

**BUILDING & BUILDING CODES COMMITTEE MINUTES
JULY 19, 2022**

The Building & Building Codes Committee meeting was held on July 19, 2022, at North Royalton City Hall, 14600 State Road. The meeting was called to order at 6:00 p.m.

PRESENT: Committee Members: Chair John Nickell, Vice Chair Dawn Carbone-McDonald, Joanne Krejci; Council: Paul Marnecheck, Mike Vos, Jeremy Dietrich; Administration: Mayor Larry Antoskiewicz, Economic Development Director Tom Jordan, Police Chief Keith Tarase, Finance Director Jenny Esarey, Law Director Thomas Kelly; Other: Michael McDonald, Joel Spatz.

APPROVAL OF MINUTES

Approval of June 21, 2022 Building and Building Code Committee minutes. Moved by Ms. Krejci, seconded by Ms. Carbone-McDonald. Vote: Yeas: 3 Nays: 0 **Motion carried.**

UNFINISHED BUSINESS

1. Economic Development

Mr. Jordan discussed the breakdown of the Storefront Renovation Program. Most of the money has been expended, in which we are waiting for the first return. Pertaining to some of the projects on Royalton Road, the first building is done; which is the very first building as you go through the underpass, on the south side of the street. They have submitted for reimbursement. The second building was also a recipient and are starting projects. Several buildings have projects moving forward. We have a small amount of money left; roughly \$10,000 to do one more project. We hope to advertise what was completed. It is a little easier for people to understand, once they see a project and what it can entail.

Mr. Jordan advised that we are still working with the major stakeholder on Abbey Road. We are awaiting word on our Federal Grant Application to fund the infrastructure; essentially to create the third phase of the business park on that side. We did a study, estimated costs, and submitted it to the Federal Government. We received word that it did make it to the next level of sponsorship. It is not for certain that we will hear in September whether that infrastructure project inside the Industrial Park on Abbey Road will be funded. We are still in communication with the major stakeholder. We discussed an end user and what incentives would be available to that end user. We hope that they still make progress with attracting one. In the event that the grant does not come through, the same thing would happen as the First Phase; some City money was used. He mentioned the possibility of a TIF when funding the infrastructure, or possibly another grant; usually a smaller one. The current application would cover most or all of the infrastructure costs.

Over the next few months, three things will happen. We will receive notice on the grant application to fund the entirety of the project, the developer would decide whether or not he wants to move forward with funding the infrastructure jointly with us. Thirdly, the decision point. Once the sewer project goes out to bid, we will know through that bid process when the sewers will be available; then we can work around tying in the infrastructure into that new sewer project. Regarding the existing phase inside the Industrial Park, we need to make a decision on that end road as well. There is some land there owned by a property owner on Abbey Road, as well as in the current phase, which they are working with the major stakeholder to sort out those issues. We are still awaiting some word on the grant application, also for the developments from the stakeholder, and progress being made by the sewer project on Abbey Road.

We concluded this year's Tax Incentive Review Committee, whereas we go through all of the tax abatement projects that are here within the City and understand how they are performing. At the next meeting, we should have some of those results to confirm. All of the existing tax abatements go recommended by the committee to be continued, in which we are going to ask Council to confirm those. There are a couple of businesses that are still struggling with the pandemic and hiring in this market. Given these economic conditions, the Tax

Incentive Review Committee voted to continue those. He expressed his appreciation to the Mayor and to Council for appointing our two latest members who were able to participate in the meeting. We continue to work with the School District and the companies to make sure they are in compliance.

Mr. Jordan brought up the business Gray Matter, which is building their location inside the Industrial Park; there is not a lot of activity at the work site. There is a supply chain issue with some components that are necessary to operate the building. They do plan to complete it over the next couple of months. Kent Corp is somewhat behind on their expansion and they have not broken ground yet; they promise to do so in the next few months.

Ms. Carbone-McDonald inquired whether there are requirements for signage for businesses when they apply for a sign through the City, if they have to be in the City for a certain period of time. Mr. Jordan indicated they do not have to be in the City for a certain number of years. There are general sign requirements in the code that are reviewed by the Building Commissioner or the City Planner. For new projects, the signs are mostly bid out separately and installed considerably after the building. Mr. Jordan mentioned there are certain types of signs in the Town Center District that have some restrictions for that area. Often, when the owners realize the cost of installing a sign, it was not budgeted in their initial project. The other issue is that tenants who do not own the property find that the sign costs \$10,000; on a property that they do not own. They are reluctant to install that sign and often try to use the temporary ones that you see. He felt it is often the tenant that is reluctant to invest the money.

Mr. Marnecheck asked about the Storefront, wanting to know how much did we appropriate this year for the program; also, whether we got more applications than we had funding. Mr. Jordan clarified the amount was \$75,000 and that we did not get more applications. Mr. Marnecheck raised question, with all of the work being done on Abbey Road, whether we are looking to increase the appropriation for next year for storefront renovations. Mr. Jordan explained we would make that decision by the end of the year. This year, we initially budgeted \$50,000 and added another \$25,000, in which the Mayor concurred. Mr. Jordan viewed the storefronts, as more for existing businesses than for new projects. If a new building wants to take advantage, that is okay; however, it is really targeted for existing buildings and tenant occupied structures.

Mr. Marnecheck questioned any potential changes for next year. Mr. Jordan clarified that he agreed with Council's decision to exclude cement and parking lots, because it would have taken every dollar. However, that is the most frequent comment that he receives, which are those wanting parking lots included. Mr. Marnecheck wanted to know how much time is allowed to seek their reimbursement. Mr. Jordan indicated there is not a repair that is less than \$10,000, especially in a parking lot. He brought up asphalt, lining and striping, which everyone could use; however, most of those things only last a few years. Ms. Krejci inquired if that is something we should think about or include. Mr. Dietrich stated no, as he was the person in charge of putting that entire program together. He continued that he said no parking lots from the beginning. Parking lots would use up the money so quickly and look bad again in a few years.

Mr. Marnecheck asked about Abbey Road, whereas the County is making a big push to have cites listed as available. He wanted to know if those cites are listed on the County and Team NOE's system. Mr. Jordan indicated that they are, however, the uncertainty of the sewer date is a problem; whether there is sewer hookup etc. As soon as we have that information, as to when they would be installed by, that would help the sites a great deal. Mr. Marnecheck asked if there are other sites that have been listed. Mr. Jordan indicated no, those are the only ones that really qualify; they are trying to get over 10 acres. He went on to say that the desired area for North Royalton is 5 acre lots, which we only have about four.

Mr. Dietrich made mention of the Industrial Park. He wanted to know if the original property mentioned is where we are considering to connect. Mr. Jordan agreed. It is somewhat dependent on how the stakeholder on Abbey Road progresses. There is a 33-acre parcel that stretches from the existing Industrial Park out to Abbey Road, which would have to be broken up. Also, the engineering analysis of doing that bridge is in and is not favorable. Mr. Dietrich asked if the current property owner of the 33 acres was willing to break that up. Mr.

Jordan agreed that they are. He clarified that the existing property owner has it listed for sale, in which he felt the price is reasonable. He was not certain if it can be consolidated into the whole project. Mr. Dietrich inquired if the amount was public knowledge. Mr. Jordan was unsure, however he believed it was around \$500,000. Mr. Dietrich noted this is millions of dollars to get this property up to speed to be able to develop. His fear is getting everything put together and then not putting the proper businesses in there to be able to give back to the City. He would like to suggest the City and the Administration have a bigger hand as to what businesses go there, so that we can get that tax revenue back. As he has mentioned in the past, 40% of our revenue comes through the Industrial Park. If we develop it properly, there is so much advantage; we can do a lot more. His concern was developing it properly.

Mr. Jordan noted the positive; that what we have the free market system typically, which says they will invest in a building that has a good return for them and us. Mr. Dietrich commented that we are not guaranteed that, however, he feels that the City should consider buying that property so that we can guarantee; since we are investing in the infrastructure anyhow. He went on to say why not spend the extra \$500,000 to purchase the property and then guarantee what goes in there and have full control; as temporary ownership. Mr. Jordan reminded everyone that we could go into Executive Session to discuss the sale of property if requested. Mr. Dietrich felt that it should be considered.

Mayor Antoskiewicz brought up that there are more than 30 acres there. Mr. Dietrich commented that this one is for sale now. The Mayor understood however, there is also the consideration that some people are interested, which we are in contact and have been discussing. Everything is in the preliminary stage, because they are waiting on some things from us and we do not have that yet; until we get out to bid. He hoped that would be by the end of the year. Mayor Antoskiewicz felt that they would stay in close communication with us, as they had been all along; as far as what they may be looking to do or not do. It is something we can always look at and talk about.

Mr. Dietrich was interested in seeking an Executive Session in the near future on the topic, which he feels very strongly about. Mr. Nickell wanted to clarify if this was a piece of property to bridge a large creek. Mr. Dietrich clarified it was not, but rather a property to develop; or could be both. We could also guarantee that it is going to connect. You would be able to do two things in buying that property; connect, and again, make sure it is developed properly. Mr. Dietrich understands that it is not all of the property, however, we could possibly have a good chunk of it.

2. Memorial Park Update

Mr. Jordan reported that they naturalized the edge of the pond, as well as, put the new bridge over to the island inside the pond. As part of the Bridge Project, they upgraded the electric so that people are able to plug in on the other side of the island. That project has been completed, in which the Mayor has already put it to use; people are utilizing it.

3. Splash Pad

Mr. Jordan reported that the only issue, in speaking about Memorial Park, is that the Upper Pavilion is within the construction zone of the Splash Pad, which is the second project. The Splash Pad itself has a separate shade structure that has been completed. The Pad has also been finished; the features are roughly 90% complete. The actual Splash Pad features are not installed, and should be within the next two weeks. The current completion date is set for August 3rd. At this time, we are waiting on the pumps. The underground lines and the cement are poured, the railings are being installed, and the landscaper will be there tomorrow. The electrical panel has arrived. We are waiting on CEI to schedule a date and then we will have power; the pumps will be installed and will work.

The City does have a permit to instruct the Splash Pad, both from the City's Building Department and the State of Ohio, however we need an operator's license that is reviewed and approved by the Cuyahoga County Board

of Health; another requirement. This is due to having water that is treated and humans are in contact with it. As part of that license, we have come to learn that an emergency phone needs to be installed in case someone is hurt. We are trying to get that ordered and installed with the assistance of our IT Department prior to the opening. If it is not installed prior to the opening, we must have an attendant with a cell phone while that Splash Pad is in operation. This is an emergency precaution that is required by the Cuyahoga County Board of Health.

Mr. Jordan spoke about the remainder of the park, in which he, along with the Mayor, attended the Economic Development Committee of Cuyahoga County Council that was evaluating the application submitted by the cities for the ARPA funds. He believed the application was reviewed favorably. A small presentation was done in front of the County Council. It looks like they will pass and approve the appropriation for roughly \$1M for the next phase in the Memorial Park. Once we receive the approval and the terms of which we are granted that grant, we will review with the Law Department and Finance for the next steps. We submitted the entire Master Plan for the park, the current phases that were underway in 2022, as well as what we are anticipating in 2023. We are waiting on the County to make the final decision. Mayor Antoskiewicz announced that he received a text that our money did pass through Cuyahoga County Council at today's meeting.

Mr. Jordan advised that the State did approve roughly \$200,000 for the current Splash Pad, which is on a reimbursement basis. We will give back some of the money that we have on the current one. We will have to finish the construction project and get the City reimbursed through the State Program; they have not given us the forms yet on the \$200,000. We will receive back what forms there are and see what we are allowed to spend that money on. It was airmarked for the Memorial Park Improvements.

Mr. Dietrich wanted to know if we get that \$1M, where that money was originally set to come out of for the Memorial Park. Ms. Esarey explained that it came out of the Rec Capital Improvement Fund. Mr. Dietrich wanted to clarify if that money goes back into that fund or the General Fund. Ms. Esarey indicated that is going to be discussed. Mr. Jordan concurred.

As discussion ensued, Ms. Carbone-McDonald asked for clarification if August 3rd was the new target date for the Splash Pad. Mr. Jordan agreed. Mayor Antoskiewicz hoped so; as the original date was July 3rd. He went on to say they were given a thirty-day extension, however, there are still some things we are still waiting on; but hope to have them. He would keep everyone updated. Mr. Jordan reiterated that it is 90% complete and that the Mayor would announce the Grand Opening. He reminded everyone that we have to wait 30 days following the painting of the concrete; which will be the color blue.

4. Solar Panels

Mr. Nickell recapped that a resident had come to request stand-alone solar panels for their home. He suggested putting this topic on Building and Building Code and discuss thoughts on that. His concern was that he does not know if he really wants to see a pedestal solar panel, or it would have to go to BZA and perhaps they can go case by case. He felt these should stay on top of houses.

Mr. Dietrich researched this a little more. He continued that what the resident was looking to do is adding, not taking over everything per say. The one that the resident is proposing gets put in the ground in her back yard; off the grid type. These power the entire house, which is an entirely different product. He did agree on the BZA with a case-by-case approach. He reiterated that the resident does not live in an HOA and it would be in her back yard; he did not really have a problem. Mr. Nickell stated he would not be for the stand-alone solar panels. Mr. Marnecheck brought up the idea of having an acreage minimum. Ms. Carbone-McDonald mentioned her concern was if neighbors get aggravated or upset about it being an eye sore, we may have complaints. Mr. Dietrich noted the advantage of having BZA, where residents could present their case and BZA would have to approve it first; hear the cases and decide for or against. Ms. Carbone-McDonald agreed.

Mr. Wos brought up the exhibit from Broadview Heights. He could understand people not wanting to see these. There are some people in his ward that have land and he would not have a problem with it, as long as we codify it properly. He mentioned Broadview Heights favorably with their laws and suggested fitting it to our own rules. He does not have a problem with it for those that have more property.

Mr. Marnecheck felt he would be interested in seeing the Law Department craft some legislation ideas based on Broadview Heights. His concern was if we left it up to BZA and did not give them any guidelines. He would be interested in seeing something that we can review based on our codes; he would be in favor. Mr. Jordan mentioned that he would be okay with reviewing the information from Broadview Heights. He felt that we would have to review the ordinance and see how it would apply; pertaining to variances. As discussion ensued, Mr. Marnecheck hoped we could adopt a code that did not need a variance. He mentioned changing some setbacks and things to be reviewed by Mr. Jordan's office. Mr. Nickell agreed.

Mr. Kelly recalled that our former Building Commissioner made a determination that this type of solar array the individual wanted, represented an additional structure in the back yard. Aside from the safety conditions, it was the fact that it was an additional structure. As a result, there was no basis for it. He recalled that we told the individual that she could go and apply, with the likelihood of being rejected; and then appeal the BZA. Mr. Jordan was not aware if the individual had made an application or not. Mr. Kelly spoke about the Broadview Heights ordinance where it talks about the solar array in the yard other than on the building itself; therefore, it covers that. He continued that it may or may not be appropriate for North Royalton, and if Council would like to see something prepared, then we can do so. Mr. Nickell pointed out that it is not an emergency.

Discussion ensued some about advantages and disadvantages of solar energy. Mr. Kelly stated that if there is a consensus, we will request that Ms. Schroeder format an ordinance using Broadview Heights' as a foundation. Everyone was in agreeance.

NEW BUSINESS

ADJOURNMENT

Moved by Mr. Nickell, seconded by Ms. Krejci **to adjourn the July 19, 2022 meeting.** Yeas: 3. Nays: 0.
Motion carried. Meeting adjourned at 6:44 p.m.