

Minutes of the Ordinance Committee meeting
Sheffield Lake, Ohio
March 5, 2019

This regular meeting of the Ordinance Committee was held Thursday, March 5, 2019. Chairperson Gee called the meeting to order at 7:14 PM.

ROLL CALL OF MEMBERS:

Present: Gee, Radeff, Erdei, Superintendent Hastings
Absent: Mayor Bring, Law Director Graves (excused)

MINUTES: January 3, 2019, *Motion by Erdei/Second by Radeff to accept the minutes with any corrections. Yeas All.

PRESENTATIONS: **None.**

OLD BUSINESS:

Gravel Driveway extensions – Chairperson Gee advised weather prohibited but will probably be able to discuss in a couple of months.

International Building Code – Chairperson Gee advised we have had on agenda for quite some time and looked into many different options. However, Ohio Building code section 102.7 covers internal existing structures. I was surprised that is a new addition to it. I think we really need to look deeper into that before we make up our minds on this International Building code. Councilman Radeff advised I have already read the International code but I haven't looked at the Ohio code yet. Chairperson Gee advised it is online and they have added the Industrial code into parts of the Ohio code and they are very willing to answer any questions if you call them by phone and she reminded Ohio Building code section 102.7 which covers existing structures, not just new. There also is a section that discusses the city or municipality or township wants to increase and enforce the law slightly different than what they already have, you fill out these forms that instructs you how to do it and you send that to them for approval. Then they go through the process and it even makes a remark on there that most are approved right away. So, that is something that we really should be looking into before we go into the International.

NEW BUSINESS:

Pets – Chairperson Gee advised we have brought this subject up before and residents constantly contact asking how many dogs are allowed and it also is an issue that some of our Police didn't know about. For cats, we have an ordinance 505.20 and it is under the correct code for the Police to easily find and if anyone types in the word "cat" to comes up right away. However, with the dog one we have to go into 1381.02 definitions of a kennel or 1111.04 definitions of kennel. But if you notice on 1381.02 and 1111.04 it lists dogs and cats both on those. If we were able to have the separate one for cats in the 505 ordinance, I think we should reconsider rewriting the 505.20 to cover dogs and cats. That way it can be found by typing in the word "dog" and

makes it more residential friendly and answers the question right away that you cannot own more than 4 dogs in the City of Sheffield Lake unless you have a kennel license. Kennel license are only issued in Industrial area and we only have 1 Industrial area in this city. Councilman Erdei asked so what you are saying is just dropping the word kennel on both of them? Chairperson Gee answered no, we can leave those the way they are 1381.02 and 1111.04 the way they are. If you notice, 505.20 instead of number of cats restricted, why can't we rewrite that to number of cats or dogs restricted. That way if you type in the word dog it comes up because if you go into the city's website and type in the word cat, that ordinance comes up right away under codified ordinances. But if you type in the word dog, nothing comes up. Our Police Department has gotten calls and social media has posted, how many dogs are we allowed to own. There is a lot of different times even Council members has had calls. It just needs to be more resident friendly. Councilman Erdei clarified so it would be changed to number of cats and dogs restricted? Chairperson Gee answered that is what I am hoping that we will consider. Superintendent Hastings asked does it identify the number of cats? Chairperson Gee answered yes, 4 just like dogs. Superintendent Hastings advised I have had that question come through my office surprisingly. Chairperson Gee advised Lisa has told me about it, we need a more resident friendly way of getting the answer. Without mentioning names but about 6 months ago, one of our Police Officers asked me. There is no ordinance on it that will pull it up and yes, we have one. But it is not under the 505 which is what they are used to seeing. So, this is something that I would like to consider and bring it up again next month after everyone has had a time to look at it.

Sidewalks, 521.06 – Chairperson Gee advised if you notice on the notes that I handed you was a copy of the duty to keep sidewalks repaired and clean. I had a resident call and read it over the phone to me. I always knew that residents were responsible for maintaining their own sidewalks. The part they were reading to me was section (c) and this was something that I didn't realize until they read it to me, shame on me I had never read that part or paid much attention. But it is a bit confusing when it makes it clear that Council shall cause the sidewalks to be repaired and this is something that we really need to discuss. If you read that section, it is Council's duty to hire someone and then charge the resident and the person that had called a while back was about snow blocking the sidewalk and that is when they read it to me. So, we might want to consider the 521.06 and maybe David cleaning that up somewhat. Councilman Erdei read out loud and stated it says if the owner of the property does not comply then Council shall fix it and then take it to the county auditor. Chairperson Gee stated that should be more of a Building Department. Superintendent Hastings concurred with should be more of a Building Department, not Council. Chairperson Gee stated I don't understand why it is Council? After a brief discussion, I think we should have our Law Director look at this and clean it up somewhat because to my knowledge this really should be in our Building Department or at least in property maintenance. Councilman Radeff asked does the

ORC speak to City Council being the one asked to approve something for some sort of apportionment of money or something of that nature? Chairperson Gee advised the ORC is only that no resident shall occupy, it is the first one, it is not section (b) to my knowledge. Although, it does say Ohio Revised Code doesn't it. Councilman Radeff stated yes but does not reference a section. I just don't know if there is anything in the Ohio Revised Code that specifically says that Council needs to be the one. I don't know if it is taxes and taxes becomes a.....you know it is just like if we mow the lawn, you can put it on a tax duplicate as well. So, I don't know if it is because of the tax issue that you can get charged and it can be placed on your tax duplicate. Chairperson Gee stated well, we have a Law Director that can answer that I would think. Superintendent Hastings advised I think you are onto something though. Otherwise not appropriated, legislation controls the purse really. At the very least, you might think it could be crafted that Council has these authorities but shall deem the work or the labor to our Building or Public Service Department. We have the capacity to handle these things, Council doesn't as we have the connections and the offices. Chairperson Gee advised the phone call that had read this to me is one of the people that have been emailing about wanting the snow removed off of the sidewalk and they really thought that Council could send someone over there to shovel the snow and then charge them. That is where we really need to clear this up some so, they don't think that is what it means. Councilman Radeff advised yes, it is kind of tough for me to understand, obviously if it is snow you have your next Council meeting and it could be gone by then. I can understand that if your sidewalk is destroyed, Council is going to say okay, we need to get this fixed as opposed to snow or something of that nature. Chairperson Gee stated if we start bringing repair of sidewalks before us, that is probably a third of the sideways in Sheffield Lake. That would make non-stop meetings being nothing but sidewalks. So, we will have our Law Director handle that.

CITIZENS COMMENTARY: None.

ORDINANCE/RESOLUTIONS BEFORE COUNCIL AT THIS TIME:

Chairperson Gee reviewed with the Committee:

Council#008 – EMERGENCY – an ordinance amending section 115.04 of the codified ordinances of Sheffield Lake regarding back-up Clerk of Council and the declaring of an emergency.

Council#009 – EMERGENCY – a resolution approving the use of submerged lands at 4949 East Lake Road, Sheffield Lake, Ohio and the declaring of an emergency.

Chairperson Gee asked Superintendent Hastings if he knew anything about Council#009? Superintendent Hastings answered yes and explained 4949 is just east of Irving Park Blvd., on the lake and it was engineered by K&S Engineering, a very thorough report and it involves bringing in sand and creating a concrete patio and break wall down on the water's edge and did not conflict with any easements

or drainage pipes. Although, they are west of that for Irving Park Blvd., but this property doesn't affect it but yes, I did review it and it is very professionally presented to the city and of no conflict to anything that the city has planned or maintains.

MEETING ADJOURNED: With no further business before this committee, *Motion by Radeff/Second by Erdei to adjourn at 7:30 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
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 March 5, 2019.

CHAIRPERSON

Rosa Gee

COUNCIL PRESIDENT

Rick Rosso