

Minutes of the Ordinance Committee meeting
Sheffield Lake, Ohio
July 10, 2018

This regular meeting of the Ordinance Committee was held Thursday, July 10, 2018. Chairperson Gee called the meeting to order at 7:10 PM.

ROLL CALL OF MEMBERS:

Present: Gee, Radeff, Mayor Bring, Law Director Graves, Superintendent Hastings

Attending: Concerned Citizen

MINUTES: June 7, 2018, *Motion by Radeff/Second by Gee to accept the minutes with any corrections. Yeas All.

PRESENTATIONS: **None.**

OLD BUSINESS:

Subdivision regulations – Chairperson Gee advised we have had time to review those. *Motion by Radeff/Second by Gee to send onto September Worksession. Yeas All. Chairperson Gee asked do we have anyone looking into a subdivision that we would need to get this done with now? Law Director Graves answered allegedly, there may be a presentation coming to Council on the 31st, a potential subdivision. But this individual has made these rumblings before and this would be a very preliminary proposal. My understanding is they would be looking at cluster homes, they would be looking at going PRD but that still would be subject to the revised subdivision regulations. Chairperson Gee clarified so, we would still have time to have this at Worksession and then move it onto Council from there? Law Director Graves answered yes.

Gravel Driveway extensions – Chairperson Gee advised I know that our property maintenance person has been busy, I don't whether they have started the photographs? Mayor Bring answered no. Chairperson Gee asked on the property maintenance, have the Property Maintenance guy and the Building Inspector started working on the worse case homes that are in the most neglect, we discussed that at the last meeting? Mayor Bring answered they have and we have sent out several letters. We had one couple in court and they were found not guilty but we have sent out several letters. Chairperson Gee asked how is the new owners of Boardwalk/Park Place going? Mayor Bring answered he is still trying to circumvent the Building Department so we have had a little bit of issues there.

Parcel#03-000-441-05-011 – Law Director Graves advised we have looked into the potential cost of advertising it and I think that it is safe to say that that is going to run anywhere from \$500 and \$1000.00 depending on the legal description to put that

ad in there. So, the question becomes how much do we really want to ask for those parcels and they are going to have to be bid and I, quite frankly don't know how we bid these out without the city incurring some risk that we would just eat the costs of advertising. Even if we were to say we would put a minimum bid on it that would include the costs of advertising, the potential still exist that nobody would bid on them or this person would back out and then we are out the cost of advertising. We could ask this person to escrow the money then what if someone else bids on them and then he is going to say why did I pay to advertise them. So, I think if City Council is interested in selling these then we would have to put a minimum bid and just hope that this person is that interested and that bid would have to cover our cost of advertising. Chairperson Gee asked is there any way of getting a letter of intent from him? Mayor Bring answered we are going to reach out, I am going to have Mr. Hastings reach out to him. Law Director Graves stated we also cannot do anything that would give him an unfair competitive edge in the bidding process. It is one thing for him to come to the city and say I am interested in buying and we say okay, that is great and we will bid them out and you could maybe be the only bidder but for us to kind of have side discussions with him that would disadvantage other bidders would be inappropriate. Chairperson Gee stated so in other words in the future, we need to really pay attention when we take property that someone tries to give us. Superintendent Hastings offered or take it with the caveat that we are not selling it.

International Building Code – Law Director Graves advised I have a copy here from SafeBUILT, I will go ahead and show it to you. This is a proprietary book, they paid \$37.00 for this, I don't have any copies of it to pass around but this is it and if we were to adopt it, it is strict and a lot of its requirements would give us some teeth to enforce property maintenance code on existing buildings, not just new construction. I don't have the expertise either of where this differs from the Ohio Building code or Residential code of Ohio. You really would have to talk with the Chief Building Official or Building Inspector who could maybe give some more insight on that. Chairperson Gee advised we will leave this on agenda for a while because from what I am hearing, it does pertain to our community. Mayor Bring advised with regard, to the apartments which we are trying to rectify, it does pertain to our community and also, some of the other issues. The use of this code would allow us to enforce maintenance, property and building up to the necessary codes and without that, we can send letters and they can ignore us. It is not to be overbearing on the individuals of property but it is for this type of property where you obviously, see code violations that we need to address and without something like that, we can't do anything. But you could look at it and we could also ask the Building Inspector to explain some of those too if you want. Councilman Radeff asked what is the easiest way to get a hold of him, could we get him to a meeting or could he just write something up? Mayor Bring answered I think we could invite him to a meeting. Law Director Graves advised I will talk with him about attending

the next meeting. Councilman Radeff stated like you said we are more concerned with apartments and things to really go over those aspects. David said that we could pass something that is very similar as our own code and adjust it. Mayor Bring advised that was mentioned also but I think from what the Chief Building Inspector said that once you do this then you are pretty much taken care of. Again, you could listen to them and let them explain that. **LEAVE ON AGENDA.**

111.02 Investment Committee – Law Director Graves stated you can double check with Tammy but I think we created that in response to a comment in the audit. The same with renaming Finance & Claims and I think we renamed it Finance & Audit and that was around the same time that we created this Investment Committee due to comments from the Auditor. **LEAVE ON AGENDA.**

Increase for Mayor and President of Council – Chairperson Gee advised I was the one that asked for this to be put on and from what I understand our President of Council hasn't had his raise for a while now and I also, considering how many hours our current Mayor puts in and I looked around at what other Mayors are making even at part-time. This was something that I think we should discuss and draw up the right legislation, David would that be possible? Law Director Graves answered yes, if Council can agree on where the pay should be set. Our Charter says that any pay raises for elected Officials has passed no later than 45 days prior to the filing deadline for the primary. So, if you are looking at a May 2019 primary and I believe that is May 7th so it is 90 days prior to the primary, so it is like the first week of February would be the filing deadline, so 45 days prior to that puts you in to mid to late December. So, 30 days would be the first week of January and another 15 puts you in mid-December. Chairperson Gee stated considering our next meeting of Ordinance won't be until September. Law Director Graves stated I would recommend that if you are going to do this that this needs to be passed no later than the first Council meeting of December and if you are going to give it multiple readings, then you need to have this before Council no later than the first Council meeting of November. Chairperson Gee clarified so, you would have to have something drawn up for us for our September meeting for us to review it then take it to Worksession in October before it even goes to Council. Law Director Graves advised I think with August break things are going to start happening very fast. So, yes, I think that you are right, if we are going to do this that getting this in front of committee in September would probably be wise. So, then they could look at it in Worksession in September and start voting on it in October. Councilman Radeff asked is there like a standard of what we want to increase it or is it something that we need to discuss. Law Director Graves advised we would need a proposal of where you would want to take, you know what the current salary and where you would want to recommend that going and of course, that would not go into effect until the next term. Chairperson Gee stated I think our Finance Director would be the best

one to help us that to a degree. Law Director Graves stated drafting the legislation is simple and doesn't take any time, what you really need is a proposal at the next Ordinance committee of what they are making now and where it should go and then if you are in agreement with that I can just draw up the legislation for Worksession. That is not a problem. *Motion by Radeff/Second by Gee for the Law Director to start his part. Yeas All.

NEW BUSINESS:

Boat Launch – Mayor Bring advised we have signs up there that say “no parking – for trailers only” but we cannot enforce that because we have nothing in place through parks or any other ordinance. As the Law Director and I discussed, there is only a couple days out of the year that this really pertains to but what could happen down there is people could start using that boat launch as a park and decide to do picnics and everything else and decide to park all of their cars there and that way the boaters would have to park across the street. In retrospect of why we put the parking in there was for the boaters. Although, we don't want to detour or stop people from going there and enjoying the lake, you know watching the sunsets and such like, is not the intention of that but we do something in place so that the Police can say you need to move your cars across the street. We don't want them to chase them out of there so that the boaters are able to get their vehicles in and out of there quick and timely manner. So that people aren't waiting while you walk to get your trailer all the way across the street causing other boaters to wait. But we do need something in place so that the Police can say you do need to move your car across the street. So, I guess we have to come up with something creatively, something that we can enforce but something that we are not going to chase people away. If that makes sense. Chairperson Gee advised what about designating a couple of spaces for vehicles. Mayor Bring answered we do have that now which is actually dedicated over there but people are still parking and you know how it goes, they pull in there and they are not going to move. So, this would just give the Police an opportunity to go down there and move the cars. Chairperson Gee said I think there is 2 designated. Mayor Bring advised the 4th of July there was a little bit of an episode which there was actually 1 person that complained. There has been other times when the boaters have to park all the way across the street when there is cars in there. But like I said the Police right now can't technically do anything. Chairperson Gee stated so you need an ordinance reflecting what the sign says. Mayor Bring advised the object is not to ticket anybody but to make sure there is room for the boaters. Like is said, we have more and more people going down there on top of the rocks and putting up little tents and doing picnics and everything else but again taking up some of the spaces. Chairperson Gee asked is this something that you want before boating season ends or something to work on all summer? Law Director Graves answered this really only becomes an issue on the heaviest boating days, 99% of the time there is plenty of parking spaces the boat trailers and the cars for people that just want to go down

to the beach or just to watch the sunset or something. But on those really heavy boating days then the boat trailers spots are all filled up with cars and boats are across the street. It is supposed to be that the boat trailers have priority but I don't know how we structure that without discouraging individual people from parking there too. Chairperson Gee advised maybe we can look around at other communities, how they have it at their boat launches. Mayor Bring stated like I said, the signs are in place so I think we just need something that we can enforce that. Law Director Graves stated maybe we designate a few more just motor vehicle parking spaces. So, maybe we create 5 or 6 just for cars and say the rest are for boat trailer parking only. Then if those 5 or 6 car spaces are full then you have to park across the street. That might be the best way to do it is to try to designate certain ones and still leaving most of them for the boat trailers. Chairperson Gee stated what about painting the ground where it is boat trailer parking only, violators will be prosecuted. That might be cheaper than any other way. Mayor Bring answered I don't know about painting, we would have to get a stencil so that we can paint lines but I think a sign is the easiest way to do it. So, you are about \$250.00 for signs. Superintendent Hastings advised it is a tough situation because on the poor weather days, I see the lot full of vehicles when you certainly wouldn't expect boats out and bear that in mind. Mayor Bring stated it is up to the discretion of the Police and they are not going to go down there and chase those people out if nobody is there. Just like David and I have talked, you go by in the evening and people are sitting there just watching the sunset and enjoying themselves. We are not going to send the Police down and chase them out of there, that's for sure. Chairperson Gee stated so, basically to just have the ordinance instead of dealing with signs or anything and then if it gets too crowded? There is already one sign there? Superintendent Hastings answered there is definitely a sign that says you may be ticketed for using boat spaces if the lot is full, I don't know the exact language. Mayor Bring stated I know in Avon Lake, they have a much bigger parking lot but the front part is for cars which I think is one row and the rest I think is for all boat trailers. Chairperson Gee stated we don't have that luxury here though. Mayor Bring stated they also have additional parking down the line where they have that strip and people park there too. Chairperson Gee stated I can see the parking there because it is hard to walk all the way across with traffic. Law Director Graves stated there is a crosswalk there. Superintendent Hastings added the volume of boat parking there was very specific by the design, if you recall we had to get spaces at the Shoreway because of the design. Now that all of that has been satisfied, I would think that we have the authority to manipulate the parking now. Law Director Graves recalled when we got the grant before the city even owned Shoreway Shopping Center, when we got the grant to build the boat launch it required a certain number of parking spaces and in order to meet that requirement we had to require the property along Lake Breeze for overflow parking and we actually and we actually were in an eminent domain battle with the prior owners, The Trust which we resolved but we acquired that parking first before we ever

acquired the rest of the shopping center. Chairperson Gee stated I do agree with the fact that it does tie up the whole boat launch if the next boat coming out of the water and the trailer is parked way over at the shopping center. I do see that point. Law Director Graves to check what Avon Lake has for their parking at boat launch. He advised it is a unique property because you have got a beach area and picnic tables that was used with some of the grant money and there is a walking pier so it is more than just a boat launch and some communities just have a boat launch. There are a lot of things that people want to go down and enjoy that lakefront, even if they are not launching a boat. Mayor Bring advised the future plans if things come around, I would like to put up a pavilion up there and maybe some music and stuff like that a few nights a week. Chairperson Gee advised a lot of people would like that because a lot of people go down there. Joe and I have gone down there I can't count how many times to watch the sunset. **ADD BOAT LAUNCH TO AGENDA.**

CITIZENS COMMENTARY:

Ann Marie Woltman, stated what does fireworks complaints fall under? Do we have an ordinance against that? Law Director Graves answered yes and also the Ohio Revised code as well. Ms. Woltman stated I know they are talking about making it legal in the State of Ohio. Law Director Graves advised only certain types. Ms. Woltman stated I will tell you the neighbor on Rowelyn behind me, the one street behind Sheffield Road. I could not believe how high they were going and where the debris was falling and I was worried about fires. Law Director Graves stated did you let the police know? Ms. Woltman stated no but I talked to the other neighbor and he said I don't think they are up high enough by the time they come down. But we have had a little bit of rain but what about the times when we don't. There was a house in Massillon that got put on fire by those fireworks. I was going to call the Police but then I thought well, they are not going to do anything about it right? Mayor Bring answered well, if there is a danger they would go but there is only 2 Officers on a shift on the 4th of July and for us to run from spot to spot to spot is almost impossible. So, they will drive by up and down the streets and check it out. If somebody is out in the middle of the street blowing up bigger fireworks and stuff then they will warn them. If they do not stop then they will ticket them which is a rarity. I know Mr. Graves prosecuted a gentleman that was having fireworks at one of the schools one year which was a pretty big display and he got in a lot of trouble. But we had several calls on the 4th of July and 4 of them were serious enough that the Police went over and told them to stop it. You look at it as being 1 day out of the year so we do have leniency but if there is eminent danger of some sort then they will be warned or like I said if they continue to do it then they will get a ticket. Ms. Woltman stated so I could have called. Mayor Bring answered you could have for something like that and when you call, you ask could you please go over and take a look at that because I think there is a little bit of a danger there then they will drive over there. Ms. Woltman stated I couldn't believe how high they were and how

powerful they were. Law Director Graves stated normally, fireworks are a misdemeanor offence and it can cross the line of putting on a fireworks display without a license which is a felony. We have actually gone that route with fireworks in certain situations.

ORDINANCE/RESOLUTIONS BEFORE COUNCIL AT THIS TIME:

MEETING ADJOURNED: With no further business before this committee,
*Motion by Radeff/Second by Gee to adjourn at 7:43 pm. Yeas All.

CLERK OF COMMITTEE AFFIRMATION:

This Meeting of the City Committee of the City of Sheffield Lake, Ohio, was and conducted under all Rules and Regulations Governing the Sunshine Laws of the State of Ohio as they may apply. All meetings are recorded and available in Council’s Office.

CLERK OF COUNCIL/COMMITTEES
Kay Fantauzzi

CHAIRPERSON
Rosa Gee

I, Kay Fantauzzi, duly appointed Clerk of Committee Of Sheffield Lake DO HEREBY CERTIFY that this Is a true and exact copy of the Minutes of the Ordinance Committee of July 10, 2018.

COUNCIL PRESIDENT
Rick Rosso