

Minutes of the Ordinance Committee meeting
Sheffield Lake, Ohio
September 3, 2024

This regular meeting of the Ordinance Committee was held Tuesday, September 3, 2024. Chairman Cizl called the meeting to order at 7:05 PM.

ROLL CALL OF MEMBERS:

Present: Cizl, Wtulich, DeBottis, Mayor Radeff, Law Director Graves, Service Director Hastings.

Excused: None

Attending: President Rosso, Citizens

MINUTES: July 2, 2024. *Motion by Wtulich/Second by DeBottis to accept the minutes with any corrections. Yeas All.

PRESENTATIONS: None.

OLD BUSINESS: Golf Carts, Parking ban, Airbnb rentals. *Motion by DeBottis/Second by Cizl to not advance these to city council. Yeas: Cizl, DeBottis. Nays: Wtulich

Law Director Graves asks the idea is just to remove them from your agenda? Chairman Cizl replies that's it.

NEW BUSINESS: None.

CITIZEN'S COMMENTARY: *Scott Newcomb, 4434 Edgewater Dr.* asks would you explain the motion on the items on the agenda? Chairman Cizl replies we have had it on our agenda for a very long time and we decided to have a public hearing for feedback and input, etc. We received feedback on all the issues. It has been on our agenda to act on it and forward on to council and Mr. DeBottis made a motion to just take it off. Mr. Newcomb asks so where do we stand with the status of the current Airbnb's in the city limits? Chairman Cizl responds I'm assuming right where we were previously. Mr. Newcomb asks so; they are breaking the law and will continue to be fined and you're making the city liable for this liability of operating underneath of an ordinance that's not liable? Where do we stand with Airbnb's in the City of Sheffield Lake? There is an ordinance that they are not allowed? Law Director Graves replies the current ordinance only permits short term rentals as a conditional use in R2 zoning. Any Airbnb or likewise that is not in R2, or even if it is in R2, it would be operating in violation of the ordinance, because none of them have gone through the conditional use process. Mr. Newcomb asks have they been cited for that violation? Law Director Graves responds yes. Mr. Newcomb asks what is the end process of this continuance nuisance? Is it shut down?

Law Director Graves responds they would continue to be cited. Mr. Newcomb asks why can we not end this? Why do we every month have to come here, year in/year out? I reached out to Mr. Dennis Bring last year about this and it has been going on for 14-15 months. I'm looking for an answer of closure here. Member Wtulich replies the way I understand it to be is we had it on the agenda, the law director wrote up an ordinance for it and it did not get voted to move on to work session then council. So, where it is going to stay now is that it is a short-term rental as conditional use in R2, so anyone operating in R1 would be and is being cited. Mr. Newcomb asks how many citations are they allowed? We have new people there every three days. What do we do? Chairman Cizl responds my feeling is any violation to any ordinance, kind of like a speeding ticket, when it occurs it should be called upon and cited. This committee is not proposing any changes.

Colleen Newcomb, 4434 Edgewater Dr. states we were in a meeting maybe three weeks ago and they were proposing that there was going to be a vote if people could actually apply to have this in a different zone. What happened to that? Member Wtulich replies it just got cancelled, it's not going any further. Mrs. Newcomb asks so we just keep calling the police every time this happens? Chairman Cizl replies if you know of an Airbnb existing, sure. Mrs. Newcomb asks is there a limit on citations? After awhile isn't there a cease and desist? Chairman Cizl replies that would be an enforcement issue. Law Director Graves states that would fall under the building and zoning inspector. Mrs. Newcomb asks do you know what the fine is? Law Director Graves replies I believe \$500. Mrs. Newcomb says so this same person that's having to run this due to financial hardship is hurting themselves by every time they do this. If he finds someone to live there for a year at a time, we are all in support of that. I feel it's very unfair. Where are the other people in this committee? Chairman Cizl replies this is it. Mrs. Newcomb asks so these other folks are not part of the committee? Chairman Cizl responds I'm not sure what you mean by other folks. The other meeting was a full council meeting, this is just ordinance.

Hal Seagraves, 4301 East Lake Rd. says my thoughts as someone involved with Airbnb's, my position, I've talked to more people and it seems sensible to me to request someone doing Airbnb's be a resident of the city. I think that that would deal proactively with a lot of the problems that the Airbnb people come up with. In my case, I run a pretty (inaudible). I keep the rates high and I run off the riff raff. I live next door to it. I don't want that stuff imposing on my space. (inaudible due to sidebar talking). It would address many of the concerns that everyone else has about bad neighbors; you are gonna have bad any place. I think it could be mitigated with full time residents. Member Wtulich asks 4301 East Lake Rd., is that R1 or R2? Law Director Graves replies I think it's B2. Member Wtulich says so it won't be allowed to operate. Law Director Graves says so short term rental in that classification would not be legal under the current planning and zoning code or the old code. Mr. Seagraves says I just had my suggestion on what I would do with the new code. I would look at it on a case-by-case basis.

Rick Rosso, 4054 Lake Rd. states here is what I think ordinance should look at. I know this falls under building dept. We need to take a hard look at the structure of the fines and increase it. If I am renting out a house for \$4,000 and I gotta pay \$500, I'm writing it off and just taking \$3,500. We need to make it cost prohibitive for someone to keep violating the law. I would ask you guys to look into that. I don't know how it works under the building dept. We need to make it painful to get them to stop. Law Director Graves responds one of the issues with enforcement is we are currently in transition with a full-time residential building inspector. Even when we have that position filled, it's a Monday through Friday 40 hour job. Most of these rentals occur Friday night, Saturday, Sunday. Enforcement, catching them in the act, taking photos, building evidence, etc. has been difficult. We have successfully prosecuted a number of times.

Mayor Radeff says I'm a little confused on how we just jumped to taking it off the agenda without any type of discussion on what kind of ordinance we would have, options, etc. At that meeting in August, there were a good amount of people here in support of certain things with regulations and stuff. The same people who came to say they were in favor of one or the other are going to be the first ones asking me why did it just get knocked down. President Rosso says 12 people came up and made a comment, 10 were against and 2 were for. Mayor Radeff asks for which one? President Rosso replies for Airbnb's. One person came up and said they didn't want the parking ban revoked and golf carts was 3 to 3. Member DeBottis says we have been talking about it for about a year. We have had special meetings and citizen's commentary on it. President Rosso made a comment that going back and forth continuously without making a decision on it wasn't the right way to go. So, I made a motion to not advance it to city council. It has been talked about several times. Chairman Cizl says and I have been reading emails and waiting for phone calls and talking to people and if you are saying there are a lot of people sharing ideas, they aren't doing it at council from what I understand. What I heard from all three of those issues was maybe 10 people saying something or a few people on Facebook. We've kicked the thing down the road so far and I'm personally not seeing a lot of in favor of any of those issues which is why I supported it. Law Director Graves says I think that perhaps some of the commentary against short term rentals perhaps was from the stand point that the city was considering either allowing them or not allowing them. I'm just curious what the opposition is to treating them as a conditional use and viewing them on a case-by-case basis with a public hearing. Chairman Cizl says my personal view is the alternative you gave, we are doing it on a case-by-case basis, the administration is going to have to (inaudible) everybody, you have to enforce and it's going to be an ongoing thing per everybody that applies. That's going to be a policing thing. You are going to charge them and after a year you have to see if they have to reapply. We will be right back to where we are now. We have heard a lot more concerns from people worrying about who are these strangers moving in regardless of the zoning. Member DeBottis says I have lived in the city almost 40 years and I've asked for the last 10-15 years; what percentage of

our homes here are rentals and no one has been able to get me an accurate number. If you go on the last census, it says approximately 30%. I think that's off. I think it's much higher than that. I think this will just add to that number. Unfortunately, sometimes I think that homes that are being rented aren't kept up like homes that are being owned. We have a high percentage of homes here that are under 1000 sq. ft. They are selling between \$150-175,000. Those are the homes that these people that want to run Airbnb's are looking for. They aren't looking for \$3/4/500,000 homes. As we start allowing these, once we open the floodgates, I think we will have other problems overall. I would prefer to see residents that own their homes or long-term renters. Member Wtulich says I was for finding a safe way to operate golf carts in the city and I was for completely repealing the parking ban. Airbnb's, I was kinda struggling with finding what the benefit was to the city to have those. David took the time to write up the ordinance and I thought we should at least move it onto work session and discuss it more.

Matt Harper, 4146 Holl Ave. asks just so that we are all on the same page, parking ban/golf carts killed, never coming back? Member Wtulich replies at least not anytime soon. Mr. Harper says I don't understand. You had a year, two years, you researched and talked about it, why can't we come to a decision? Chairman Cizl responds we did. Mr. Harper asks just to kill it, not even vote on it or send it to work session, just total kill? I've seen Kubotas and stuff like that driving down our road, so those should be ticketed? Unidentified person says not if you got a triangle, you have to be agricultural. Member DeBottis asks are you referring to my Kubota? Mr. Harper replies absolutely. Member DeBottis replies when I bought it years ago, and Mr. Graves was involved with this, I was stopped and almost jailed and had the Kubota taken away. I own 60 acres over the tracks and it is in the forestry program. The way the ordinance reads is if you have a piece of property in the forestry program, and you have an RTV and are registered in the forestry program and all I do is go back and forth to the property, it has a triangle on the back and goes under 20mph, I am legal. Mr. Harper replies I still don't see the difference between that and a golf cart. Member DeBottis responds I don't go to the shopping center with it, I don't go to the gas station, the pizza place, the bar, I don't go up and down Lake Rd., I just go back and forth to the property. Mr. Harper says it's still on a road though, that's what I don't understand. Member DeBottis replies I am following the ordinance. Mr. Harper says if we can allow Kubotas, I don't know why we can't revisit the whole golf cart thing and put some effort into it. Chairman Cizl says I was waiting for feedback on golf carts personally. I was looking at how I felt about these, because besides me being a resident for all these years, I didn't see the purpose of why are we adding golf carts. The parking ban, I went around and around on it. Basically, we are talking about 2am-6pm. If we take away those 4 hours, I felt that our streets are going to become parking lots, like when I grew up. My dad parked his truck out in front of our house on Warwick Dr. I firmly believe if we lift it, it's a free for all. I think the administration makes it pretty possible now, if you have

exceptions, you could contact city hall and ask The Airbnb's, 98% of the people are against it, it was a real easy call for me.

Rick Rosso, 4054 Lake Rd. says a point of clarity here, these have all been discussed in work sessions and council, every legislation David wrote up. They did not have enough supporting council to where they knew they would pass. It's been a year. Nobody comes up here and says I really want these things; nobody comes to council. In July mayor, we talked about in August it's a short meeting so let's get them on the list, let's get it out to the public and let them get up here and tell us so we can here about it. Ms. Asire is the only one that spoke on the parking ban, five people spoke on golf carts and like three talked about the Airbnb. Then Rosa sent out an email and eleven people replied to her. So, whether you agree on it or don't, they have been talked about. Council is not for it, never showed an indication for it, so they didn't just show up here and these three guys made a decision. We have all talked about it in meetings. Correct me if I'm wrong, but there is not support for any of these on council. It is not just three guys making a decision. One thing that frustrates me is I have a lot of people call me saying they want "x", but people never show up, they won't let you know who they are. That's why we scheduled the meeting in August and nobody showed up.

Law Director Graves states I would like to point out some of the other parking ban that we currently have. You currently are not allowed to park on any major road: Irving Park, Harris, Lake Breeze, etc. You also can't park on any of the side streets on the fire lane side. Also, there is an ordinance that says you aren't allowed to park on any street which doesn't allow, with a car parked there, for a clearance of at least 10ft. on the other side of the car for traffic to pass. There's not a lot of roads in town you can legally park on right now.

ORDINANCE/RESOLUTIONS BEFORE COUNCIL AT THIS TIME:

COUNCIL #011- TABLED- AN ORDINANCE VACATING PORTIONS OF PARKVIEW DRIVE, IVANHOE AVENUE AND FERNDALE AVENUE AND THE DECLARING OF AN EMERGENCY.

COUNCIL #034 – THIRD READING – AN ORDINANCE APPROVING AND ADOPTING A MASTER PLAN FOR THE CITY OF SHEFFIELD LAKE AND THE DECLARING OF AN EMERGENCY.

COUNCIL #041- SECOND READING- AN ORDINANCE PROVIDING FOR THE ESTABLISHMENT, INCREASE, AND/OR DECREASE OF CERTAIN FUNDS WITHIN THE ANNUAL APPROPRIATIONS ORDINANCE OF THE CITY OF SHEFFIELD LAKE, OHIO, AND THE DECLARING OF AN EMERGENCY.

MEETING ADJOURNED: With no further business before this committee,
*Motion by Wtulich/Second by DeBottis to adjourn at 7:38 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

Brandy Randolph

I, Brandy Randolph, 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 Sept. 3, 2024.

CHAIRPERSON

Mark Cizl

COUNCIL PRESIDENT

Rick Rosso