

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

The Building & Building Codes Committee meeting was held on March 16, 2021, at North Royalton City Hall, 14600 State Road. The meeting was called to order at 7:16 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:** John Nickell, Dan Langshaw

**APPROVAL OF MINUTES**

Moved by Ms. Barath, seconded by Ms. Krejci to **approve the minutes for the February 16, 2021 Building and Building Code Committee meeting.** Yeas: 3. Nays: 0. **Motion carried.**

**UNFINISHED BUSINESS**

1. **Food Truck**

Ms. Barath **moved to remove the business of Food Trucks from Building and Building Codes Committee and ask that the Director of Legislative Services and Law Department place legislation on the April 6, 2021 Agenda under 1<sup>st</sup> reading.** Seconded by Ms. Krejci. Yeas: 3 Nays: 0. **Motion carried.**

2. **Electric Vehicle Charging Station Grant**

Mr. Jordan stated the City has received notification that the Federal \$15k grant has been awarded to the City of North Royalton to install the YMCA EV charging station. Mr. Jordan stated we are waiting to here back from the them on what the next step is to receive the grant. We have also returned the letter of interest on the 2<sup>nd</sup> grant on the EV charging station for City Hall to NOACA who's managing that grant. The latter one is still scheduled for 2021.

Mr. Marnecheck asked Mr. Jordan if the grant will be covering the cost entirety for the one at City Hall.

Mr. Jordan stated the one at City Hall will be completely covered cost wise and it will be an expensive one. There will need to be an additional electric system there. Mr. Jordan stated they are very sophisticated. The way the grant reads is that it is 100% on them.

Mr. Marnecheck stated congratulations to the Mayor and to Mr. Jordan for getting these 2 for the city.

Mr. Barath, also stated thank you to Mr. Jordan for your efforts.

3. **Economic Development\*\*\***

This item was moved to the last item on the agenda.

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

Mr. Jordan stated the next step on the Park plan is that we are going to meet with a couple of vendors that design skate parks. Also, get a better sense of we can do and for what size; with the concern that a larger one will eat into the parking. Councilman Weimer forwarded a designer. We have a meeting via phone with them next week. We met with the school district and they actually own and are responsible for maintaining a 3<sup>rd</sup> of the park; 2 soccer fields, ballfield and the tennis courts by lease. The Mayor, myself and Jason (Rec Director) met with them to see what interest they had in making improvements on their part of the park. At this point

there is not a lot of interest but the tennis court/basketball area clearly needs some work. We are going to follow up on that and get some more detailed estimates and share those estimates with the school district. Hopefully they will invest in it along with us and we will see where that goes. Our next step on that is to do a redesign; the preliminary draft, firm up numbers, firm up what uses are still in there and share that with Council. Move from there to finalizing it.

Mr. Marnecheck asked Mr. Jordan what the school maintains at Memorial Park. Mr. Jordan stated by lease they are responsible for the improvements at the basketball court and the tennis court (all in one fenced in area). Also, the 2 soccer fields and the baseball field. They did say they would like to remain at the park and that they do not plan on any long-term basis to move any of the uses out of the park despite having a great deal of new land available to them.

Mr. Weimer stated he would like to reference what Mr. Jordan was speaking of; he has been spending some time down at the skate park, hanging out with the parents and kids that use that space, asking what they may want to see. Mr. Weimer stated he had a conversation with one of the adult skaters that frequents our park. He invests in the kids while he is there and teaches them new tricks. He has already been speaking to a company that he thought was a good idea for us to talk to and forwarded the name over to Mr. Weimer which he then forwarded to Mr. Jordan, This company has done skate parks all over the state of Ohio and Mr. Weimer and his family got a chance to see one of the skate parks in Newark, Ohio while visiting the area. It is a very nice park; there is a lot of stuff we can do that ties in with the natural landscape of the park with these newer skate parks.

Mr. Jordan stated we will have to check with this company whether they are just a designer or if they will construct. If they are just a designer, that will answer some questions for us. We will have to see if what the size of the area is needed, because we have to keep these uses firmed up in the spaces they are in with the overall plan.

Mr. Jordan stated the City-wide Master Plan is separate. We have held 2 Master Plan Advisory Committee meetings. The 2<sup>nd</sup> one had to do with more about current conditions; 1<sup>st</sup> one was more introductory. Next month we will have a 3<sup>rd</sup> meeting. Between the meetings they met with the Finance Director and went over finances and shared that with the Master Plan Advisory Committee and also Mr. Dean was kind enough to attend the meetings as well. So, this way they understand where the revenues are coming from. After the 2<sup>nd</sup> meeting, Mr. Dean has to do a little research for the Committee that they requested relative to the TCD (Town Center District) and some information gathering. They'll continue to be a focus of the Advisory Committee meetings and they are getting some data from GIS and the County relative to individual parcels inside the TCD.

Mr. Marnecheck asked Mr. Jordan how many survey responses did we receive?

Mr. Jordan stated that was in the summary for the committee. Mayor stated after the last meeting there were around 700, but we have been sending it out and hopefully we can keep sharing it.

Mr. Marnecheck stated the survey closes at the end of the month? Mayor stated end of March. Mr. Jordan stated we will not turn any away, but the sooner we get them back, the better.

Mr. Jordan stated we will be reissuing it under the City's Facebook account and hopefully get a similar bounce out of it as the 1<sup>st</sup> and boost it up over 1000 responses.

### 3. **Trucking Terminals Code**

Mr. Jordan stated he has sent the draft to the Law Department relative to the amendment regarding the Truck Terminal code. Mr. Kelly requested additional information relative to the definition of a Trucking Terminal. Mr. Jordan did get it to Mr. Kelly last week. The purpose of this is to make sure when a trucking company

comes to North Royalton, they are located on a site that's sensitive to the surrounding areas and also, they just don't park a semi on an open lot and claim that they are a trucking company. It's not a very good use for our commercial property. Also, there has been abuses with it in residential areas. Ms. Barath stated you have that wording and will you bring that to us. Mr. Jordan stated it will all be in one piece and it will be enacted into legislation. We are just adding it as a Conditional Use in the Industrial District.

### \*\*\*3. **Economic Development**

Mr. Jordan stated that in the next month, The Federal CARES Act will be given to the state, the county and also directly to the City. People see the end in sight here; the 1<sup>st</sup> round went mostly to all of those levels to stem the losses that all of those government's loss of revenue and also to handle the emergency needs of the COVID response. He believes the next round, in addition to the PPP, and addition to the small business loans, and the emergency disaster relief loans that was in the 1<sup>st</sup> round; these will be more designed for economic recovery. As always, we want to make the state and the county money that the city businesses will be eligible to apply directly to them and then we will also explore, based on the rules and how much money the city is given, whether the city will be doing some economic recovery program for businesses that have been affected by COVID-19. He did receive notification from the Ohio Municipal League that there is a seminar; we will go thru it and see what they have to say relative to how flexible those funds will be and where we can find an appropriate economic development purpose for them.

By the next B&BC meeting, Mr. Jordan stated we have a new business building in the Industrial Park. They have been offered a CRA (Community Reinvestment Area) incentive; tax abatement. The draft has been forwarded to the Law Department. The Law Department will get the contract and the application. There are certain steps we are required to do before introducing it to Council. We are very nearly there and we could just not meet under the state notification process for this particular meeting today, but we should be able to do it for the next Council meeting; whether or not it's B&BC or not at that time.

### **NEW BUSINESS**

#### **Pete Gallagher, 4813 Dublin Drive**

Mr. Gallagher stated he has been a North Royalton resident for 30 years. He stated he tries to play nice and get along with his neighbors. He's had some concerns as of late; the family behind him built a treehouse for their children. He spoke with Dan K. and he came out to look at it. Mr. Kulchytsky stated with the play equipment that there is no oversight. Mr. Gallagher stated he found that to be strange that when someone applies for a permit for a shed; it's supposed to be 10 feet high, on a concrete pad. He believes the structure that they built in their backyard is right on the property line. It's 12 feet by 14 feet and 20 feet off the ground. It's huge and he lagged it into 2 trees. If one of the trees dies, there will be even more issues. It has a little porch in the front, it's lagged in to trees on the left- and right-hand side.

Ms. Barath asked Mr. Gallagher how much property he had. Mr. Gallagher stated his lot is 100' by 170'. Mr. Gallagher stated to him it looks like an eye sore. If you had a 5-acre lot and this was in the back, more power to you. He believes the owner's youngest is 12 years old and what happens is, a couple of years when the sides get enclosed, it becomes a shed or a barn. He is surprised there was no oversight with something to this magnitude.

Mr. Kelly stated this is plainly a structure; what kind of a structure it is, I have no idea. We very likely have no Ordinance that specifically addresses treehouses, but that is plainly a structure of some significance and I will have to have a conversation with Mr. Kulchytsky and Mr. Smerek to find out if there is such a glaring hole in our Code that we don't have some ability to address this kind of issue.

Mr. Weimer asked Mr. Kelly, sitting on BZA, that looks to me an accessory structure. Mr. Kelly stated the Mayor suggested maybe that is what it would qualify as, but because it is up in the air, it looks like something

else. Mr. Kelly asked Mr. Gallagher if the property line was pretty close. Mr. Gallagher stated yes. Mr. Gallagher stated he sees this structure from his back deck. Mr. Gallagher stated the next thing he expects to see is running water.

Mr. Kelly stated to Mr. Gallagher that his point is well taken and that this is a structure; and he is quite certain that they will be able to find something in the Code that would address the question.

Mr. Gallagher stated when he and Mr. Kulchytsky spoke last, he was concerned it wasn't being supported properly because there is only one main beam across the under part of the structure. He does not know if Mr. Kulchytsky addressed the owner about this or not. Mr. Gallagher stated his biggest concern at 1<sup>st</sup> is if a child rolls off of it and breaks his neck. Mr. Kelly stated that happens. Mr. Gallagher is concerned if someone fell out of the structure into his yard, that he would be liable. Mr. Kelly assured him he would not be.

Mr. Kelly asked if Mr. Gallagher knew when this structure was built. Mr. Gallagher stated that the owner started it last fall and that is when he started speaking to the Building Department about it.

Ms. Barath stated to Mr. Gallagher that he is in her ward and between her and the Law Director we will assist you in anyway they can. Mr. Kelly stated the law will be enforced. What we will do is look to see whether there is some law that applies and to the degree that it is applicable, we will apply it.

Mr. Gallagher stated he believes the intent of the owner is to have a zip line attached to the structure. The owner has tethered it to 2 trees. If the trees die, it's another issue. Mr. Kelly stated the trees will die, like all of us, but whether it takes 2 years or 200 years; the fact is the structure appears to be a significant enough building to require the city to have some oversight. We will address it as promptly as we can and with the Building Commissioner and we will find out if we have some Ordinances that apply. If we have a whole in the Code, we will have to figure out what to do next.

### **John Nickell, 10092 Hawley Drive**

Mr. Nickell stated there is another one on Gregory and Hawley just like that. Not as big and as fancy, but it is about 10' x 10'. 2 years ago, when I was still in office, I called the Building Department to see if there was anything that can be done. The guy built it and then he sold the house within 6 months and it's just sitting there decaying. No one uses it.

Mr. Wos stated there was a discussion at the last meeting, speaking about enforcement of some of the laws we have in regard to maintenance of property. One of the things Mr. Wos has been noticing is many residents especially in Ward 6 have boats and recreational vehicles and it seems to be getting worse and worse. We have a lot of people storing them right out in the open; in their front driveway. Mr. Wos stated he knows Mr. Smerek does a good job of addressing it, and we are also short on inspectors. Mr. Wos stated he has been getting complaints and doesn't know if it's stemming from COVID; people are doing more recreational camping and such.

Mr. Krejci stated in her neighborhood on Washington, the past week or so we have had someone park an RV in the street. She is unsure if it is a family visit, but the police did respond and spoke with them. She is unsure if there was any sort of resolution. Perhaps we don't have a Code that would prevent that either and it is obviously a hazard.

Ms. Barath stated she has had several of these in her ward and believes it is repetitive. They give them several days to unload them and clean them.

Discussion ensued between Council and the Mayor regarding regulations, citations, concerning RV's.

**ADJOURNMENT**

Moved by Ms. Barath, seconded by Ms. Krejci **to adjourn the March 16, 2021 meeting.** Yeas: 3. Nays: 0.  
**Motion carried. Meeting adjourned at 7:46 p.m.**