

**BUILDING & BUILDING CODES COMMITTEE MINUTES
JULY 21, 2020**

The Building & Building Codes Committee meeting was held on July 21, 2020, at North Royalton City Hall, 14600 State Road. The meeting was called to order at 7:22 p.m.

PRESENT: Committee Members: Chair Linda Barath, Vice Chair Jessica Fenos, Council: Paul Marnecheck, Vincent Weimer, Jeremy Dietrich, Mike Vos; Administration: Mayor Larry Antoskiewicz, Law Director Thomas Kelly, Fire Chief Robert Chegan, Police Chief Ken Bilinovich, Economic Development Director Tom Jordan Other: John Nickell

APPROVAL OF MINUTES

Moved by Ms. Barath, seconded by Ms. Fenos to **approve the minutes for the June 16, 2020 Building and Building Code Committee meeting**. Yeas: 2. Nays: 0. **Motion carried.**

UNFINISHED BUSINESS

1. **Cemetery**

Mr. Jordan states there is a change order on this evening's agenda for passage for Change Order No. 2. To give you an update on where we are at was at the last Council meeting you approved Change Order 1 and that was to redo the gates. Also, it was for fixing a number of the monuments in the cemetery while they have the crane up there. Change Order 2, a structural engineer visited the site, the outer sandstone wall that you are probably very familiar with, has separated itself from the interior brick wall and as a result the structural engineer designed a fix for it, it is essentially to tie in that inner brick wall to the sandstone. The good news was the foundation was good, they did not have to deconstruct anything further but they did have to design the fix and also essentially it is a wood member that ties the two in. The actual cost of the repairs, \$6,975.27. The cable structural repair is \$3,525.00. In consulting with the architect and the engineer, the original specifications called for only for the portion of the building that was to be deconstructed for it to be repointed. The structural engineer took samples and examined the rest of the structure for what the conditions were on the existing pointing and their suggestion is to repoint the entire structure and that is an additional \$3532. So, the two together is \$6,975.27. So, it is our recommendation that we move forward with Change Order 2. On the overall project, with design cost we are at \$121,575.27. \$100,000.00 is being paid for by the State. As I have indicated in our last meeting, \$19,000.00 of that is being paid for by the cemetery reserve fund for fixing those moments. So, really for about \$1,000 over the state grant amount on the actual repairs to the receiving vault. We got a lot more done to it. The doors will look nice, the repointing will look even throughout from the exterior, and they will be structurally sound. That is where we are at on the receiving vault. If we can pass it this evening, they believe they will be finished the first week of September with the entire project.

Ms. Barath states I am going to recommend that remove from the Committee Ordinance No. 20-98 and move it to Council for approval. You mentioned a First Change Order, I wasn't sure which Ordinance that was.

Mr. Marnecheck states that is the one we passed last week.

Ms. Barath states okay.

Mr. Marnecheck states to do the additional big monuments.

2. **Food Truck**

Mr. Jordan states I am looking for a little bit of feedback on it. This was discussed in prior meetings; the Law Department and the Building Department had looked into this. We had also consulted with the Fire Department. The history in North Royalton about food trucks is that typically they have only been one of two

things, at a construction site, completely really unregulated, a very few and far between. Two, are the food trucks that come to the annual festival that we have, those are inspected by the Health Department, the Fire Department, and the Building Department while they are there. There had been some suggestions that prior to COVID-19 that we would allow food trucks in North Royalton outside the special events permit which is really the only way that they are currently allowed. To set up a food truck on an empty lot with no back up is specifically not allowed in our Ordinances. We did explore other cities food truck Ordinances; some were applicable and some were not. Generally, the concerns that the departments had and that were addressed in some of the other city Ordinances was that the food truck is self-contained with stoves on it and should be safe for the Fire Department. And there is an inspection, I believe there is a process to that. Two, the Health Department takes a look at them to make sure that the food is safe that they are passing onto the public. Then, from their it gets a little trickier about how long you are allowed and what regularity, some cities maybe where you are more familiar is downtown Cleveland, they allow them to be parked in the right of way which is something that we would probably not allow here. That is a little bit of background that I wanted to share; I don't know if Council was pursuing some aspect of allowing food trucks in some part of the City. If you do we can look into it on how we can do it safely with respective departments.

Mr. Weimer states I feel like that we are a little behind in North Royalton with our food truck policies. I think there are opportunities for instance, Blue Monkey, they don't have food in their establishment, so for them to have a food truck is an obvious plus for them as a business. I am sure that we have businesses in the area too that would like to bring in a food truck for employees or something like that on a special day to things like that and trying to get a special event permit every time I think is maybe not necessarily the route that we want to go as a City. I do understand the concerns around the safety aspect, making sure it is a safe operation and we are not just letting people in with a food truck and they hobble together and cause a safety issue. I do think we should look at our Ordinances around that and allowing well established food trucks like Barrio and some of those other companies to come into North Royalton and bring their business here to our City.

Mr. Wos states I agree. I would think that an established place like you mentioned, like a Barrio or Swenson's, they probably, I would guess they would have food inspection already, OSHA and all that and somebody checks all that. Some of these things that we are talking about, if it is good for business, then if it is a pro-business policy, I think we as Council especially now with what is going on with the economy we should try to help our businesses out as much as possible, if they are doing anything like that it is a great idea.

Mr. Dietrich states who is going to propose that, who is going to put that together? You, Tom?

Ms. Barath states I was going to say that I would like to hear everybody's input, and what I will do is that I will recommend that we pursue legislation.

Chief Chegan states just like Tom said we all met together and we all put the input into it. There is a fire code that needs to be followed with that, just like with any other building in the inspection process. Some of the ones like Tom mentioned, we looked at Mayfield Village where Progressive Insurance, they have food trucks there daily and what they do is inspect them the beginning part of the year so they don't have to go do them every time somebody comes out; that is one option. The other option, if it is a different organization that could not come out, how are we going to inspect them, the manpower is an issue, getting out there and having our staff and our Fire Marshall has other obligations as far as operations of the department, we only have the part time inspectors. It will be a little difficult, but like you said, we can make it work, and we all looked at that when Tom brought that up as far as the City departments. It is in the fire code that we do the inspections, how we do them, we can find a way easy on us so we are not running in every different direction especially the day of events and making it easier on the businesses to and help them as well. Just wanted to give you the fire background of that.

Ms. Barath states my concern would be the businesses with a permanent structure, they have made the monetary investment in the community, and I don't want to do something that kind of violates that or negates that, so I think there needs to be a nice balance, if we can do that with legislation.

Mr. Wos states that makes sense.

Ms. Fenos states we brought that up when the Blue Monkey came and discussed that.

Mr. Jordan states the other concern is that on a special event permit when the nearest building is the Fire Department it is a little different than parking one in a parking lot that possibly abuts residential. And to do it regularly there may bring some issues. It is also a commission issue there. Food trucks certainly before COVID 19 were trending all over and you are absolutely right, there are certain food trucks and there are even some that are based in North Royalton that do it regularly, some are more of a catering truck than a food truck, but at any rate we can look for some level of recommendation, but it takes a little guidance and it is somewhat individualized for each community too.

Mr. Weimer states I know it is not always the case but in Strongsville instance, Barrio spent a good year regularly coming to Strongsville with their truck and out of that resulted that they learned that they had a pretty good amount of demand for their product in Strongsville and that led to opening another location in Strongsville. That is one other way to look at it too, that there is potential that some of these businesses with a food truck coming into North Royalton to see that they have a demand and do open up a brick and mortar in North Royalton as a result too. There is both on both sides, I think on that equation that we need to weigh.

Ms. Barath states I guess that we recommend that we consider legislation or at least work on legislation and leave this on our agenda until we come up with something. Does that sound good?

Mr. Jordan states yes, we will work with a lot of departments, the Fire Department to see if there is some legislation that we could improve upon with the current conditions and allowance it is for really only allowed for special events, we will go from there. I know there is an item on the agenda on the land bank parcels, I don't know if Madam Chair this is the time.

NEW BUSINESS

1. Ordinance 20-96

Ms. Barath states that is the next item, are you talking about the area yard and height regulation?

Mr. Marnecheck states no, he is talking about 20-96.

Mayor states 20-96 has to do with the land bank.

Mr. Jordan states I can do either one.

Ms. Barath states go ahead and do the land bank one since we started it.

Mr. Jordan states the Ordinance relative to the land bank it is pretty simple. The City takes in a series of parcels through the tax foreclosure process and what happens is that the County, it is tax foreclosure and they notify the city that it is heading to foreclosure and asked if you would like vacant parcels. The parcels that you have in front of you they are all detention basins where the HOA failed to pay the taxes on them and the City has been maintaining those for years. They came in through the land bank, but we are moving them from the land bank to the City of North Royalton's name and in perpetuity we will be responsible. The purpose of this is that the land bank is that an individual can purchase them. Land banks are meant to temporarily put them in and then you sell. There will be further legislation on a series of parcels that the city has taken in through the land bank that we are going to offer for sale, but we wanted to get the parcels that the City wanted to maintain for storm water purposes out of the land bank and into the City of North Royalton's name. I would ask that it be placed on Third Reading. In order for us to perfect this title change, we notify the other affecting taxing districts which are the school districts and the vocational school. Those notices have gone out, but we have

been notified that they are in recess, their respective boards and they may not act until late August indicating that they have no objection to this movement from the land bank to the City of North Royalton's name. If we can just place it on Third Reading, we will wait for the responses from the school district and then we will get the title worked out.

2. **Ordinances 1270.04 Amending Ordinance Area Yard and Height Regulations.**

Ms. Barath states okay, we will do that.

BZA there are some Ordinances that engender variance requests. I would actually ask on this one, that we hold it over, there is no rush to change it and I will say there is a reason why we have BZA here, is that something unusual has happened on the property and we provided notice to the neighbors to allow them to come in and say "hey you are parking a little bit too close, could you do some landscaping barriers, etc." I will let you do it, but if you can ameliorate the situation a little bit. I know there was some discussion by Council that we have all these BZA applications and some of them are repetitive, but at the same time I would caution you that if you allow them to put the structure so close to the property line and didn't allow the neighbors to come in by notice, then you get a few angry people eventually. Some of them do make sense, just allow us to refine these proposals a little bit more, to strike a better balance, and we are looking at other city ordinances and what some of the better practices are. We want to reduce the number of repetitive BZA applications certainly, but at the same time we want the neighbors to afford the opportunity to come in and let us know their views.

Ms. Barath states so would you recommend that we table it for now?

Mr. Jordan states yes.

3. **Noxious Weeds**

Ms. Barath states does anybody have any input on that? The last one is the Ordinance on Noxious Weeds.

Mr. Jordan states the Building Department has the origins of this was that, some of you in your lifetime may recall that we like to spray and get rid of a lot of weeds. We came up with all types of insecticides and fertilizers. Now some of those weeds are now considered native grasses and native plants, and are moved from the weed category to native grass or plants by practice. I believe a suggestion was made by one of the members of the garden club removing a particular weed from the list. I think we need to word the Ordinance better, but there is no objection, we have no issue with removing these out of the weed category allowing them as acceptable plants. As an FYI our inspectors were not going around identifying what is a dandelion and what is a milkweed. We might have it on the books that we don't allow horse troughs too, but we don't have many horses in the City.

Ms. Barath states what would your recommendation be, to table it to rework it?

Mr. Jordan states we will rework it to get a final Ordinance. Council have any questions about it at this point? We will get it in its final form at the next meeting.

Ms. Fenos states I think it is good, clean it up.

Ms. Barath states I agree, clean it up, and reword it and then we will put it out for a vote.

ADJOURNMENT

Moved by Ms. Barath, seconded by Ms. Fenos **to adjourn the July 21, 2020 meeting.** Yeas: 2. Nays: 0.
Motion carried. Meeting adjourned at 7:44 p.m.