a value judgement and opinion and that means nothing to me. Okay that is your opinion that is looks like hell but someone else's but it looks functional to me and I don't care what it looks like. President Rosso stated you can't legislate good taste. Councilman Cizl continued the other thing that I wanted to bring up going back to the Planning Commission is I appreciate all of the work that you do but I can't imagine that we are inventing the wheel here with gravel; I think about Avon, Avon Lake, cities that don't have those issues but maybe Lorain does. Are we inventing the wheel here or are we not accessing other cities and what they have on the books as far as these extensions and percentages of lots. Law Director Graves stated well the Planning Commission is looking at codes from other communities and coming to their determination but you take that so far but then you have to recognize that every community is unique. You don't want to impose the same standards here that maybe you would have in West Lake or Rocky River or something like that. I mean we are Sheffield Lake and we have our own unique identity and our code has to reflect that. President Rosso stated I will tell you this Mark, if you drive down Lake Road, you can go from Moore Road to 83 in Avon Lake and you will find a half a dozen gravel extensions on driveways. Just on Lake Road in Avon Lake and if you go Miller Road south from Lake Road to Walker, you will find brand new gravel driveway extensions on those brand-new houses. I guess what I am saying when you say that is don't think that Avon Lake doesn't have them there too. So, this is not just unique to us. I don't know what their law says there but they got them. Superintendent Hastings stated I just have a comment as a long-time employee and

my proximity to City Hall here and it adds a bit of confusion to the topic but I put a second driveway on. I had several friends who do with boats, campers and such because we live by the lake. I approached the city and got all approvals, permits and everything in advance to include a curb cut which is an obscure ordinance on there that when you add another driveway you pay to cut the curb to add it. So, the city is involved from step one and gravel at one time was defined and approved by the city. I am just throwing that out there, so I guess it just adds to the obscurity of it all but I feel it is worth noting. President Rosso stated I don't know if it was approved or allowed. Superintendent Hastings stated I have a permit. President Rosso stated that doesn't mean it is was approved, if you got that permit to put that gravel down after that ordinance that prohibited gravel, the person that gave you that permit was wrong. I am not saying you should have to take your driveway out and I get it, I did what you told you told me to do. Councilman Smith stated but you don't agree with it so who do you go to? Superintendent Hastings stated so you are implying that a city official who granted the permit, may have acted erroneously? President Rosso answered yes. Law Director Graves advised it does happen and then the law is and does create sometimes unfortunate circumstances where a city is never stopped or precluded from enforcing their ordinances even if they made an erroneous ruling of issuing a permit in error. He advised years down the road they could realize that and come back and enforce the ordinance. The flip side of that is you would have a pretty good case for practical difficulty if you wanted to seek a variance. The problem with that is our driveway code is not in the Zoning code so you couldn't even do that. So, that is one of the things that we need to rectify. Superintendent Hastings stated I understand and I also know several people who have done it as well through the years under the belief that they were following the rules and regulations of the city. President Rosso stated because whoever at the time in the city told you that was the way to do it. Mayor Bring advised an example too, there is a person that I know put up a garage way back when on Ferndale and the Building Inspector approved it. After he had it all the way up which was a 2-story, the Building Inspector came back and said we have an easement there and you have to take it down. My friend told him I am not tearing it down. So, he went down the street and took 15 pictures because everybody else had the exact same thing and so he told him if I have to tear this down then I am going to make sure that they have to tear theirs down. He actually was going to go to court and they said we will let this go but it was wrong and the Building Inspector did allow it. After the fact, there were 15 more garages on that same easement but things happen that aren't always right. President Rosso quipped so somebody make a not to go over to Pat's house afterwards. Superintendent Hastings quipped back well listen everybody can see my house from where we are sitting for God's sake and my neighbor did the exact same thing is my point. I

probably am one of the very few that paid the curb cut fee for \$10.00. I have lost the interest on that money. President Rosso quipped back we will deduct it from your fine. (laughter was heard throughout chambers) Councilman Smith stated when it comes to these gravel extensions and all these parking issues that we have, it doesn't affect me at all, not one iota does it affect me because I added onto my driveway with concrete. I don't park stuff in my backyard so this stuff doesn't affect me whatsoever. But I did assume it was me when you were talking about some people just think you can park cars everywhere. The reason I am so "pro" I guess is because I have residents with the majority of their driveways that have extensions. So I am not here for me, I am here to try to represent my residents the best I can to the majority of them and my job here is not to make their life harder and cost them more money. I am here to help them, not make it harder. That is why I am constantly trying to be an advocate for them. So, it is not me personally, it doesn't matter to me one way or the other because it doesn't affect me but it affects my residents. Mayor Bring advised just to put my two cents in, in the same aspect Alan I agree with you 100% but then when you get residents calling the Mayor and saying well this guy is adding on here and putting a boat and it looks like hell. Councilman Smith concurred it is getting out of hand. Mayor Bring continued you guys have to determine which way the city wants to go forward which is what I keep telling Rick. Councilman Smith stated the ultimate goal I think is where I am heading is to try to make everything look better. You know you don't want the ruts in the front yard but we don't want to deny them from parking stuff because they can't park anywhere else now because I can an issue coming with parking over the sidewalks, so there goes another parking spot because there are people parking over the sidewalks and I can't use it and they make them move them. President Rosso stated they are not allowed to block the sidewalks. Councilman Smith stated I know so you are taking another parking spot away. You got to draw that line of you don't want it to get out of hand and people taking advantage of it and they take a mechanism and use it. It is not that I am looking for anything, it is just that I am just trying to protect the rights of the property owners of my residents. President Rosso stated that is your job as a Councilman but don't forget, you know one of the reasons why we are having all of these issues with parking well not one of the reasons. But let's go back 10 years, when we had everybody calling saying how does VanDyke with parking 7 cars in his front yard? So now we put in laws that say you can't park on grass and you can't park in front yards and now people can't park on their grass and their complaining well they were complaining 10 years ago when we had a guy parking 37 cars in his front yard. Councilman Smith stated that is where the common sense has got to come in, you got to give them some place to park. The guy that puts 8 or 10 cars in his driveway is that one person who is taking advantage and making it terrible for everybody else. That is not fair to

everybody else because of one bad apple. So that is what we have to take into consideration too. I am just a firm believer in the right of the property owner, if something is on my property as long as I am not making a health and safety issue and devaluating somebody else's property then that is my property and I pay taxes on it. Just don't try to keep over stepping the bounds on it and that is why I try to protect my residents and that is why I am usually so voice-ful about stuff. I just want to say, it is not for me. President Rosso stated we all don't have to agree on it and we have our own opinions and what we think our residents want. Councilman Smith stated I just want to put that out there and I know you think that I want to just let people park wherever they want and I assuming that was meant for me. Mayor Bring answered absolutely. Councilman Smith laughed and stated I knew that but I have nothing to do with this as it doesn't affect me one bit. Councilman Kovach stated I see bullet points that I am going to be addressing when we go forward, that word Portland is going. New construction must use concrete, end of story very simple. Councilman Smith stated most driveways are made out of fiberglass mesh, they put that in too. Mayor Bring stated not all of it. Councilman Kovach stated it is just going to be concrete, there are 2 bullet points that contain that word and they are both going. President Rosso stated our ordinances say Portland cement, so at some point we should address those too. Councilman Kovach stated we will address that. President Rosso stated like I said some day you are going to get that guy who takes a truck load of cement and pours it and says that is what it told me and it didn't say to put any gravel in there too.

ORDINANCES AND RESOLUTIONS: Councils Agenda – None.

MEETING ADJOURNED: With no further business before this council, Motion by Kovach/Second by Erdei to adjourn at 7:48 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 March 21, 2017.

MAYOR

Dennis Bring

COUNCIL PRESIDENT

Richard Rosso