

**MINUTES OF CITY COUNCIL WORKSESSION
SHEFFIELD LAKE, OHIO
July 18, 2017**

The regular meeting of the City Council Worksession was held Tuesday, July 18, 2017. President Rosso called the meeting to order at 7:05 PM.

ROLL CALL OF MEMBERS:

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

PRESENTATIONS: None.

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

**ROADS & DRAINS: None./SAFETY: None./BUILDINGS, LANDS,
VEHICLES & EQUIPMENT: None./ORDINANCE:** Chairman Kovach advised
items are attached for discussion as follows;

Chapter 1149 Industrial Districts – Law Director Graves advised the first couple of pages are the existing language, so if you skip to page 4 where it starts the new proposed language. Basically, what this does is update our Industrial District's regulations. Our current Industrial District ordinance is quite antiquated and it goes back to the 60's, there are a lot of uses on there that are no longer really viable and there are a lot of newer things that aren't in there. This separates different types of uses into permitted uses and conditional uses and talks about the minimum lot size, area open space, maximum building height. It is quite comprehensive, it talks about performance standards, pollution, fire and explosives, toxic matter, etc. The City of Sheffield Lake doesn't have a lot of land and we don't anticipate a lot of Industrial uses coming in but things like outside storage of raw materials, truck depots, things like that are definitely a possibility. It is based a lot on Avon Lake's light industrial requirements and because we have some uses in here that are designated as conditional uses, our code really doesn't have a section dedicated to conditional uses. So, along with that is a proposed Chapter 1152 that talks about some additional requirements for conditional uses in the Industrial District. So, those would have to be reviewed by the Planning Commission if someone wanted to do a conditional use again, this is only for Industrial. This is not anything to do with residential or business districts. At sometime in the future, if Council so chose we could include conditional uses in residential and business. It would probably be a good idea to take a look at that. Ordinance Chairman Kovach advised both of

these items have been on Ordinance agenda forever. So, this is where we are at with them. President Rosso quipped our forefathers were pretty aggressive with the type of industry that they thought we were going to have here, but I was just thinking about opening a cider press or mill. (Laughter was heard) Law Director Graves advised much of that goes back to 1967 and some before that. President Rosso asked does this cover the storage units on Lake Road and the ones that the gentleman has on Pleasantview. Does this have storage units in here or did I miss that? Law Director Graves answered under permitted uses, bottom section c and if you turn the page number 6 self-service storage facility is a permitted use. President Rosso asked, but it doesn't limit those self-service storage facilities to just Industrial areas. Law Director Graves answered no it is permitted Industrial, I don't think they are addressed in any other zoning district. I think where we had them in the past was B3 (business district 3). He corrected so under 1145.03 which permits use in a B4 district which permits public garages and I thought in the past if I am not mistaken we have used B4 for storage. I think public garages are the closest thing existing in our code to these storage facilities. President Rosso stated I was just curious because the Mayor brought up about the gentleman that wants to build over behind Shoreway, is that zoned properly and will this effect that at all? Law Director Graves explained the shopping center is zoned B5 and technically under B5 uses it does not include that. So, they would need a variance or rezoning. Councilperson Gee stated I wasn't sure if everyone was aware that this ordinance is only covering what is in the orange area back there on the board on that map. So, it is only ward 1. President Rosso stated it is the only area in the city that is zoned Industrial which is the old Abbe Road Lumber/Pleasantview area. Councilman Smith stated not a lot of it left.

Chapter 1152/conditional use regulations for Industrial Districts – Law Director Graves advised this is a new Chapter for conditional uses, so the use is set forth in 1149 that would have a (c) next to it would be conditional uses and would have to go through the additional process. Most of them have the same lot size requirements and there is a few that have additional. Then if you go through each particular use; automobile, child daycare, manufacturing, there is some additional criteria that the Planning Commission would approve that. President Rosso clarified this is only impacting Industrial. Law Director Graves answered, correct. He added the Planning Commission doesn't have the final say, I know some people are concerned with that. Again, they would review it and make a recommendation. If they recommend approval, then it would come to Council to vote on it and a majority vote would approve conditional use. President Rosso asked do you know if any of these conditional uses are covered in any other area by chance? Law Director Graves answered yes, some of them may be, I think Child Daycare is one. That might be the only one, we have a telecommunication

tower ordinance and some things may be more consistent with other zoning districts, but would be also a conditional use in light industry.

Commercial building & miscellaneous fees, also zoning fees – Law Director Graves advised Council had the opportunity to look at the proposal coming out of the Building Department which was put in a chart form which talks about the proposed changes to the building fee schedule. Most of these changes, the ordinance only recognizes that we go forward with the changes to commercial fees and the general zoning and building appeals fees. Most of the rates involve decrease in the base rate and then maybe an increase in the per square footage. Then there are some changes to, do you have this chart....yes, the back 2 pages of the ordinance has the chart. I think that is much easier to read, the challenge I had was we have to amend our ordinances so each one of these is actually covered under different sections of our code which necessitated a pretty lengthy ordinance here. You can see I put it in a form that we have been doing where I use a line to scratch out the existing and then the new is in *italics*. So, it involves changes to 1361.16, 1113.09, 137.13, 1353.36 and 1117.02 to cover all of the proposed changes. It is not like they are neatly contained in one Chapter or one ordinance. But if you go through the chart here, it breaks it down pretty easily for the changes that are proposed. In addition to the dollar amounts changing if you look at the ordinance, they are recommending instead of a per building rate or in some cases a processing fee or in some cases like a plumbing per trap that we just make it uniform and call it a base rate. So, you will see that it becomes consistent throughout, one base rate and then an additional amount per square foot. Most of those base rates are decreases and then a slight increase to the per square foot. Councilman Cizl asked is the reason for the way they are figuring it is that because all the other cities are doing it that way? Law Director Graves answered, I think that they are trying to make it more consistent with what they are seeing. I don't think these are going to result in massive increases to the fees. It is really just kind of changing the structure, some of the wording and (inaudible). If you look at the last portion of the chart zoning and building appeals fees which he reviewed with committee. He advised when there is a zoning change there is publication and other costs that the city has to bare. I don't even think that \$600.00 in many cases would even cover because we have to advertise and a public hearing and all that. Then of course, vacating land an increase of \$200.00. President Rosso asked to give us an example of vacating land? Law Director Graves answered vacating streets like we just did for Hawthorne. Chairman Kovach added which can incur the surveying charges, etc. President Rosso stated I know that we have vacated streets before in my time here on Council and I don't think we have ever paid a surveyor to come out to vacate a street or at least it has never been brought to my attention. Chairman Kovach advised I think we are going to run into that with

Hawthorne one on Abbe Road. President Rosso asked why would have to hire a surveyor when we know where the street is already because he owns both sides of it now. Mayor Bring advised there is some engineering fees to it. Law Director Graves advised technically there is required to be a revised auditor's plat filed with the county. I thought in the past some of them have been kind of approved by the county without it but that is not correct. In working with Bramhall, the proper way to do it is to create a new revised auditor's plat that shows the resolving parcels of land, not just a block that says vacated. But that again is something that could be negotiated, when someone comes to the city asking the city to vacate a street, they are basically asking the city to give them something of significant value. If it is a private resident that just wants some more land then I think that perhaps negotiations should happen where they pay a lot of those costs. If it is a commercial enterprise where they are coming in and saying I am going to invest 10 million dollars in your community to create however many full-time jobs, perhaps some benefit could be discussed. A development incentive much like we do for tax exemptions/tax abatements that there would be a component of job creation along with that. He continued with chart; Board of Building Appeals, technically you could come before our BZA an appeal a building code as well as the zoning code. The fee for that was never included in the application, there is no ordinance that even establishes that fee. So, we decided to make that consistent with the zoning variance fee of \$200.00. President Rosso stated on the first 2 pages on page 3 where it says residential building permit fee schedule, are we not talking about any of that or is that what the current fee is? Law Director Graves stated I did tell you that they only wanted to go with the commercial, but if you look at that, the only change to that is part (c) which would be the contractor's license. Councilman Smith asked why would they reduce that contractor's license. Law Director Graves advised; General contractor's license to go from \$150.00 to \$125.00 and all other subcontractor licenses from \$112.50 to \$125.00. President Rosso stated so the rest of this all stays the same? Law Director Graves advised another change is and this is just kind of housekeeping, if you look at the way 1361.16 I wrote *commercial* in *italics*, that is new and then underneath it under (a) where it says commercial I put general. Then if you look at 1113.09, at the top I put *residential* in *italics* and underneath I put general because both 1113.09 and 1361.16 they both are titled Building Permit Fee Schedule. We have 2 sections of code that are titled exactly the same thing and then you have to look at the subsection to figure out that one is commercial and one is residential. So, it just makes sense to title them commercial and residential so people know that they are different purposes and then underneath I just called them general.

Purchase of skid steer – Law Director Graves advised this came out of the Buildings, Lands and Vehicles Committee and they reviewed the proposal from

Murphy Tractor and Equipment for a new skid steer, it is a John Deere. The proposal includes the state discount of \$26,176.25 as well as a \$5000.00 trade-in for our existing skid steer. So, the net purchase price for this would be \$67,321.75 and Buildings and Lands voted to send that on to Worksession for consideration. I think we have already applied for funding for that. I think Council already approved the bond. It is part of the state bid list so it does not have to be publicly bid, but because the contract would be over \$50,000.00 Council would still need to approve that contract.

Donation of 6 parcels of land to the city – Law Director Graves reported this is also coming out of Buildings, Lands and Equipment and we have an individual, Milos Radojevic and Divna Adams are proposing to donate 6 parcels of vacant property. We have got 2 parcels that are 30 X 131 that front of Lafayette and then behind that there are 4 vacant lots that are 30 X 121 which are directly behind them but front on the paper street of Treadway. I think they inherited them and they are desiring to donate those to the city. If so, I would prepare deeds and send them off and get them signed and recorded with the county. So, the 2 that front on Lafayette are a little more desirable because they actually front on a finished street. So, their annual taxes are \$188.46 and \$189.90 respectively. But, the 4 that front on Treadway, they are like \$8.00 a year. Councilman Wtulich asked so the 4 properties that are on Treadway, backyards into Lafayette properties? President Rosso asked would this an example, let's say we approve these and somebody comes in and says I want to buy those 2 lots on Lafayette from the city. Would that then require them to submit that vacate. Law Director Graves answered no... well, yes, technically we could call that a vacation, usually vacating is vacating a public street. In this case we would negotiate a purchase price and then it would have to be bid. When the city sells land it would have to be publicly bid, but you know, we are not going to publicly bid it until we have an offer on the table and then if anybody else wants to bid more but that would have to be publicly bid. President Rosso stated my next question would be if we did vacate it, wouldn't we have to automatically say split it between the adjoining property owners? Law Director Graves explained that is only for a road right of way which he explained we don't technically own it, we just have the right to use it as a road and if we abandon that it reverts to the property owners. This we would actually own, fee simple interest in the land. President Rosso stated that \$188.00 is probably what they pay the county right, so our portion of that is probably \$5.00 or something like that. Law Director Graves advised the majority of the property taxes goes to the schools. We get a very small cut. Councilman Cizl asked would we pay taxes on that land? Law Director Graves answered until we get it exempted. We just recently have done that, a few months ago we took a stack over to the county and we acquire it then we can get it exempted from taxes. He added, unless we are using it for a retail

purpose like the shopping center, we have to pay taxes on the shopping center. But just vacant land, we don't. Councilman Cizl stated so, the schools wouldn't get any tax money from that, it is like it doesn't even exist then. Law Director Graves explained actually those other 2 parcels are directly behind the property owned by the Prokay's. Councilman Cizl asked are they aware that it is vacant? Finance Director Smith advised they have been contacted by the current owner, all those residents have been contacted. They have tried to sell it for a while and nobody is interested... no bites.

Residential driveways and additions – Law Director Graves advised if anyone has any other additional questions or comments. President Rosso stated did I hear that out of Worksession that we changed the language that the homeowner does not have to remove a gravel extension or return it to grass when they sell a house? Law Director Graves answered yes, we did remove that. Councilman Smith stated it was there, but David forgot to take it out. Law Director Graves answered yes, you are right, I took it out of one part but not the other part. He continued at the last time that we discussed this, my recollection is that there were two concerns that were raised by Council. 1) By Councilman Cizl in regards to the application of this to small utility type trailers that aren't designed for use on the roads. I think that he is satisfied that is no longer going to be an issue, 2) by Councilman Smith and Councilman Wtulich in regard to the prohibition of parking in the rear yard, limiting that to the driveway. That language is still in there. President Rosso asked which is? Law Director Graves answered, requiring all motor vehicles, watercraft, trailers to be parked on an approved driveway, even if the driveway is in the rear yard.... everything has to be for a driveway. Councilman Smith stated meaning people who have jet skis and want to winterize them and put them in the backyard – can't do it. People who have trailers, want to winterize and put in the backyard – can't. People who have boats, boats in the backyard covered up right now – can't do it anywhere except a driveway. Councilman Cizl added on a hard surface. Councilman Smith advised I will vote no on that ordinance as long as that section is in there. Councilman Wtulich echoed same as Councilman Smith. Councilperson Gee advised if you look at 1357.03 (c), in no event shall any motor vehicle, watercraft or recreational vehicle be parked in any residential area of the City on grass, dirt or any surface material other than as set forth in herein. So, why can't they stay in their backyard on gravel? Councilman Smith stated it has to be on a driveway or an extension. President Rosso stated a concrete extension. Councilman Smith stated no, if they have a driveway going into their back yard and they have an extension they can park it on there, but you can't just open up a fence and pull your boat in the back and close your fence back up for the winter. My main complaint is the right of the property owner in their back yard. The front yard...fine, the side yard...fine, but the back yard as long as it is not a health and

safety issue that doesn't cause toxic odors or devaluating somebody's property, I don't see the big issue. Law Director Graves stated the language that we talked about in the very beginning 351.21 which he read off-street parking of all motor vehicles, watercraft and/or recreational vehicles and then you skip down to shall be limited to and must be on a driveway which has been installed and established in accordance with the provisions of the codified ordinances of the city. President Rosso stated Steve, your Ordinance Committee referred these to Worksession I guess with the intent or hope that Council would add them to the next Council agenda and move forward or were you hoping for feedback. Or is this ordinance your final recommendation? Chairman Kovach answered yes, this is the final recommendation. Councilman Smith asked which one are you talking about? President Rosso stated, everything but the driveways, the driveway legislation is already on the agenda. Chairman Kovach clarified yes, these are final drafts. President Rosso stated I am going to go ahead and add these to the next Council agenda, they are three readings ordinances and they won't pass until September 12th. Chairman Kovach replied that is fine. The only one that wouldn't be would be the skid steer I would think. Law Director Graves advised on the 6- parcel donation, that is drafted as an emergency w/suspension of the rules and you could certainly give that three readings. He continued the skid steer has an emergency clause, but I think that you should consider suspending the rules on that one. President Rosso stated I didn't word this right, I am only talking about the first 3 on Steve's list... Industrial Districts changes, the conditional use in Industrial and the building fees. I would like to add those to the next Council agenda for three readings. Councilman Cizl clarified this is the last Worksession for the driveways? President Rosso answered, correct. Councilman Smith stated I was just going to make a suggestion because I know how I and Bill feel, but I personally make the suggestion that maybe we take that section out and refer that section back to Ordinance just in case this ordinance would not go through and then we didn't waste all the work on the gravel driveway extensions. I am not saying it is going to and I am not saying it is not because I don't know, but I would hate to have that section hold up the rest of that ordinance. That is my opinion and that is my only worry is that everybody worked real hard on that part of it. Councilman Wtulich stated couldn't you just leave the language the way that it reads now for 351.21 (a) (1)? Then refer that back to look at that? Councilperson Gee stated I understand what Alan is saying, I understand totally down there, but on the same hand what is stopping the resident from filling their whole back yard as a junk yard. We have had this with residents in the past. Councilman Smith answered because you have ordinances on the books under junk vehicles. If you have vehicles without license, they need to be covered. Junk vehicles – you just can't abandon vehicles. There are ordinances on abandoning vehicles, property maintenance codes. There are all

kinds of property maintenance codes, if you really read property maintenance code there is a lot of stuff in there that can be enforced. Councilperson Gee advised I agree with that, but you yourself just said if it is not licensed it has to be covered. So, in other words, my neighbor can fill their whole back yard with covered vehicles that aren't licensed. Councilman Smith answered, I don't know if they can do that or not. So, what do I do when all my residents come to me and say why can't I park my boat there, why can't I winterize my trailer and put my trailer back there. I just drove around and just went down Sunset, there is a beautiful house and he has got his boat behind his fence and it is covered up/vacuumed packed because he didn't use it this year and he should be able to do that. People have jet ski's and they are backed up to their garage and now they can't do that. There are so many recreational things that people put back there; campers, pop-up's, where you don't use them in the winter time so you have to have a place to put them. That is my only point, you know the front yard, I get, you don't want to devalue your property but your backyard is yours. You are paying taxes on this property, it is my property and if I want to be able to put my boat back there and be able to cover it up I should be able to. Now, if it is creating a hazard or its creating problems with devaluating property values well then you have an issue and you have ordinances on the books that cover that. But I am just a firm believer in the rights of the property owner. At some point, you got to draw that line and say enough is enough. I don't have a boat and I don't have any jet ski's and I don't have nothing to put in my back yard, but I have a lot of residents that do and they are not going to be happy. When they come up here, they are going to be talking to you guys because they aren't going to be talking to me. Councilperson Gee stated I see what you are saying, but I am also. Councilman Smith continued you have safeties in there and you got the enforcer right there who will enforce that stuff. If there is an ordinance on the books and he ain't going to allow it, then he ain't going to allow it. You guys all know that and the residents that do things that aren't creating issues for their neighbors, they are the ones getting penalized here. Not the people who take advantage of the situation, the regular people are just trying to make a living and trying to have fun in the summer. It just doesn't make sense to me, but here I am again arguing a point that I didn't want to do. Councilperson Gee stated I see what you are saying about the ordinance Alan and I totally get what you are saying about back yards, I really do. This whole mess started because there was an ordinance on the books already saying no gravel driveways and people just kept putting them. Councilman Smith stated here we are talking about rear yards, not gravel driveways. Councilman Wtulich agreed. President Rosso asked Law Director Graves, define a vehicle for me. If I have a pop-up trailer is that a vehicle, it doesn't have a motor... it says recreational vehicle. Law Director Graves advised there are a couple of places where motor vehicle and recreational vehicle are

defined in the code. Councilman Smith stated pop-up campers, trailers, all that stuff. President Rosso stated I was just curious because there is an argument that a vehicle has to have an engine or self-compulsion. Councilman Smith stated recreational doesn't; pop-up camper. President Rosso stated then they are not a vehicle. Councilman Cizl stated our discussion at the last meeting was trailers and that is where I spoke up because.... Councilman Smith finished statement, it specifically says trailer in the definitions. Law Director Graves stated so motor vehicles under 341.01 (r) which he read motor vehicle means a vehicle, machine, tractor, trailer or semi-trailer propelled or drawn by mechanical power on highways, except that such term does not include a vehicle, machine, tractor, trailer or semitrailer operated exclusively on a rail. Councilman Smith stated that was the reason I suggested that because I would hate for some reason that it not pass and then the gravel goes with it. So, kind of separate them 2 so we could have more of a discussion, maybe on the backyard stuff without extending the gravel driveways because I think everybody worked really hard on that and it got to a point where everybody seemed to be real happy with it. That was the only reason that I suggested maybe try to separate the two. Councilman Erdei stated then have 2 separate ordinances? Councilman Smith stated well, discuss the two separate. President Rosso stated you could come back and amend the same section, just not amend it now. Councilperson Gee stated maybe a permit for parking your boats and things in the back. You know issue a permit and that would control too many items in a back yard. Councilman Kovach stated that would probably go over as good as our sign permits, I am saying it would be just as hard to enforce as permitting on signs. President Rosso stated whose definition is too many? As long as I can fit one it is not too many, in my mind. Councilman Kovach stated I guess so, all the hard work on the ordinance doesn't die due to a no vote, is his recommendation viable to use David? I believe that is the purpose that the ordinance as written with not enough "yes" votes, the whole thing dies and it just stays the way it is. Councilman Smith stated I am not saying that it would but just in case it did, I would hate to see that work go. Councilman Kovach stated I got that, I am just making as a recommendation. Law Director Graves clarified so I think you would need a motion to amend the ordinance for its third reading. President Rosso advised I think Bill is removing the changes for section (a) right? Law Director Graves advised yes, it would completely remove 351.21 the amendments to that and then as Mrs. Gee pointed out 1357.03 (c) would also be removed. Councilperson Gee stated basically we are going back in time. Councilman Smith stated fighting this gravel driveway and turn around and vote against it. President Rosso stated so at the next Council meeting we would have to motion to amend Council#036 to remove changes to 351.21 (a) and then 1357.03 (c). Law Director Graves advised you can decide if you want to take that section

out or just change that to the front yard. He advised to just so know right now unless... and this is where we have been with the Police trying to enforce peoples' parking vehicles in their rear yard in the dirt and mud, unless we can make an argument that it is a violation of the property maintenance code – that it has basically become a public nuisance and so forth, we cannot ticket those vehicles. They will just be allowed to park, they will just be allowed to park in the rear yard in the grass. President Rosso asked, but what is wrong with that? Councilperson Gee stated by saying not the front yard, in other words from someone has a corner lot they can just pile the vehicles all along the side yard because that is not the front yard. Law Director Graves stated right. Councilperson Gee stated so we would be right back to where we started with some people. Councilman Smith stated I drive around the city a lot, are there that many houses that have 15 vehicles parked in their back yard where you can't walk through. Mayor Bring answered no, there is probably a couple in the back yard. Mayor Bring answered yes there are. Councilman Smith continued it is not like it is an overwhelming junkyard in the back yards. Mayor Bring stated well, because we have cleaned that up. Councilman Smith stated because there are some property maintenance codes that allow you to do some of that stuff. Mayor Bring advised you are right, this last go around people have hauled some stuff back there and they said well you can't go in my back yard. We have had some people where boats weren't running and such and they left them back there. Then the neighbors call and some people working on cars in the back yard. Councilman Smith stated that is funny because I did read an ordinance that said about boats that are basically abandoned and not running that they can't leave them and you can order them to remove them. Mayor Bring advised we did cite a couple of people and we were in court. Councilman Smith stated so, there are some ordinances that you have to work with. Mayor Bring advised it is a lot better than it was. Councilman Smith stated I am all with everybody on the abusers of it and you can't legislate and say I am going to pick on this one and this one but I am going to let that one go. It has to be uniform and the average person that is doing it makes everyone else suffer and that is just not right. So, we have to find a way for people that violate that or find a way somehow. That is what we are supposed to do in committees and everything else but we are not supposed to hurt every person. Councilman Kovach stated in the event that we would see that this would become a problem again, we could always amend this ordinance to include it again at some future date. Councilman Smith stated if we had to...sure. President Rosso asked were you going to say something on the process to be amended on Council? Law Director Graves stated, we kind of have to get direction, as we can't take any official action tonight. But if you want me to rewrite this I could and then there would be a motion next week, I guess I could prepare it both ways so it would be ready. President Rosso stated well, this

way is done and is already on the agenda. I would make one up with those few changes and if we vote to amend it, we would have the new one that we could slide in. Councilman Cizl stated I am kind of struggling and I have been struggling for the last 2 readings. I feel I am disconnected with what the city is dealing with. The Safety Director, I don't know what depth of what you are dealing with that you can't enforce because of our existing ordinances. So, we are trying to fix this to help the city, but I don't know, I drive around and I will see yards, I will see violations and I don't know if they are violations. I don't know what you are struggling with, Mr. Safety Director and it would be silly for us to vote on something or not vote on something if the results are going to be the same and it is not going to get better. I need a connection with what you need and see if we agree with it. Mayor Bring stated again, it has to be a group of you people that agree on this stuff. I can make suggestions just like I have all along, but if I don't have the tools to do things, then I can't correct some of the problems. Nothing is ever going to be perfect and I think we all realize that. We have taken probably a couple hundred junk vehicles off the roads since we started enforcing that, especially when we had the no parking on the streets...that eliminated a lot of that. The junk vehicles without license, we started that program and everybody had a heart-attack about that, but we took a lot of that out of driveways and corrected a lot of that. That has been several hundred cars there. We had some boats that were unlicensed and sitting there and we had the people remove them. But we still have people that will drag stuff into back yards and just leave the there and then we get the neighbors calling us and asking what we can do about it. Sometimes we can and sometimes we can't and that is where we are at right now. It is just like Alan said, you go around telling people to do everything all the time, but there are ordinances and laws on the books that we can do stuff. But sometimes we can only go so far. So, I go as far as what we are allowed to do, but people still take advantage of the situation. Are there a lot of them... there are quite a few, but there were a lot more before, but many people are starting to realize that we are going to enforce the codes. The first year the Property Maintenance Officer was overwhelmed with what was going on but this year has been much better, people have been very accommodating and not many people screaming and yelling at him like they were. People just want to see things get done, things are working but nothing is ever going to be perfect. I will tell you that and I think that all the people sitting up there realize that too. We can only do the best that we can and I can't say this is exactly what I need and this is exactly how we are going to do this because it doesn't work for everybody. It would like having a business and having 30 employees and treating everybody exactly the same, there are different personalities on how things work and some people react in different ways on enforcement. So, there is no real answer for you, how is that? I mean, you have how many people sitting up there

and you have a couple that agrees with this and a couple that agree on that. That is why we all sit up here because we have to figure this out. What Alan is saying right now is that he has to come to the realization that he thinks that one ordinance isn't okay, let's work on that. So, then maybe we can move forward on the other one. So, it needs to be amended just Rick or Steve said that we can go back and amend it, things get out of hand. Councilman Smith stated, all in all in just driving around the city people have been taking care of their property a lot more. I have noticed that since it was in the papers, the issue about the gravel driveways. I see so many people digging their stuff up and putting new gravel in, putting borders on it and making sure it looks good. Mayor Bring concurred it does look good and I saw that. Councilman Smith added I have seen a lot of it happening so it does work. The ones that violate it all the time take advantage, just like your complaint today about the guy that is taking his car and driving it around his front yard. It is no different then anything else, he is the abuser. Mayor Bring answered right. Councilman Smith added that is where his hands are tied. Mayor Bring stated and if they don't catch him red handed, he is going to file harassment. David will know – he will say we are harassing him or doing this or doing that. Such as I didn't drive in there, somebody else drove through there. If you don't catch them, they can say whatever they want. Councilman Smith continued you can't write an ordinance for every situation or if you get one person that comes up here and complains about this or that then we have to write an ordinance to correct it. No – you have to that on a whole, what is best for everyone. This is why I do it because it is in the best interest of my ward. Like I said boats, gravel and all of that doesn't affect me, but it does affect the people in my ward and that is what I sit here for. Councilman Cizl stated I understand, but it is almost what Rosa was saying, we are passing an ordinance that is going to blanket every resident in this city, but a lot of our problems are, I mean we have the individuals that are problems but we also have regional problems. We have blocks that have limited driveways because of the way that they were designed way back in the 50's, has there ever been an ordinance and I know the answer to this that is a regional ordinance like an ordinance that takes care of the east/west area and I know that you can't do different ordinances for different parts of the city. We are trying to come up with an ordinance governs Lake Road and also houses on Holl, the real estate is different. Councilman Smith stated laws are strictly for the abusers, but how do you that though, that would be nice to go after the people who make it hard for everybody else. Law Director Graves advised we do have the capacity to pass different residential zoning districts and we used to have R1A, R1S and those were both repealed. So now we just have R1, all the single family residential and multiple families are R2, R3. You can have sub-categories of single family residential; R1A, R1B with different setbacks and frontages. For example; in Avon

Lake they have the cottage district, the 45's and they are not held to the same frontage and setback requirements as the new developments/much bigger yards, etc. So, yes if Sheffield Lake wanted to go in that direction we could approach a different type. Councilman Smith stated that is something to think about for backyard parking that whatever is back there you can only use up to a certain amount of your yard. You know, if you want to park a car back there – that is fine, if you want to park a car and a boat back there – that's fine, but you can't fill the whole thing up, there is only a certain amount of lot area that you can use and it has to be on some sort of hard surface. That might be something to discuss or something like that and that could be done at Ordinance. There are different things that you come up with. President Rosso stated I am more concerned if you have questions about the gravel extension portion of the ordinance. I will point this out, you look at Dennis and say hey Mr. Safety Director why can't you enforce this. That is not really a safety issue, that is the Building Inspector. We were never going to send Police out to arrest people for having gravel extensions. It was passed a long time ago to clean up the city, make it look better and that is all we are trying to do. Law Director Graves advised the part that we are having a problem with which is the parking is a police issue, that is a traffic code 300... parking in the grass. Right now, as it stands, we have had a few times where people take a vehicle and literally take it and park it on the side of their house or rear yard and unless that and unless that is a junk vehicle which a junk vehicle is either not titled or currently registered or apparently inoperable. So, it is not apparently inoperable and it has current tags the only way that we could prohibit that is if it was a property maintenance issue. So, if it was like a junkyard then it is very subjective under the real property maintenance code. Other than that, as of right now as the ordinance currently reads, the police can only enforce parking in the front yard. Councilperson Gee stated the driveway additions, wouldn't that cover the gravel that someone has got in the back yard with the boat sitting on it or their RV sitting on it? A lot of the residents I have seen with boats in their backyard have gravel down. One... it is better for your vehicle, your tires, everything else. On 1357.03 where it says driveway additions, wouldn't that cover those in the back yard? President Rosso stated, we are talking to people who want to park their boat in the (inaudible). Councilman Smith stated I can give you a house right now, there is no driveway and he has got his boat there back in the corner of his property but it is against his fence. He has got a gate if he wants to pull it out, but there is no driveway. Councilperson Gee asked no gravel down at all? Councilman Smith answered no. The only thing that I wanted to say when it comes to the parking and it comes to enforcement, it is no different a speed limit. The law says you can go 35 miles an hour and you know as well as I do, that they don't ticket anybody at 35 miles an hour, they use their discretion on how to do it. When they drive down the

street and they see a parked car, they use their discretion, that is how you get around to get the people who are really abusing it. That is the easiest way to explain it, I am sure that is what he does. It is no different than a speed limit. I think it is working actually, the enforcer over there is doing a pretty good job. Councilman Kovach advised if David brings us 2 ordinances that have the 2 different ways, then I think everybody will be happy. President Rosso concurred I think so too, you got your direction David. Law Director Graves acknowledged yes./**FINANCE: None.**/**PARK BOARD:** Member Kovach advised we had our meeting last night and I will have the full report next Tuesday. Law Director Graves asked did they approve the relocation of the binoculars? Member Kovach answered yes, we did.

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

MAYOR: Mayor Bring advised Mr. Hastings and I met with the gentleman the other day and there is a very good prognosis that we might have a Laundromat in the Shoreway. So, we will probably be bringing that to you. They did say they wanted to move forward so we are going to work a few things out and that went very well. I would like to say that the carnival went very well. We had a very good outpouring of residents coming and also other people from outside the community came. The fireworks were fantastic, there were a lot of people that really enjoyed those. I think overall it went very, very well and I would just like to thank everybody that was involved in that and I appreciate it. The kids faces of smiles and handing out candy to them is probably the best thing that I did and it was a lot of fun and I enjoyed it./**FINANCE DIRECTOR:** Finance Director Smith advised I have the 2018 budget, this is just the tax budget. It is a very preliminary thing and it mirrors the 2017 quite closely. The one thing I have added that you will be hearing more of is we have to regrade our software; finance, payroll and utility software. Our current software that we have which we have had for over 15 years, it is called J base and it is kind of like Microsoft and what runs it is expiring. They will no longer support our program because it is so antiquated, it won't support it anymore. So, I have that included and it is about \$23,000 to \$24,000 per package, but it is split up amongst a bunch of departments that use it. So, it is splattered in the budget here and we will talk more before the end of the year when we pass this for 2018. Also, we did receive our refund from Ohio BWC, we got 66% from our 2015 BWC liability back, which was a little over \$25,000.00 and I disbursed that to the departments that pay for it originally and that would be general fund, water & sewer, roads & refuse. We got the interest rate set for the note that we are going to be reissuing here in the next couple of weeks at 1.9%, which is exactly why I tried to put things in there that we need./**SUPERINTENDENT:** President Rosso asked when are you going to get Devonshire done? Superintendent Hastings answered, I am waiting for the next round of OOPS tickets to be marked. Mayor

Bring advised you have to get everything marked under the ground and if they don't come out and give you approval then you can't dig. President Rosso asked who comes out? Several voices said OOPS. Superintendent Hastings advised all the utilities underground./**LAW DIRECTOR: None.**/**COMMUNICATIONS: None.**/**OLD BUSINESS: None.** **NEW BUSINESS:** President Rosso advised congratulations to Mike Griffin and his staff who this year entered their first year in Hot Stove Class F and are representing Sheffield/Sheffield Lake in the Hot Stove State Tournament Saturday. So, if you see Mike or any of the guys that help coach or any of the kids, they have done a great job and have won their regional and meeting Alliance Saturday and Sunday. If they win 2 games they will be Hot Stove State Champions. Good Job!! Councilman Kovach stated a great big Thanks to anyone who helped in the room with Community Days. President Rosso stated you did a great job Steve.

ORDINANCES AND RESOLUTIONS: Councils Agenda –

Council#036 – THIRD READING – an ordinance amending sections 351.21, 1173.02, 1345.01, repealing section 903.05 and establishing Chapter 1357 of the codified ordinances of Sheffield Lake regarding residential driveways, driveway additions and residential off-street parking.

Council#039 – FIRST READING – an ordinance amending Chapter 1149 of the codified ordinances of the City of Sheffield Lake regarding Industrial Districts.

Council#040 – FIRST READING – an ordinance establishing Chapter 1152 of the codified ordinances of the City of Sheffield Lake regarding conditional use regulations for Industrial Districts.

Council#041 – FIRST READING – an ordinance amending sections 1361.16, 1113.09, 137.13, 1353.36 and 1117.02 of the codified ordinances of Sheffield Lake regarding building permit fees.

Council#046 – FIRST READING – an ordinance authorizing the Mayor to enter into an agreement with Murphy Tractor & Equipment for the purchase of one 332G skid steer for the Service Department and the declaring of an emergency.

Council#047 – EMERGENCY – a resolution authorizing the City of Sheffield Lake to accept and approve the donation of six parcels of land to the City of Sheffield Lake by Milos Radojevic and Divna Adams and the declaring of an emergency.

Council#048 – EMERGENCY – Kopic contract

Council#049 – EMERGENCY – Northcoast Office Building – Mike Cloud

Council#050 – EMERGENCY - appropriations

MEETING ADJOURNED: With no further business before this council, Motion By Kovach/Second by Stark to adjourn at 8:27 pm. Yeas All.

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 July 18, 2017.

MAYOR

Dennis Bring

COUNCIL PRESIDENT

Richard Rosso