

**MINUTES OF CITY COUNCIL WORKSESSION
SHEFFIELD LAKE, OHIO
March 20, 2018**

The regular meeting of the City Council Worksession was held Tuesday, March 20, 2018. President Rosso called the meeting to order at 7 PM.

ROLL CALL OF MEMBERS:

Present: President Rosso, Stark, Cizl, Gee, Kovach, Wtulich, Radeff,
Superintendent Hastings, Finance Director Smith, Law Director
Graves

Absent: Mayor Bring and Councilman Erdei (excused)

PRESENTATIONS: None.

*****COMMITTEES*****

**ROADS & DRAINS: None./SAFETY: None./BUILDINGS, LANDS,
VEHICLES & EQUIPMENT: None./ORDINANCE: None./FINANCE:
None./PARK BOARD: None.**

*****ADMINISTRATIVE*****

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

Law Director Graves advised we have a couple of ordinances on the agenda which he reviewed. He continued a couple out of Ordinance Committee and the first is establishing a new section of the fire code which is only for commercial and also the multi-family apartment buildings regarding exterior electric and fuel burning cooking devices. This is in response to the situation we had at the Perch which an individual was doing open burning which violates our existing ordinance but then the question arose what about all these grills/cooking devices on the balconies of the apartment buildings. We really don't have anything prohibiting that and SAFEbuilt really doesn't have anything on point. So, this is the language that the Fire Chief and I came up with and I want to say that we modeled it after Rocky River. President Rosso asked you mentioned that this is just commercial, is that because of the section that it is in? Law Director Graves answered yes. There was a brief discussion on not covering residential homes. He continued an ordinance that has been tossed around a few times regarding our rental permits and inspections, this retains a lot of the old language regarding the fee to obtain the permit, etc but what it does include is that you can't make a warrantless search of the rental unit mandatory as a condition of doing business which he explained. He also reviewed several questions that Councilperson Gee had on the proposed legislation; both sections 1395.13 and 1395.14 mention a 6-month time period which he read. He advised interpretation

as any rental property would be subject to this and the 6-month is for any other non-owner occupied situation. He continued under 1395.18, he advised this language is from years ago which he explained they are going to get the notice that their rental permit is suspended or revoked and we are going to have a copy of it. He continued onto 1395.19 which he read and advised the zoning compliance is a step that the Building Department has to do and the Zoning Board wouldn't be involved other than a use variance which he explained. Councilperson Gee stated I was asking who does the verification, wouldn't it be easier to add verification from the Building Department. Law Director Graves advised we can reword that. He continued under 1395.23 where it talks about the permit renewal every year and the question was why January 2. He advised on these renewals you will have a pretty clear record of what permits have already been issued and who has renewed them. These are all computerized and should be pretty quick to print who hasn't. President Rosso advised you have a valid point, so take it back to Ordinance, amend it and bring it back with what you want in it. Councilperson Gee liked Law Director Graves suggestion of December 31st. He continued 1395.25(b) and question was what if the landlord lies and there is really nothing that we can do, to protect the tenant and nothing to do with the city. There was a brief discussion. Law Director Graves advised on 1395.26, it should be 1395.27 where it states 1395.16. He continued under penalty for what department receives the fine fees if we actually fine someone and they actually pay their fine. I would imagine that would go to general fund. Then lower down the page, a legal question on subsection c, where the defendant is someone other than a natural person. The question is what is a natural person? A natural person is anything other than a corporation. President Rosso asked who determines the maximum number of people that may occupy a rental dwelling because I don't think we have any code or ordinances in the city that limits? Law Director Graves answered that is right, I think in my earlier draft I had taken that out and in this revision I put it back in. What code does do is it does define family and these are supposed to be single family and multi-family. You get into some hurdles if you just arbitrarily try to limit the number of people that can occupy a structure. But what I think though is you can define a family and our definition of family is pretty broad. If there was a concern about limiting the number of people I think the best way to do is tighten up the definition of what a family is. President Rosso advised I know we have ran into that situation before. Councilman Kovach advised I believe we have spent countless hours discussing that as far as the amount of people that you can put in a home./**COMMUNICATIONS: None./OLD BUSINESS: None./NEW BUSINESS: None.**

ORDINANCES AND RESOLUTIONS: Councils Agenda –

Council#011 – SECOND READING – an ordinance amending section 935.22 of the codified ordinances of Sheffield Lake regarding backflow prevention devices and cross connection control and the declaring of an emergency.

Councilperson Stark stated on the backflow, I am going to channel my inner Alan Smith here for a moment. So, if the person who wants to do the backflow inspections, they are registered or licensed by the state, are they going to have to register within this city as well? Finance Director Smith answered yes. Councilperson Stark stated so if they are registered by the state but then they are going to have to come in and pay for that in the city to do these inspections? Finance Director Smith answered sure, they are a contractor like any other contractor. Law Director Graves stated there would be a fee to register as a contractor but that would be a one-time thing annually. Councilperson Stark stated so should we put that in that they have to be registered. President Rosso answered any contractor has to be registered with the city. Superintendent Hastings advised you have to turn-in paperwork for our file and we will know.

Council#013 – SECOND READING – a resolution in support of and partially adopting the Ohio Department of Transportation’s 2018 Operational Study for State Route 301 and the declaring of an emergency.

Council#014 – EMERGENCY – a resolution authorizing the Mayor to enter into a FY 2018 Community Housing Impact and Preservation Program (CHIP) Partnership Agreement between the County of Lorain, the City of Oberlin and the City of Sheffield Lake, Ohio and the declaring of an emergency.

Council#015 – FIRST READING – an ordinance establishing section 1511.06 of the codified ordinances of the City of Sheffield Lake regarding exterior electric and fuel burning cooking devices.

Council#016 – EMERGENCY – an ordinance approving the recodification, editing and inclusion of certain ordinances as parts of the various component codes of the codified ordinances of Sheffield Lake, Ohio and the declaring of an emergency.

MEETING ADJOURNED: With no further business before this council, Motion By Kovach/Second by Stark to adjourn at 7:28 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

MAYOR
Dennis Bring

Worksession 03202018

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 20, 2018.

COUNCIL PRESIDENT
Rick Rosso