

REGULAR COUNCIL MEETING
May 10, 2017
MINUTES

The Regular Council Meeting of the Village of Moreland Hills was called to order by Mayor Renda at 7:00pm, in the Village Council Chambers.

PRESENT AT ROLL CALL: Mr. Buczek, Mr. Fritz, Mr. Richman, Mr. Sherck, Mr. Stanard, Ms. Sturgis

Also Present: Aimee Lane, Law Director, Jeff Filarski, Village Engineer, Ted DeWater, Service Director, Chief Kevin Wyatt, Prashant Shah, Treasurer, Sherri Arrietta, Clerk of Council

Mr. Buczek made a motion seconded by Mr. Stanard to approve the minutes of the Regular Council Meeting of April 12, 2017.

ROLL CALL:

AYES: Mr. Buczek, Mr. Fritz, Mr. Richman, Mr. Sherck, Mr. Stanard, Ms. Sturgis

NAYS: None

MOTION CARRIED

Resident Comments

Dick & Sybil McBride had a question regarding Ordinance 2017-11 and why the Village is limiting the ability to construct fences in their backyard and interfering with taxpayer's private property. Mr. McBride asked what happens to existing fences and would the Village consider a variance request. Mayor Renda informed him that any existing fences are grandfathered in. She explained that this rule has been in effect for a long time, and in fact, most fences in the Village are 50% open even if they may not look like it. There used to be a requirement that the side and back fences match each other, but when we had a major Zoning Code rewrite a few years ago, we believe it was inadvertently left out. Some residents have recently been putting in solid fences, and one in particular looked out of place in the Village. Mayor Renda stated that they are not trying to be intrusive, they are simply trying to protect the character that exists and fix something that was missed in the rewrite. She stated that a resident can request a variance for a higher fence or solid fence in the back and side yards.

Ms. Connie Sancetta asked about privacy in the backyards. It was explained that 50% open, does not mean that you can see through the fences easily; the boards are offset. Mr. Fritz stated that Planning Commission will listen with an open mind to variance requests. It was further explained that a split rail fence, picket fence, and board on board fence, to name a few, are all considered 50% open.

Ron Janke asked what change was being made regarding the cutting of trees in Ordinance 2017-19.

Mayor Renda explained that what inspired this is that people are leaving 10 feet of a tree trunk when they cut a tree down and one resident had wanted to carve out spaces in these trunks and plant plants/flowers in there which then becomes something that the neighbors complain about. She stated that there has to be a balance, so it was decided that cutting the tree stumps 12 inches above grade is the best way to handle this. Mr. Fritz stated that the intent is to leave the stump 12 inches above grade but they will be discussing an amendment to that ordinance tonight that will add language that says, "or as reasonable as can be determined," which will give the residents some leeway if they have a hardship based on size, diameter, or location of the tree.

Mr. Janke stated that he takes down several trees a year and he would hope that a hardship could be that his wife likes a 5-foot-high stump so she can put a flower pot on it; he stated that most of the tree stumps in his yard cannot be seen from the street. He does not see the need to cut every tree down to 12 inches above grade. Mr. Fritz stated that the Planning Commission can and will entertain variance requests if there is a hardship. Mayor Renda informed Mr. Janke that his existing tree stumps would be grandfathered in. Mr. Janke stated that he thinks Council is getting silly with these requirements. Mayor Renda explained that this was actually a request from neighbors who do see these large stumps that are being left behind. She told Mr. Janke that he had a great yard that is very wooded and that his neighbors cannot see it, but there are a lot of yards that are very visible. She stated that because of some homes in other areas (Lakewood, for example) where they have nailed plastic flowers to tree stumps and called it art. This becomes an issue because the Village would not be able to do anything about it once it's considered "art." Mr. Janke suggested that Council may want to consider a setback requirement; if a tree is far enough from the lot line, and especially the front lot line, perhaps it can be exempt. Mayor Renda explained that they have discussed this at length and decided it is best to have people come ask for a variance. Mr. Fritz stated that setbacks are different in different areas, so there are a lot different sight lines.

Public Hearing

Mayor Renda declared the Public Hearing open at 7:18pm.

At this time, Mrs. Lane administered the oath to residents wishing to speak at the public hearing.

Ordinance 2017-11 (Third Reading) - Introduced by Mr. Stanard

AN ORDINANCE AMENDING SECTION 1151.13(P)(2) "FENCES AND WALLS IN REAR YARDS," AND SECTION 1345.02, "FENCES AND WALLS IN REAR YARDS," OF THE CODIFIED ORDINANCES OF THE VILLAGE OF MORELAND HILLS, OHIO REGARDING OPEN FENCING IN REAR YARDS.

Mr. Stanard stated that the Planning Commission had a public hearing for this ordinance and it also has been read at three other Council meetings. The ordinance does not prohibit fences from back or side yards; the intent is to make the Code requirements for fences consistent for both back and side yards. Currently, they are required to be 50% open on the side and front yards and this ordinance will make that same requirement for back yard fences as well. As was previously discussed, there are a number of different variations of fences that can be considered 50% open.

Mr. Stanard made a motion seconded by Mr. Buczek to place Ordinance 2017-11 on Third Reading and for Passage of Ordinance 2017-11.

ROLL CALL:

AYES: Mr. Buczek, Mr. Fritz, Mr. Richman, Mr. Sherck, Mr. Stanard, Ms. Sturgis

NAYS: None

MOTION CARRIED

Ordinance 2017-12 (Third Reading) - Introduced by Mr. Buczek

AN ORDINANCE AMENDING SECTION 1183.09 “SIGNS IN RESIDENTIAL DISTRICTS,” AND SECTION 1325.08, “SUBDIVISION DEVELOPMENT SIGNS,” OF THE CODIFIED ORDINANCES OF THE VILLAGE OF MORELAND HILLS, OHIO TO REMOVE THE PROHIBITION ON ILLUMINATED SIGNS.

Mr. Buczek stated that this ordinance will allow for subdivision entrance signs to be illuminated. It does not pertain to any other type of signs; only subdivision signs.

Mr. Buczek made a motion seconded by Mr. Stanard to place Ordinance 2017-12 on Third Reading and for Passage of Ordinance 2017-12.

ROLL CALL:

AYES: Mr. Buczek, Mr. Fritz, Mr. Richman, Mr. Sherck, Mr. Stanard, Ms. Sturgis

NAYS: None

MOTION CARRIED

Ordinance 2017-13 (Third Reading) – Introduced by Mr. Stanard

AN ORDINANCE AMENDING CHAPTER 1151, “U-1 DWELLING HOUSE DISTRICT REGULATIONS” OF THE CODIFIED ORDINANCES OF THE VILLAGE OF MORELAND HILLS, OHIO TO PROHIBIT FRONT FACING, ATTACHED GARAGES AND PROVIDING AN EXCEPTION FOR ATTACHED GARAGES LOCATED ON WILTSHIRE ROAD, ELLENDALE ROAD, AND BERKELEY AVENUE.

Mr. Stanard stated that during the overhaul of the zoning code, it was mistakenly assumed that this requirement was inserted. It is currently acceptable for a new home to put in an attached garage facing the street but the Village determined that it is not aesthetically pleasing, in most cases. Garages that already exist, detached garages, and garages in the WEB area are exempt because of the narrowness of those lots. This ordinance had a public hearing at Planning Commission and has been read at three other Council meetings.

Mayor Renda gave background on the origin of this ordinance. She stated that the Village Architect, Dick Kawalek, who has lived in the Village and worked as our architectural reviewer for years, has requested this. Mr. Kawalek was arguing with a resident that wanted to put in a new home with a front facing garage on a street that has no other front facing garages. Because there is no requirement in the code, it is hard for Mr. Kawalek to enforce that. She stated that she realizes that it appears we are being picky, however, it is easier and more effective for us to ask people to come for a variance for special circumstances, as opposed to not having this aesthetic value that exists throughout the Village.

Mr. Stanard made a motion seconded by Ms. Sturgis to place Ordinance 2017-13 on Third Reading and for Passage of Ordinance 2017-13.

ROLL CALL:

AYES: Mr. Buczek, Mr. Fritz, Mr. Richman, Mr. Sherck, Mr. Stanard, Ms. Sturgis

NAYS: None

MOTION CARRIED

Ordinance 2017-14 (Third Reading) – Introduced by Mr. Buczek

AN ORDINANCE AMENDING SECTION 1173.07(F)(1), “USES PROHIBITED IN RIPARIAN SETBACKS,” OF THE CODIFIED ORDINANCES OF THE VILLAGE OF MORELAND HILLS TO PERMIT CONSTRUCTION OF SMALL STRUCTURES IN THE RIPARIAN SETBACK.

Mr. Buczek explained that a riparian setback is an area between land and a stream where the vegetation should not be disturbed so as not to cause erosion problems. This ordinance will allow a small building (shed) to be put in that area, but one which will not be a detriment to the riparian setback.

Ms. Connie Sancetta asked if riparian meant “on a slope” by definition and where the setback was. Mr. Buczek stated that it is not on a slope and the setback is from the bank back.

Mr. Buczek made a motion seconded by Mr. Fritz to place Ordinance 2017-14 on Third Reading and for Passage of Ordinance 2017-14.

ROLL CALL:

AYES: Mr. Buczek, Mr. Fritz, Mr. Richman, Mr. Sherck, Mr. Stanard, Ms. Sturgis

NAYS: None

MOTION CARRIED

Ordinance 2017-15 (Third Reading) Introduced by Mr. Stanard

AN ORDINANCE AMENDING SECTION 1151.07(F), “SCHEDULE 1151.07 MINIMUM SETBACK REQUIREMENTS,” OF THE CODIFIED ORDINANCES OF THE VILLAGE OF MORELAND HILLS.

Mr. Stanard stated that “Footnote C” attempted to describe a situation where “the larger the mass of the home structure, the further the setback should be from the neighbor,” such that a bigger home should be further away from its neighboring property. This has created a problem with almost every application as far as how to go about measuring the mass and the ratio of mass to the setback. This ordinance will clarify the means of measuring the structure to determine the setback and size of the structure. Mayor Renda stated that zoning ordinances are some of the most picky and difficult things that we do, but also some of the most important. They protect the character of the village. What the Village looks like today, is the result of zoning ordinances that were passed a long time ago. Every once in a while, we review these ordinances to see what still works, what

needs to be updated, and what needs to be eliminated in an effort to try to have people respect the aesthetic of the Village that we value

Mr. Stanard made a motion seconded by Mr. Buczek to place Ordinance 2017-15 on Third Reading and for Passage of Ordinance 2017-15.

ROLL CALL:

AYES: Mr. Buczek, Mr. Fritz, Mr. Richman, Mr. Sherck, Mr. Stanard, Ms. Sturgis

NAYS: None

MOTION CARRIED

Ordinance 2017-16 (Third Reading) – Introduced by Mr. Buczek

AN ORDINANCE AMENDING CERTAIN SECTIONS OF THE CODIFIED ORDINANCES OF THE VILLAGE OF MORELAND HILLS TO ESTABLISH A MAXIMUM GRADIENT FOR DRIVEWAYS.

Mr. Buczek stated that this ordinance will establish a maximum gradient of 10% for driveways. Currently, there is nothing in the code regarding maximum gradients. The idea behind it is to allow for emergency vehicles to be able to get through if needed.

Mr. Buczek made a motion seconded by Mr. Richman to place Ordinance 2017-16 on Third Reading and for Passage of Ordinance 2017-16.

ROLL CALL:

AYES: Mr. Buczek, Mr. Fritz, Mr. Richman, Mr. Sherck, Mr. Stanard, Ms. Sturgis

NAYS: None

MOTION CARRIED

Ordinance 2017-17 (Third Reading) – Introduced by Mr. Stanard

AN ORDINANCE AMENDING CERTAIN SECTIONS OF THE CODIFIED ORDINANCES OF THE VILLAGE OF MORELAND HILLS TO ESTABLISH SETBACKS AND OTHER REGULATIONS FOR AIR CONDITIONING AND AIR HANDLING EQUIPMENT AND POOL EQUIPMENT.

Mr. Stanard stated that this ordinance has the same history as the other ordinances previously spoken about tonight. Currently, we have regulations for power generators and their location proximate to the neighbors such that it does not disturb them when it operates. This was an improvement to the code and will make it consistent by adding air handling equipment, air conditioners, and pool equipment so that the same requirements will apply to them that apply to generators. There is a 35-foot setback from any side lot and all other regulations relative to mitigating negative impacts, such as noise, would apply to all three pieces of equipment. Existing systems would be exempt as would replacement systems on the same footprint.

Mr. Stanard made a motion seconded by Mr. Buczek to place Ordinance 2017-17 on Third Reading and for Passage of Ordinance 2017-17.

ROLL CALL:

AYES: Mr. Buczek, Mr. Fritz, Mr. Richman, Mr. Sherck, Mr. Stanard, Ms. Sturgis

NAYS: None

MOTION CARRIED

Ordinance 2017-18 (Third Reading) – Introduced by Mr. Richman

AN ORDINANCE AMENDING SECTION 1149.01 “ESTABLISHMENT OF DISTRICTS,” OF THE CODIFIED ORDINANCES OF THE VILLAGE OF MORELAND HILLS, OHIO.

Mr. Richman stated that this will add the new U-5 Chagrin Northwest Residential and Planned Development Conservation District (that was voted on by residents last November) to the existing ordinance which spells out which zoning districts we have in Moreland Hills.

Mr. Richman made a motion seconded by Fritz to place Ordinance 2017-18 on Third Reading and for Passage of Ordinance 2017-18.

ROLL CALL:

AYES: Mr. Buczek, Mr. Fritz, Mr. Richman, Mr. Sherck, Mr. Stanard, Ms. Sturgis

NAYS: None

MOTION CARRIED

Ordinance 2017-19 (Third Reading) – Introduced by Mr. Fritz

AN ORDINANCE AMENDING SECTION 1173.05, “REGULATIONS FOR THE CUTTING OF TREES,” AND CHAPTER 1353, “CUTTING OF TREES,” OF THE CODIFIED ORDINANCES OF THE VILLAGE OF MORELAND HILLS.

Mr. Fritz stated that this ordinance refers to the cutting of trees. It first started with the requirement of grinding the stump, but the Planning Commission decided that was a hardship and came up with the requirement to cut the trees 12 inches above grade. He stated that Mr. Richman had some more input during this process which prompted more discussion and suggestions at the last Committee of the Whole meeting. The outcome of that was an amendment to this ordinance which is to add the language “or as close thereto as is reasonably possible,” after “each tree shall be cut within 12 inches of grade.” This is found in three (3) sections in the ordinance and will be added to those same three sections. Mr. Fritz stated that our Building Commissioner Mr. Kowalczyk agreed that it would give him leeway based on topography, or other issues. He stated that all existing tree stumps are exempt.

Mr. Fritz made a motion seconded by Mr. Stanard to place Ordinance 2017-19 on Third Reading and for Passage of Ordinance 2017-19, as amended.

ROLL CALL:

AYES: Mr. Buczek, Mr. Fritz, Mr. Richman, Mr. Sherck, Mr. Stanard, Ms. Sturgis

NAYS: None

MOTION CARRIED

Mayor Renda asked if there was anyone wishing to speak regarding these ordinances; there being none, she declared the Public Hearing closed at 7:41pm.

Reports from the Mayor and Other Municipal Officials

Mayor

Mayor Renda reported that she attended a soft opening for Cru Uncorked last night. It was an incredible experience and the food was beyond delicious. Their attention to detail is amazing; it is as beautiful inside as it is outside.

Finance

Mr. Shah did not have a report.

Police

Chief Wyant stated that he is requesting the purchase of a vehicle, which is on the agenda tonight. He stated that the vehicle that it will be replacing (#4932) is out of warranty, therefore any repairs that are being made to this vehicle to keep it running, is costing the Village.

Service

Mr. DeWater reported that they had a very large turnout for Greening the Hills on Saturday; almost 10,000 pounds of paper was shredded. The Village hosted a rain barrel workshop last night. Out of the 28 barrels that were brought, 27 were purchased. Residents from throughout Cuyahoga County, as well as Moreland Hills residents, were in attendance.

Engineer

Mr. Filarski reported that the project on SOM Center Road has started. They will be putting the top course down in 4 weeks. The Pavement program will be starting within 2 weeks on local roads.

Law

Mrs. Lane informed Council that the Law Department hours on the retainer through March are 138.9. She also wanted to remind Council that the Medical Marijuana Moratorium will expire in June, so there will probably legislation to extend it on next months agenda.

REPORTS OF COMMITTEES

BZA

Mr. Stanard reported that there were no items on the agenda for BZA this month.

Planning Commission

Mr. Stanard reported that the Planning Commission met on May 1, 2017. Mrs. Cooper had to recuse herself because she was on the agenda requesting to reconstruct a sunroom at her house, which was approved. There was a Public Hearing to discuss Ordinance 2017-21 regarding lighting of outdoor sport courts and Ordinance 2017-22 regarding text amendments to the zoning code for the WEB area, both of which are also on the agenda tonight. He stated that they also briefly discussed the Omni project and expect them to come before Planning in the month of June. The next meeting is scheduled for June 5, 2017.

Roads & Safety Committee

Mr. Richman reported that the Roads & Safety Committee did not meet in May. The next scheduled meeting is June 6, 2017.

Facilities Committee

Ms. Sturgis reported that the Facilities Committee did not meet in May. The next meeting is scheduled for June 6, 2017.

ORDINANCES AND RESOLUTIONS

Ordinance 2017-21 - Introduced by Mr. Fritz

AN ORDINANCE AMENDING CERTAIN PROVISIONS OF THE PLANNING AND ZONING CODE AND THE BUILDING CODE REGARDING THE LIGHTING OF OUTDOOR SPORTS COURTS.

Mr. Fritz stated that the Planning Commission discussed this at their meeting, as Mr. Stanard reported on earlier. Mr. Fritz asked Mr. Stanard to elaborate more about what occurred at Planning. Mr. Stanard explained that it sparked a robust discussion about light pollution, up lighting, down lighting, time of day the court would be used, etc. It became apparent that after a lengthy discussion, the Planning Commission felt that more information was needed regarding the technical aspects of lighting. It was decided to invite a lighting expert to come to the next Planning Commission meeting.

Mr. Fritz made a motion seconded by Mr. Buczek to place Ordinance 2017-21 on Second Reading.

Mr. Richman stated that he wonders if the ordinance can be put together so that it truly will not be a nuisance to a neighbor or hindrance to sell the property. He stated that his other concern would be about time of usage, especially for people with younger children. Mayor Renda stated that noise is a nuisance, and there are no time limits set forth. Mr. Fritz stated that the only such

ordinance has to do with commercial equipment usage (landscapers, etc.). Mr. Richman stated that in his mind, 11:00pm would be a good time to end a party on an occasional basis so as not to disturb neighbors.

Mrs. Lane added that it was also discussed at Planning how close a sport court can be built to a side property line. The ordinance requires 30 feet so it does appear that there would be space to provide ample screening.

Mayor Renda stated that in terms of putting limits on noise and worrying about it being bothersome, maybe we should not allow residents to play basketball in their driveway after 8:00pm. Mr. Stanard stated while he assumes Mayor Renda is being facetious, he stated that light and noise are two different things, but that the Planning Commission did get muddled as to what is being required and what is appropriate so that it is not too burdensome, but yet able to protect the concerns of others that may consider that a nuisance.

Mrs. Lane stated the general requirement of the noise ordinance (Chapter 509.11) is as follows: “No person shall create, or allow, permit or suffer the creation of a loud, disturbing and unnecessary noise in the Municipality.” It goes on further to give examples: horns, radios, loudspeakers, exhausts, shouting. It also specifies requirements for heavy equipment.

ROLL CALL:

AYES: Mr. Buczek, Mr. Fritz, Mr. Richman, Mr. Sherck, Mr. Stanard, Ms. Sturgis

NAYS: None

MOTION CARRIED

Ordinance 2017-22 - Introduced by Mr. Stanard

AN ORDINANCE ENACTING NEW SECTION 1151.21, “SPECIAL PROVISIONS FOR WILTSHIRE, ELLENDALE, AND BERKELEY,” AND AMENDING SECTION 1151.07(F), “MINIMUM SETBACK REQUIREMENTS,” OF THE CODIFIED ORDINANCES OF THE VILLAGE OF MORELAND HILLS REGARDING NONCONFORMING LOT CONDITIONS.

Mr. Stanard stated that this recommendation came from the Master Plan Committee last year. This ordinance will help to maintain the character of the community. In the WEB area, people are purchasing 2 parcels and putting up one large home which changes the character of that neighborhood. It was designed to stop building massing in that area and allow redevelopment and to encourage consolidation into larger lots with less hindrance to new owners to have to apply for several variances to be able to comply with the code.

Mr. Stanard made a motion seconded by Mr. Buczek to place Ordinance 2017-22 on Second Reading.

ROLL CALL:

AYES: Mr. Buczek, Mr. Fritz, Mr. Richman, Mr. Sherck, Mr. Stanard, Ms. Sturgis

NAYS: None

MOTION CARRIED

Ordinance 2017-30 - Introduced by Mr. Fritz

AN ORDINANCE AMENDING CHAPTER 1171, "GENERAL USE REGULATIONS" OF THE PLANNING AND ZONING CODE OF THE VILLAGE OF MORELAND HILLS BY ENACTING NEW SECTION 1171.25 "PROHIBITION OF MEDICAL MARIJUANA ENTITIES."

Mr. Fritz stated that there was lengthy discussion at Committee of the Whole about this ordinance. It will prohibit the cultivation, dispensing and processing of medical marijuana in the Village. Testing labs cannot be excluded as long as they are sanctioned by the state.

Mr. Fritz made a motion seconded by Mr. Buczek to place Ordinance 2017-30 on First Reading and refer it to Planning Commission.

ROLL CALL:

AYES: Mr. Buczek, Mr. Fritz, Mr. Richman, Mr. Sherck, Mr. Stanard, Ms. Sturgis

NAYS: None

MOTION CARRIED

Ordinance 2017-31 - Introduced by Mr. Richman

AN ORDINANCE AUTHORIZING THE MAYOR TO PURCHASE A 2017 CHEVROLET TAHOE VEHICLE FOR THE POLICE DEPARTMENT FROM BYERS CHEVROLET THROUGH THE STATE OF OHIO DEPARTMENT OF ADMINISTRATIVE SERVICE COOPERATIVE PURCHASING PROGRAM; WAIVING COMPETITIVE BIDDING AND DECLARING AN EMERGENCY.

Mr. Richman stated this ordinance authorizes the Mayor to purchase a new vehicle to replace the police vehicle that Chief Wyant informed us about earlier tonight. The cost is not to exceed \$34,532 and competitive bidding will be waived because it will be purchased through the Ohio Department of Administrative Service Cooperative Purchasing Program where the bidding is done at the state level. This is more cost effect to the Village and allows us to get it in a timely manner.

Mr. Richman made a motion seconded by Mr. Buczek to suspend the rules for Ordinance 2017-31.

ROLL CALL:

AYES: Mr. Buczek, Mr. Fritz, Mr. Richman, Mr. Sherck, Mr. Stanard, Ms. Sturgis

NAYS: None

MOTION CARRIED

Mr. Richman made a motion seconded by Mr. Buczek for passage of Ordinance 2017-31.

ROLL CALL:

AYES: Mr. Buczek, Mr. Fritz, Mr. Richman, Mr. Sherck, Mr. Stanard, Ms. Sturgis

NAYS: None

MOTION CARRIED

Ordinance 2017-32 - Introduced by Mr. Richman

AN ORDINANCE AMENDING ORDINANCE NO. 2013-14 WHICH ESTABLISHED AN EQUIPMENT REPLACEMENT FUND IN THE ACCOUNTS OF THE VILLAGE AND DECLARING AN EMERGENCY.

Mr. Richman stated that this ordinance amends the original ordinance implementing the fund, in order to bring it into compliance with ORC 5705.13 which requires that four specific items be identified in the fund.

Mr. Richman made a motion seconded by Mr. Buczek to suspend the rules for Ordinance 2017-32.

ROLL CALL:

AYES: Mr. Buczek, Mr. Fritz, Mr. Richman, Mr. Sherck, Mr. Stanard, Ms. Sturgis

NAYS: None

MOTION CARRIED

Mr. Richman made a motion seconded by Mr. Buczek for passage of Ordinance 2017-32.

ROLL CALL:

AYES: Mr. Buczek, Mr. Fritz, Mr. Richman, Mr. Sherck, Mr. Stanard, Ms. Sturgis

NAYS: None

MOTION CARRIED

Miscellaneous

Mr. Fritz stated that relative to assigning ordinances, he has attempted to spread the responsibility out since Mr. Buczek and Mr. Stanard have been overburdened on the last few agendas with all the zoning ordinances. However, he feels that it will be better to keep them limited to committee assignments, and stated that he feels it will work better that way. He stated that he would appreciate it if Council would email him back to let him know that they received his email because it will make his job a little easier. Mr. Fritz stated that he would really appreciate it if they could help him out and feels that they all need to make sure they are prepared for the meetings.

Mr. Fritz informed Council that he feels they did good job tonight having more productive debates on items that are on second reading, as was discussed at Committee of the Whole. He informed Council to please contact him anytime with any questions or concerns.

-Fee Schedule Amendment

Mr. Stanard stated that there is a discrepancy between the Building Department fee schedule and the permit application form regarding driveways. The application has it listed as “driveway new/resurface/sealcoat,” and has a cost of \$75 + base road use fee. The fee schedules (both residential and non-residential) specifies these fees for “New or Replacement” driveways and does not use the terms “resurface” or “sealcoat.” Since “resurfacing” does require a permit, both fee schedules need to be amended to add the word “resurface,” so that the fee schedule reads:

- Asphalt Driveway (New, Replacement, **or Resurface**)
- Concrete Driveway, Sidewalk, or Apron (New, Replacement, **or Resurface**)

Sealcoating does not require a permit because it is not required to be inspected, however, if a tanker truck is used to apply the sealcoat (which isn't always the case), then a base road use fee is required to be charged. The fee schedules should have a new line item that reads:

- **Sealcoating (base road use fee required for application by a tanker truck)**

Mr. Stanard made a motion seconded by Mr. Buczek to amend the fee schedules to clarify driveway resurfacing and sealcoating more clearly and make them in line with the permit application form (see attached).

ROLL CALL:

AYES: Mr. Buczek, Mr. Fritz, Mr. Richman, Mr. Sherck, Mr. Stanard, Ms. Sturgis

NAYS: None

MOTION CARRIED

Mr. Buczek made a motion seconded by Mr. Stanard to adjourn the Regular Council Meeting at 8:16pm.

ROLL CALL:

AYES: Mr. Buczek, Mr. Fritz, Mr. Richman, Mr. Sherck, Mr. Stanard, Ms. Sturgis

NAYS: None

MOTION CARRIED

The meeting was adjourned at 8:16pm.

Attest:

Sherri Arrietta, Clerk of Council

Dan Fritz, Council President