

**BUILDING & BUILDING CODES COMMITTEE MINUTES
OCTOBER 16, 2018**

The Building & Building Codes Committee meeting was held on October 16, 2018, at North Royalton City Hall, 14600 State Road. The meeting was called to order at 6:15 p.m.

PRESENT: Committee Members: Chair John Nickell, Vice Chair Dan Kasaris, Larry Antoskiewicz; **Council:** Gary Petrusky, Dan Langshaw, Paul Marnecheck, Cheryl Hannan; **Administration:** Mayor Robert Stefanik, Law Director Thomas Kelly, Community Development Director Thomas Jordan, Police Chief Ken Bilinovich, Safety Director Bruce Campbell, Finance Director Eric Dean; **Other:** Lou Krzepina, Gloria Kacik.

Moved by Mr. Kasaris, seconded by Mr. Antoskiewicz to **approve the September 18, 2018 Building and Building Codes Committee minutes**. Roll Call: Yeas: 3. Nays: 0. **Motion carried.**

UNFINISHED BUSINESS

1. City Green Development

Mr. Jordan reported that the new LED sign that will replace the existing sign is on order. The permit has been picked up and some small changes were made to the basic design. It is a possibility that it may still be installed this year. It depends on how quickly the manufacturer turns it around. The electrical upgrades for the City Green have been awarded. He said that we are working on finalizing the contract between the city and the contractor to get this underway. Mr. Marnecheck asked for a timetable to the electrical upgrades. Mr. Jordan said that there is some work that could possibly be done this year, but he said that they are allowed under the contract to do the work next spring. Mr. Jordan reviewed the contract approval and finalization process. Mayor Stefanik said that they will not be permitted to do any work that will interfere with the Lighting of the City Green ceremony. Mr. Jordan said that a large portion of the work is for the underground lines used for the current electrical hook ups which will severely tear up the area so he anticipates that this part of the contract may wait until next year.

2. Cemetery

Mr. Jordan said that the sign that is going to be installed between the piers has been awarded to Wagner Signs and the piers have been awarded to SK Masonry. He said that the piers may be installed this year. Mr. Nickell asked if there is an artist's rendering of the sign. Mr. Jordan said that he has the specifications that show the sign and the piers and he said he will share this with Council.

3. Front lawn parking/paving of driveways and accessory driveways.

Mr. Antoskiewicz thought that this was going to be taken off the table. Mr. Nickell agreed and said that he has no interest in it and would like to remove it from the agenda. Mayor Stefanik asked if they want to remove the paving of driveways and accessory driveways as well. Mr. Nickell said that maybe this could stand alone. Mayor Stefanik said that these are two items that are interchangeable in that they pertain to the front of homes in residential neighborhoods. He said that we have situations throughout the city where automobiles are parked in front of the house giving it a junkyard look. He said one issue we are having on Sharon Drive with the gravel driveway is that the gravel is just being thrown in front of the house. He said that this is not going away and he believes it will get worse but if Council doesn't want to address this, then we can just move on. Mr. Petrusky said that we can make this about driveways and referenced the problem in his ward on Sharon Drive as previously mentioned and said that it is a matter of aesthetics for our community and how we want to portray ourselves to potential future residents. Mr. Langshaw said his concern is from a stormwater standpoint and the gravel getting into the system and agreed with the aesthetics angle. Mrs. Hannan said that she agrees with what has been said about gravel driveways and supports separating the two issues. Mr. Kasaris said that these are separate issues. He would like to see the legislation that the Mayor was talking about proposing for the front yard parking. He would like to see what the exceptions are. Mayor Stefanik said that we talked about the exceptions the first time he brought it up and nothing has changed. If there is a party, you can park on the lawn. If your driveway is being repaired, you can park on the lawn. He said that this is not that difficult and you either like it or you don't.

If someone parks on their front lawn continuously for 5 days, that is when the restriction would kick in. This is what other cities do. He said that he is not going to have legislation drawn up so we can beat it to death; this is what it is plain and simple. He said that he will send Council copies of the legislation from Strongsville and Parma. He said that if we start letting the city go down hill when it comes to aesthetics, especially on the main and secondary streets, its going to spread and it's never going to get better. He said that he is seeing it happening already. Mr. Marnecheck said that he would be ok with this legislation as described by the Mayor. Mr. Kasaris said that he was originally against it, but the Mayor had told him that there would be exceptions to it and he wants to see what those are. Mayor Stefanik again said that he would provide copies of legislation that other cities have put in place. Mr. Kasaris said that he agrees that all accessory driveways should be paved due to the damage that gravel does to the storm water system. Mr. Antoskiewicz asked if we are now looking at telling anyone who has a gravel driveway that they must now pave it, or are we saying that if there are any repairs being made, it has to be paved similar to what we have done with the driveway aprons. Mr. Kasaris asked how you would define "repair". If someone is adding gravel to their driveway because it has washed away is that when we would require them to pave it. Mr. Nickell said that he is a violator of all of this. When they added a 3rd car, he had gravel, then brick and eventually concrete. He said that he does not think that if someone has a gravel pull-off that they would have to change it. He said that everyone is going to add a little gravel from time to time as it gets settled into the mud. To him this is different than pulling the gravel out and putting in pavers. Mr. Kasaris said that this results in adding more gravel into the storm water system. Mr. Nickell said that this is relative to where the pull-off is located. Mr. Nickell said that the legislation could state that the gravel has to be 25 feet away from the storm sewers. General discussion on how to craft the legislation ensued. Mr. Nickell said that we have 10,000 homes and he has a problem with passing a law to address one resident but he understands that if we don't have something to cite them with, then we can't deal with it. Mr. Langshaw asked the Law Director if the front yard parking would be a separate issue in the code vs. the paving of driveways. Mr. Kelly said yes, but you can see how the problem is overlapping. He would recommend that the issues be separated. He said that the Mayor has already offered to circulate the ordinances from surrounding communities regarding the parking. He said that if you want us to draft something regarding the paved surfaces, we can take a look at this. He suggested looking at requiring the area directly adjacent to the right of way to be paved so that the gravel does not wash into the sewer system. Mr. Nickell and Mrs. Hannan agreed because there are many different types of lots throughout the city and we are not strictly urban in nature. Mr. Jordan said that all of the existing gravel driveways would be grandfathered in.

4. **Mortarium for short term rentals.**

Mr. Kasaris said he has concerns about a penalty for someone who decides that they are going to use their home for short term rentals. He asked if we pass this moratorium tonight are we able to penalize anyone who would do this. Mr. Kelly said that the rental registration ordinance has a penalty for noncompliance which is a first degree misdemeanor. The rental registration ordinance defines short term rentals as 30 days or less. Anyone intending to rent their residential property for less than 30 days is required to register and get a permit to do so. If the moratorium is passed, the Building Commissioner will reject any such application until Council has determined to lift the moratorium and place whatever regulations as they feel appropriate. Mr. Kasaris asked what happens in the event that someone is going to do it anyway. Mr. Kelly said they would be in breach of the rental registration ordinance and would face a first degree misdemeanor penalty with a maximum of 6 months in jail and a \$1,000 fine. Mr. Petrusky asked if someone could rent their house out for 60 days with a clause that says the lease can be broken at any point with notice meaning it can technically be leased for less than 60 days are they still in compliance with our ordinance. Mr. Kelly said that if someone complies with the rental registration ordinance, we can't stop someone from not fulfilling the terms of their contract. Mr. Petrusky said then that the moratorium has a loophole so it really does us no good. Mr. Kelly said that the moratorium was intended to encourage our community to obey the law and to recognize that Council wishes to consider this issue on a longer term basis until they can reach a conclusion. Mr. Kelly said that our residents are largely law abiding and will respect the law. He also thinks that we will see very shortly is that the insurance industry will likely take a hand in this and they will not provide coverage for people who engage in this type of activity and then

wish to make a claim because it increases the risk for the carriers rather dramatically. Mayor Stefanik said that no one is going to get a ticket the first time out, similar to what we do with the solicitor ordinance. We will first explain the process and they will then most likely comply. We are just trying to get people to do the right thing and he can't remember an instance where they haven't done the right thing once they were told. No one is going to go to jail for this because they didn't know what the law is. It's a common sense issue and right now it is working. Mrs. Hannan asked why put the law in place if we are not going to enforce it. Mayor Stefanik said that we do enforce it because once we find out someone is doing this and once we explain what the law is and what the penalties could be, then they come in and comply. Mr. Jordan said that most of the building code enforcement issues are voluntary. He said that if they are turned in we will send them a notice and the cure almost all of the time is the homeowner actually complying. It is a very small group that ever goes to court. He said that the moratorium is really a public announcement that we are discouraging this. He said that we only found 3 ads for short term rentals on Craigslist and one of them dates back to the RNC convention. Mr. Antoskiewicz said this legislation is on the Council agenda tonight and suggested that Council vote on this and move on.

Moved by Mr. Nickell, seconded by Mr. Kasaris to **move this to the Council floor for a vote**. Roll Call: Yeas: 3. Nays: 0. **Motion carried.**

NEW BUSINESS

1. Ordinance 18-107 - NOACA Transportation for Livable Communities Initiative

Mr. Jordan explained that the city is applying for two grants. One is for \$100,000 to build sidewalks from Memorial Park Drive south to Akins Road. This recommendation was in the North Royalton Alternative Transportation Study from 2015. The second grant application is for \$205,000 to continue the sidewalks from Akins Road south to the Metroparks and tie into the new all purpose trail. The city will be pledging a \$25,000 local match to their \$180,000.

ADJOURNMENT

Moved by Mr. Kasaris, seconded by Mr. Antoskiewicz to **adjourn the October 16, 2018 meeting**. Yeas: 3. Nays: 0. **Motion carried. Meeting adjourned at 6:53 p.m.**