

**BUILDING & BUILDING CODES COMMITTEE MINUTES  
FEBRUARY 16, 2021**

The Building & Building Codes Committee meeting was held on February 16, 2021, at North Royalton City Hall, 14600 State Road. The meeting was called to order at 7:08 p.m.

**PRESENT: Committee Members:** Chair Linda Barath, Vice Chair Jessica Fenos, Joanne Krejci **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:** Jonah Pichette, Gerald Aust, Gerald Aust, Jr.

**APPROVAL OF MINUTES**

Moved by Ms. Krejci, seconded by Ms. Fenos to **approve the minutes for the January 19, 2021 Building and Building Code Committee meeting.** Yeas: 3. Nays: 0. **Motion carried.**

**UNFINISHED BUSINESS**

**1. Food Truck**

Ms. Barath states the one issue that I looked at is the permit fee for limited use permit shall be \$100.00. I want to understand what that is for?

Mr. Jordan states that the Fire Department will do their inspection and it would be good for the year. Mr. Kelly is it written now that it is \$100 per year or is it per permit?

Mr. Kelly states the way I had drafted it was \$100.00 per year. I thought \$100.00 per application would very likely discourage anybody from coming.

Mr. Jordan states the idea is that it would cover the cost of processing the application in the Building Department. You can apply for two months at a time per application. They get the one permit for two months they apply the second time, is that a no fee permit?

Mr. Kelly states it is not specifically addressed in the ordinance, but again, my anticipation was that if a food truck came in and made the \$100 application and filled out the paperwork that you need in the Building Department that there was no significant change there would be no compelling reason why we would be taking another \$100.00 from them. Again, if you want to set it high like that, you are potentially discouraging the food truck operation all together. The other way to do it is to lower it to \$25 and then let them pay the \$25.00 per every two-month application that they are making.

Mr. Jordan states the Building Department just processes paper. This I believe, the application itself, is that you are going to coordinate with Fire, Police, I think they are supposed to do a site visit, view the site plan for the food truck and then issue the permit and create a public record.

Ms. Barath states I personally am not in favor of the \$100.00, I think it is kind of high.

**Sarah Matthews, 11964 Beckham Road**

Ms. Matthews states I know Councilman Weimer and Council President Marnecheck, my husband and I own Kona Ice food truck, it is a shaved ice food truck. We are approaching our sixth season. It is a franchise and we have the territory of Strongsville, North Royalton and Berea. The reason I am coming is to gather the information of this conversation and also to offer some experience since it is kind of a new conversation for our community. The nature of ours is just shaved ice, we don't have a grill or don't do French fries and all that stuff. We are a little bit different than the average food truck. I think it is a really great idea to have the

police and certainly the Fire Department to inspect the trucks. We have to have as a food truck operator have the Cuyahoga Health Department inspection and we get the food operator vendors license and that is for us to do the business every year. Just for your information, those licenses run from \$200 to \$350 each year for each unit. That is our first expense, and then we do have to get permits, a license for each community that we are going to drive the streets for, go to the parks or whether they are baseball parks, soccer fields. We have been working with the Police Department in North Royalton and we pay \$25.00 and we chose to, it has not been mandated but for our integrity and to make the community feel good, all of us in our little business we do background checks. We do the finger printing and the background checks. We present that to the Police Department and we pay \$25.00 for a three-month period. Then, if we want to do another three-month period, we just submit a really simple application and pay another \$25.00. The nature of our personal business as far as large events for our personal community here in Strongsville, Berea, Middleburg Heights, is usually the community festivals in which case using North Royalton as an example, we pay the Chamber of Commerce because they sponsor that, so we pay \$450.00 to sit there for those three or four days for the festival. But otherwise, we are mostly invited by the soccer league, the baseball league at York Road. When we participate in those, we don't pay to be a part of that, but we do a 20% gift back to that organization. We do 20% gift backs to schools, churches, health fund raising events. The rest of our business is personal parties, birthday parties, graduation parties, family unions, where that is a negotiation between us and the private homeowner. I just wanted to give you a broad spectrum of what our experience has been, it has been amazing, so if that is helpful in any way, there is a lot of expense in any community that we run in and we do have to pay to participate. \$100.00 is exorbitant. I do understand and I think that it is beneficial and important to have the City involved in making sure that the food trucks are safe and that the trucks do have a food vendor from the Health Department an operating license. We do want to be safe for everyone. I remember sitting at the festival on the Green, I think Thomas was the Assistant Fire Chief, came over and he noticed that I did not have a tag on my fire extinguisher and I did not even know about it, I did not even know that had to be inspected every year, that was very helpful and I did it every year after that. I wanted to come to hear what you guys are trying to formulate and offer some personal experience. I know that only occasionally because of the nature of our product is dessert type thing, we don't necessarily get asked to sit at the Blue Monkey or some of these commercial businesses. We do however, get invited from Generations Antiques or Leinenkugel Prosthetics. They want us to come and sit in their parking lot and they just ask for shaved ice. I don't know other than trying to keep things safe and what the goal is as far as what you are trying to accomplish, but I hope that information is helpful and I actually sat with the Safety Director and the Mayor and the Chief of Police in Strongsville and helped them create an Ordinance a couple years ago for Strongsville just based on our experience. I would be happy to help with anything. Our personal food truck is the only food truck, if they come by March 1 and have a background check application and they pay \$25 then they are given a permit for a certain amount time. But we are the only food truck that is permitted to do their fireworks or go on their soccer fields or baseball fields just randomly.

Mr. Weimer states the core of this whole thing was protecting the City to make sure that we don't have food trucks where the City does not want food trucks and to make sure that they are safe to operate within our City. Those were the two core principles of this legislation. I would like the Building Department to provide us with a list of "here are the services that we have to perform for this permit to happen, and this is the cost to us as a department." Certainly, I don't think any vendor or any business in the City to lose money on the deal, but we also should not be using this an opportunity to rake in additional dollars on the backs of small businesses in the City or vendors that want to come into our City and try to make North Royalton a more enticing place to spend your time that was not the intent of this when I brought it up originally and that is not the intent that I continue to get towards with this legislation. I have concern about the \$100.00.

Mr. Kelly states I think we can strike the words and approve and insert a) by the property owner and a mobile food unit vendor such that the mobile food unit vendor then still has to acquire the permission and the approval of the Fire Department. So, you don't need to go through the question of whether they are approved or not approved, they will be approved when they get the Fire Departments approval and not until. The application comes from essentially the property owner and the mobile food unit vendor. If Council is of the mind to create a further exemption to allow the food trucks in residentially zoned districts where there is sufficient room in

their parking lot, we can try to carve out another exception, the question is how much of an exception do you want. Is this a once-a-week thing, is it a three-day event, what is it.

**Sarah Matthews, 11964 Beckenham Road**

Ms. Matthews states two points. One is, Thank You Councilman Weimer for bringing that up. That is a huge deal in the food truck industry now doing pool parties, block parties. The thing that saved our business last year was we got inundated with calls with developments, neighborhoods, communities and put it on our Facebook page and we would sit there for 2 to 4 hours nonstop line and people loved it. Even on our street Beckenham, they asked us to come and sit in our cul-de-sac. Now I will say it depends on each of the neighborhoods or developments sometimes the HOA does pay for it, it is like their annual party. That is negotiated with each individual food truck, but over time the residents do pay for it themselves. The other thing, for example, in Strongsville they have a lot of swim teams, Monday was pool day, we had 4 different communities, we went and sat where the neighborhood pool was and we would sit for 2 hours, then the residents would purchase and then we would give 20% back to the swim team. Just to let you know it is in demand for that kind of thing. For us personally, we are ramping up now for this season so I know that you guys are trying to pull this together and create this legislation so do I just do what I normally have been doing with the police station. Is that okay for now?

Councilwoman Barath states I would, nothing has been passed.

**Rick Sacha, 9983 Jamestown Drive**

Mr. Sacha states I feel obligated that I should speak because we are sort of the ones that brought all this on. I apologize, I didn't think it would cause this much here. My two questions is, one is pertaining to the \$100.00 fee, and I understand you have to pay something once a year just to come out and make sure, I guess this is coming as a business owner, where it should be set up that it is not in the way of the Fire Department, no traffic or anything like that. That is not an issue for us, and then my other question has to do with the fire inspection; is that done on site? Are the trucks getting inspected at our place or do they have to come to you guys for the inspection?

Councilwoman Krejci states the Chief can add. I think the plan would be for the truck itself to schedule time with the Fire Department to go there and be inspected.

Chief Chegan states that it correct.

Mr. Sacha states something like Barrio, they have 5 trucks, they have to get all 5 of them inspected?

Chief Chegan states yes.

**2. Electric Vehicle Charging Station Grant**

Mr. Jordan states we have not heard from the Ohio EPA relative to the federal grant to build the electric charging station yet. The deadline was January and it is now into February. I am waiting to hear on that. NOACA has made funds available for one here at City Hall, they asked us to file a letter of interest, and we did. They are indicating that they would like to do ours by the end of 2021, however, they have to come out on site and estimate what the cost will be. They have not gotten to do that yet. I think they are hiring a (inaudible) engineering company to help them build the specifications for each of these stations. There is nothing the City has to do at this point. NOACA has indicated that they will fund a charging station at 14600 State Road. They asked if the City was interested in that grant, and asked us to fill out a letter of interest which I did so online. After that, their process is they will come out and assess how much it is going to cost and where it will be. Then, I believe they will have another set of paperwork for us to fill out and quite possibly because it is City property, we might have to come back to Council for you to approve it.

### 3. **Economic Development**

Mr. Jordan states there is a dialysis center that is moving into Timber Ridge that helps in two ways. It is not a typical retail job; they are actual nurses and other health care professionals moving into a space at Timber Ridge that has vacancy. It is an independent contractor that provides new movement in dialysis that you can actually take it at home. It is training home health care providers to provide that service at their home or to teach individuals how to take dialysis at home.

There was a home that was actually a rental that was across from McDonalds on Royalton Road that was knocked down and has been vacant. It is surrounded by Swan Lake. It has been working it ways through some preliminary processes. They have submitted for a 12000 square foot health care office. The main tenant would be Southwest General. They will occupy a two-story building, a couple million-dollar investment. They are only filing the site plan currently for the medical office building. They will file for the second half the front portion of the lot on a separate Planning Commission application, we believe it to be a bank, but we are not certain.

The Cleveland Market, you probably have seen the Facebook posts, we signed them up for the summer. The Mayor added another date. There will be at least 40 vendors on the City Green once a month. There will be a food truck as part of their project, they are emailing me some questions about that. Open markets have been allowed to operate during COVID and will continue through the foreseeable future to my knowledge.

On Cady Road there has been a building enforcement effort to remove a residence with over 30-60 cars located on someone's site, fought through the court system that it was an antique auto collection, unfortunately it was stored outside and never maintained and it looked like a garbage pile. In the end after many different avenues over these last twenty years, we got help from the joint tax force for Cuyahoga County. The raid of sorts was involved with the Police Department, representatives of the EPA, representatives of the County, representatives of the Building Department; about a year ago. The County, instead of us taking it through Parma Court under a misdemeanor charge we took it through the County as a felony and they successfully prosecuted and reached a plea agreement.

The computer change over in the Building Department is currently ongoing. There has only been on software system that the City has ever used for the last 20 years. Now we are actually using a new one. It is more one of the widely used ones called City Force. We are trying to do it here on the winter months so that in the summer when we have most of application process it will go smoother. It will have the capability that you can fill out your applications online in order to speed up the process.

### 4. **2020 City Wide Master Plan Update/ Master Plan Memorial Park**

Mr. Jordan states as you are aware both of these plans are underway. The 2020 City Wide Master Plan held its first real organization meeting this week. At that meeting, the new dates for that Master Plan meeting have now all been set for the year. Public notices have now been provided. The panelist may attend via Zoom. They will probably put the survey out tomorrow as long as we approve that last (inaudible). They have an upcoming survey just for Council, it is public input. There will be several attempts to involve the public. One is by survey, another one maybe by office hours, informational boards or public meetings. The Master Plan for Memorial Park we have an upcoming meeting for the Master Plan for Memorial Park on February 22 here at City Hall, it is an open house.

**NEW BUSINESS****1. Tree Canopy grant**

Mr. Jordan states on tonight's agenda there is authorization to file a grant with Cuyahoga County for what they call a tree canopy. There has been a loss of tree canopy as the County has developed. They are offering grants to replant in certain areas of the City. This particular grant is actually here at Memorial Park to plant trees. They warranty the trees at some 50-60 trees that they will replace them within the four years and it pays for an arborist and pays for some professional help getting them planted here at Memorial Park. The deadline is at the end of this month for the grant.

**2. NOPEC Grant**

Mr. Jordan states the City annually receives a NOPEC grant. It is generally geared towards trying to lower the electrical use of the City to bring down electrical usage so we used it for LED light conversion throughout the City. This year the amount is about \$5,000.00. You are authorizing the receipt of that \$8,500.00, it is required by NOPEC for us to be able to use the funds. We will be back to Council for expenditure on the funds. We are currently designing Phase II of the York Baseball field lighting program. We will send it out to bid, and then ideally, we would use with your consent some of the NOPEC grant money along with some outside sources that the City has been offered.

**3. Trucking Terminals Code**

Mr. Jordan states the typical way the City mends code is for allowed usage. We are proposing and we will have it for the next Council agenda. A specific amendment to the General Industrial Code, to allow as a conditional use trucking terminal. It would allow companies that operate trucks to operate within the City on a conditional use basis. Currently, when they come to the City, we have to do a similar use to determination to determine whether or not a similar use exists in the code for them to operate. On the more negative side, we have had people abuse, they have semis and they want to use vacant lots to park them in. Then, they claim that they are a trucking company. We will say we have a section of the Code on that, we have a requirement to follow that, and regulate it that way. By the absence in the Code by having a trucking terminal definition, it operates in a very grey area. I don't know if some of you may have complained with issues with semis parking illegally in residential and a lot of different commercial places, both parking their trailers as well as their semis.

**ADJOURNMENT**

Moved by Ms. Barath, seconded by Ms. Fenos **to adjourn the January 19, 2021 meeting.** Yeas: 3. Nays: 0.  
**Motion carried. Meeting adjourned at 8:39 p.m.**