

Minutes of the Ordinance Committee meeting
Sheffield Lake, Ohio
June 7, 2018

This regular meeting of the Ordinance Committee was held Thursday, June 7, 2018. Chairperson Gee called the meeting to order at 7:18 PM.

ROLL CALL OF MEMBERS:

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

MINUTES: May 3, 2018, *Motion by Erdei/Second by Radeff to accept the minutes with any corrections. Yeas All.

PRESENTATIONS: **None.**

OLD BUSINESS:

Subdivision regulations – Chairperson Gee advised we have the revised legislation before us. Law Director Graves explained this is a 3-step process and much of this repeats itself; process for municipal concept plan, then you have the same process for preliminary plan and then you have the actual final plat. It is literally the same process that repeats but for each of those I went through and changed it to the Planning Commission may either recommend approval, approval with conditions or disapproval. Those recommendations are then forwarded onto Council and then the final decision is for Council. Also, the Clerk of Planning Commission signing off on some official acts and really the only official act would be the signing of the official act which I changed to the Chairman of the Planning. The rest of it is kind of like notification from the Planning Clerk to the Council Clerk. Chairperson Gee advised I suggest that we each take time to review this and bring it back for discussion at the next meeting.

Gravel Driveway extensions – Chairperson Gee advised our property maintenance officer has been very busy. So, I would assume he hasn't had time to take any photo's and start recording those. Mayor Bring advised I have mentioned that to our Property Maintenance person and I told him to hold off. I will bring some things up in new business.

Decorative fences – Chairperson Gee advised in reviewing the surveys, I have taken note of a lot of people that do have concerns about fencing, so we might want to have some more discussion on this. Member Radeff noted at Worksession, it seemed no one wanted to do anything. Member Erdei referenced issues you may be raising, and he felt the ordinance is good as it is. If anything comes up, we can discuss it at that time. Member Radeff concurred same. *Motion by Erdei/Second by Radeff to **REMOVE**. Yeas All.

NEW BUSINESS:

Member Radeff advised Zoning may be looking into zoning ordinances to see if there are any recommendations that they may want to change based on what they have been getting/dealing with. Chairperson Gee advised then you will bring that back to us. Member Radeff answered absolutely.

Chairperson Gee advised I also noticed in the surveys that a lot of residents talking about enforcing ordinances and that ordinances aren't being enforced. Law Director Graves asked what kind of ordinances are they talking about not being enforced? Chairperson Gee answered property maintenance mainly. Chairperson Gee added a lot of people talking about the fire pits. She referenced article in Avon Lake Press which was meant for apartments but she added there is a group of older residents on East and West Drives that are told to call the Fire Department but they don't want to get their neighbors in trouble. They just want their neighbors to stop burning wet wood or trash. Mayor Bring shared as you and I have talked, you mentioned about putting it on the water bills but no one takes the time to read anything anymore. He advised people are going to complain but the only way to stop what is going on is to follow through with their complaints and if they don't want to do that then it is very difficult to help them. He advised of process for open burning and that the first time the Fire Department puts it out and the second time they will probably get cited. He advised basically, city services are reactive to the calls that we receive.

Superintendent Hastings advised I was approached by a gentleman that lives on Devonshire that is interested in purchasing a parcel of land on Dorchester which is behind him and ironically that land was donated to the city as soon as 2016. He had originally reached out to the homeowner regarding dead trees and a year later reached out again only to discover that it had changed possession. I have forwarded that parcel number to the administration in which it was recommended to start getting the concept out to committee. For the record it is parcel number 03-000-441-05-011. Law Director Graves explained process, one of the road blocks to the city selling these lots is they would have to be publicly bid and we would have to sell to the highest and best bidder. So, even if this person were the only bidder it would still have to be bid and the price would have to be something at least sufficient at least to cover for our cost to publicly advertising it. Mayor Bring advised in this case, we are not too opposed to this as we acquired this. So, if the gentleman wishes to go through this process but sometimes, that is about \$1000.00 for us just to advertise. I think we did it once before and the guy paid it and didn't have a problem with it. After a brief discussion of just the one lot, Law Director Graves advised I can get a cost to advertise that, not a problem but we have to make sure that he is committed before we expend funds.

Mayor Bring continued on **property maintenance issues** that we have been having, we sat down recently with the Building Department, the Property Maintenance person and David and I and Pat. We all sat down and started talking about some of the things that are going on which also included SAFEbuilt. The problem we are running into and you see some and I get emails of complaints about how long the process takes and the process does take forever. But by the time we send out letters and all the other stuff, sometimes it takes months. That is the better part of the summer months and I have received 3 emails today on people complaining about Erieview and some other properties. If I respond to them with a time frame, they get angry and start arguing. I would like to see if we can look into expediting some of this. I don't know if that is possible but some of you guys need to look up. We also came into a situation where the Boardwalk/Park Place apartments down here have been purchased by another owner and in going over there with our Building Department there were several violations that were existing. The comment from our Building Department was we don't have proper ordinances to go against that. Then Mr. Graves said I don't understand what you are talking about. So, anyway we got into this situation where there is an International Maintenance code, not the state. The Building Department, the 3 gentlemen that sat and talked to us suggested that we do that for the fact that it gives us an opportunity to be stricter on these properties and make that follow through at a much faster pace, especially for commercial buildings and such. So, without that we are kind of spinning our wheels. We need to do something because we are getting a lot of complaints, not only about residential properties but also commercial properties. In light of what we are doing is we are going through the process. I had the Building Department send out several citations but again by the time all this goes through, it is a very long process.

Law Director Graves explained we are not talking about exterior property maintenance, we are talking about inside dwellings where you go in and see code violations. The Residential code of Ohio only applies to new construction and the same with the Ohio Building code, the commercial side of that. The Building Inspectors, when they go in, they look at this stuff. They want to be able to look at code before they start enforcing things. Arguably, they could say based on my knowledge and experience this is an unsafe situation but at the end of the day when push comes to shove they want to be able to point to a code. Where this comes to a head is on our point of sale inspections and Sheffield Lake does still have point of sale on transfer of property. There is a laundry of things that they look for when they go through these properties when they change hands. But at the end of the day unless they can point to a code that they can enforce, I am not sure that there is much that they can do. The International Building code is something that is much stricter, and it is able to be enforced. He advised apparently, a lot of communities are going to the International Building code. I don't think a lot of communities in the immediate area are going to it but a lot of communities in Northeast Ohio are going to it. This is something that City Council discussed about ten years ago and there were a few

Council Members at that time that were opposed to it because it is rather stricter, and they felt that some of the provisions in the International Building code wouldn't really be applicable to Sheffield Lake. Those members are no longer on Council and it is a different time, different stuff going on in the city and different Council Members. I think what the Mayor is asking if Council would consider again looking at the International Building code. Member Radeff asked is it like an all or nothing, adopt it all? Law Director Graves answered yes, it is pretty much how it goes. I don't think we can piece meal. Mayor Bring stated the code that we are explaining to you is only a couple of pages, so it is very small. You can read it, I would suggest you guys bring that up and take the time to read it so that you get familiar with it. It is not a very lengthy process as far as the Building Department going through all this stuff, it is very small. Law Director Graves amended his answer a little bit with we could adopt our own local code and you could just write Sheffield Lake and pull out pieces of it I suppose. Member Radeff stated that is pretty similar. Law Director Graves stated I think we could write our own code, right now we don't have a lot of local standards and I don't think most communities do anymore. I think that most communities have gone to consistency, so it is easier just to say we adopt the Residential code of Ohio. So, there is a consistency so that Builders and Developers know this is what I am dealing with. It is like every community has their own set of standards. Mayor Bring concurred we had those standards a long time ago and we decided to do the Ohio Revised code because everybody else was doing that. Law Director Graves added as part of the certified Building Department. Mayor Bring answered exactly but now we are in the situation, just like David said times have changed. We get owners of some of these commercial properties that know the laws very well and they take advantage of it and they take advantage of smaller cities. I think that is what is happening here. I am not asking for you guys to make your mind up today, I would like you to do a little research and look at that. I know Rosa sees a lot of the complaints, but we are getting numerous complaints about us not following through with property codes. Chairperson Gee concurred huge amount of them. Mayor Bring continued some of that stuff that we are getting is piddly little stuff but again you have got some people that are really taking care of homes and yards and everything and then right next to them they have got dumps and we are having a hard time correcting that problem. Just like Rocky, when we talked about the driveways and everything else. It is not fair that these people are getting punished but people aren't maintaining this and unfortunately it seems like we are getting more of those lately. I am trying to correct this but it is just taking an enormous amount of time. So, I am looking for input from you guys and also ways that we can correct this and then maybe have David adopt something or write something up. I made a comment to the Building Department about Bay Village and Westlake and they said how are they all doing in Rocky River and they advised they do have different ways of taking care of their process, they are very strict about it. I don't know how strict you guys want to get but I am just telling you there are a lot of

people very upset. Law Director Graves advised the other thing that you have to understand is that we have a small crew that actually do the work of the city and one property maintenance guy for 9500 people and unfortunately there are a lot of properties in Sheffield Lake that they don't take care of their property. We do the best that we can but you know, there is a lot of people to chase. Mayor Bring advised he sent out 50 letters last week. Law Director Graves noted the other thing that I am concerned about is you talk about that people are concerned about enforcement. If we go and adopt this International Building code then you are going to have all these new strict standards and again we are going to have to enforce all of that. So, that is just a challenge that we are going to have and I think if we maybe prioritize, start with the worse ones. Mayor Bring reiterated again if you guys would just take the time to read that and look at it. Law Director Graves stated maybe for the next meeting, we will get you a copy of the building code. Chairperson Gee asked if you could just email them way before the meeting but I can bring it up online right? Law Director Graves answered you all should be able to bring up the International Building code online and probably download it. Chairperson Gee advised either way, it is a double bladed sword. Mayor Bring stated I know it is going to be difficult but it depends on what we want to do here. We have over here and some over there and right now, for us to go in there getting a search warrant and then go in and say these are violations and they tell you no. Chairperson Gee stated I know for a fact on one set of apartments there have been major issues for at least 16 years. Mayor Bring advised again once something like that is adopted, like the Law Director said we are not going to go around and go to each house, we want to go after the properties that are bad. Law Director Graves advised I just pulled it up, so it is the International Property Maintenance code and it is available for \$32.00. Mayor Bring advised we will have Tammy purchase it for the city. Law Director Graves advised we will figure out a way to get a copy. Mayor Bring stated I am sure SAFEbuilt has a copy of it and we could probably get it from their books. I think Mr. Cheatham said he could get that for us.

CITIZENS COMMENTARY: None.

ORDINANCE/RESOLUTIONS BEFORE COUNCIL AT THIS TIME:

MEETING ADJOURNED: With no further business before this committee,
*Motion by Erdei/Second by Radeff to adjourn at 7:45 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 June 7, 2018.

COUNCIL PRESIDENT
Rick Rosso