

**City of Broadview Heights
Work Session Meeting Minutes
September 27, 2021**

Mr. Boldt called the **WORK SESSION** meeting to order at 7:35 p.m.

Mr. Stelmaschuk led the Pledge of Allegiance.

ROLL CALL

MEMBERS PRESENT: Mr. Robert Boldt (Ward 4 Councilor, President)
Mr. Thomas Pavlica (Ward 1 Councilor)
Mr. Brian Wolf (Ward 2 Councilor)
Mr. George Stelmaschuk (Ward 3 Councilor, President Pro-Tem)
Mr. Glenn Goodwin (Councilor At-Large)
Mr. Joe Price (Councilor At-Large)

MEMBER ABSENT: Ms. Jennifer Mahnic (Councilor At-Large)

OFFICER(S) PRESENT: Mr. Joe Grandinetti (Asst. Law Director)
Mr. Gary Yelenosky (City Engineer)
Mr. Dave Pfaff (Finance Director)
Mr. Joe Mandato (Chief Building Official)
Mrs. Helen Dunlap (Clerk of Council)

OFFICER(S) ABSENT: Mr. Samuel J. Alai (Mayor)
Mr. Vince Ruffa (Law Director)
Chief Steven Raiff (Police Chief)
Chief Jeffrey Hajek (Fire Chief)
Ms. Amanda Hutcheson (Parks & Recreation Director)
Mrs. Amy Jo Washabaugh (Human Service Director)
Mr. David Schroedel (Service Director)

1. Discussion from Finance Department. Mr. Pfaff

Mr. Pfaff stated that they just discussed these three items in the Finance Committee meeting and six council members were there. He asked if there were any additional questions.

Mr. Stelmaschuk stated that they all heard what he said so no additional questions or comments.

a. Amend Appropriations

b. Transfers to Debt Service

c. Requesting County Fiscal Officer to Advance Tax Levies

2. Discussion from Council.

Mr. Boldt added the **egress for developments**. Mr. Boldt stated that talking with Mayor Alai and Mr. Mandato, they are trying to formulate a way to get rid of the one cul-de-sac streets and have a little connectivity in the city.

Mr. Mandato stated that they are just discussing whether you would have to have a second egress. It cannot be a loop road back into the same egress. You would have to be connected to an existing development. This is something that they wanted to put on before the moratorium is up so it is definitely something that the Mayor, Mr. Yelenosky and he are going to be discussing and getting something over to Mr. Ruffa and council so once they discuss and see where it goes.

Mr. Boldt stated that he thinks that everybody understands what they are after here, he thinks just the wording, they would like the Mayor and Mr. Yelenosky and Mr. Mandato to come up with and in fact let's have a 7:30 p.m. Work Session next week and then if they come up with the writing on it and get that off to Mr. Ruffa and that way they can vote on it next week.

Mr. Mandato stated they will do that. They just needed time to get with Mr. Yelenosky and the Mayor on that. They just did get a plan in from someone who wants to put in a bowling alley lot type development off of Avery. We want to get this enforced before we start getting things in before the moratorium comes off.

Mr. Boldt stated that the moratorium should be up October 16th. He thinks there are only two or three different items we want to hit and one of them is the egress, also the buffer which they will vote on and then the Mayor made mention of something and he will see if he still wants to do it or not. This is really also for the safety and he doesn't think that we have ever mentioned this really, the connectivity between neighborhoods and all that makes it easier for the firemen to get to your house, also the police department which is kind of imperative. There is only one way in and out when you have one street.

Mr. Goodwin stated and if something happens like it did on Michael's Lane, you have one storm at the top of the street and everybody was cut off. They couldn't get out, people couldn't get to work, and ambulances certainly couldn't have made it down there if there was a problem.

Mr. Pavlica stated that the problem that he thinks that you would create though is sometimes you would create a cut through for people to have a shortcut to another street and that could be what could be created by eliminating this type of one way street only.

Mr. Boldt stated that there is only so much buildable area left and there is always going to be a cut through and all that but what outweighs the other. Something that potentially could happen or the safety.

Mr. Pavlica stated that when you have a cut through, people are cutting through developments to get to another street or to their area where they want to be, it could be a safety issue if these people are speeding down the side streets.

Mr. Boldt stated that you could speed on any street.

Mr. Wolf stated that on the other hand it could be a reroute for an incident on a main street to reroute them around it.

Mr. Boldt stated right, so if there is something that goes wrong on the main street it gives us the opportunity.

Mr. Pavlica stated if it is a dead end street with a cul-de-sac in it, the people know the people around that street. They are not speeding there because all the people there are their neighbors. He would say that the chances be less.

Mr. Goodwin stated that what happens in his development, you can tell every kid that got their first license and they say "Bob has his first license" or "Fred has his license and there he is taking off like a rocket" and everybody knows who it is.

Mr. Boldt stated that he understands what Mr. Pavlica is trying to say. It is something that they have to look at and that should be something even Planning Commission is looking at when somebody comes to them that that doesn't happen but he doesn't know if the reality is if you could ever stop that, people speeding on the street. If anybody has anything that they want to add about this legislation of the two egresses, he thinks that is pretty much the majority of the legislation is going to be but please let Mr. Mandato, the Mayor or Mr. Yelenosky know so when they are having their discussion and Mr. Ruffa is writing it out, if it is a good idea, they will put it in.

a. Buffer from residential to residential

Mr. Boldt stated that they talked about buffers a few weeks ago and they stopped that business. They didn't talk about residential. If you would have asked him a year ago, two years ago he may have thought differently on this. He kind of did and we are talking about other people's properties and why should they have to change compared to the resident who is here now. He had a discussion with a resident at the Planning Commission so he would like to thank her for asking him to relook at this situation so he started thinking about it is, what is good and bad about this legislation and the bad would be if you are considering if we are making other people do something that we didn't have to do

ourselves. That is kind of an issue. That is the biggest thing. If we are going to make other people do stuff with their property that we didn't have to do ourselves and then he asked Mrs. Dunlap to go back and look at all the developments that came through the Planning Commission for the past few years. The last one that came through was Harris Road and 30% of the development they asked for a buffer. The west side of it is on a hill so there is no need for a buffer. Before that in 2020 we have the Luxury Homes, he asked for a 15' buffer that went through the Planning Commission with 15' buffer at the end. Before that was of course the Drees Homes and like he said that was the west side. In August of 2020 they have The Villas at City Center and that was submitted with a buffer. Before that was Edgerton Commons and they came out with their first plan and they went back and they put a buffer near the highway and they also changed three of the lots so that they would have more of a buffer from the resident that was behind there complaining. Before that we had Pin Oaks and that was in December 2018 and we made them put up a fence. Before that was Braemer Farms, October 2017 and we made them put a buffer in. Before that was Rocky's Court and we made them put in Christmas trees. Not only did we make them put in Christmas trees, three years ago he thinks some of those died and the developer put them back up. So when you think about it we have been doing this for the last 10 years. We are not asking for anything, we are just putting it in legislation. Instead of having the residents come every time there is a new development, complaining and council going back and forth, they should probably just put it in legislation and let's talk about that. Let's talk about the developer and the legislation. Right now in the past 10 years they came in with a plan and we made them alter their plan. That adds a financial burden on them when they submit a plan and then you have to change it to put in buffers. They had to go and rewrite it, they had to go redraw it, and they may lose a lot. If we have it on the books as legislation they will know when they come forward that they need the buffer so if anything it is going to be a cost savings to them. Then the final one, this is all about the branding of Broadview Heights. He thinks that everybody up here has woods behind their house. Someone put those in and someone made them keep those woods. Why don't we just continue doing this because it is going to add value to each new house which is going to retain the value that we all enjoy right now?

Mr. Mandato asked if we are just doing this on new developments going in.

Mr. Boldt stated yes.

Mr. Mandato stated so nothing, so if someone comes in for a shed permit we are not looking for this 25 feet.

Mr. Boldt stated no.

Mr. Price stated that a development is defined is 3 homes or more.

Mr. Boldt stated correct.

Mr. Price stated that he doesn't want to get into the guy that is into that one parcel on Pointe Drive, that one open parcel and now he would have to put in these big buffers on either side of his small residential lot.

Mr. Boldt stated like he said, we all enjoy it. It is pretty much out there and we have been fighting for it for 10 years. Nobody has voted no on this.

Mr. Price stated that the only difference is the Planning Commission has been doing it. You are right but then they custom it to every parcel but for instance now Rocky's Court couldn't be built and maybe it shouldn't be he doesn't know but it couldn't be built because it wouldn't meet those buffer zones.

Mr. Boldt stated that the biggest thing is, it is not like somebody submits the plan and they go through all the work and hit every committee and then they get to council and council changes it on them. This way when they come forward they know that it has to be in the plan period.

Mr. Goodwin asked to bring up one point, we never want to step on Planning Commission's toes. Those people volunteer and do a great service and have been pretty diligent recently certainly especially, but the thing is we maybe we don't step in residential anyway like on the BZA issues, in this case maybe we should have anything that has to do with a buffer zone potentially referred back to council. Just as a safety net, can we do that?

Mr. Boldt stated for them to discuss that long term. Let's get through whether we have a buffer on legislation. He mentioned the door on that, he just wants to concentrate on council putting it in and then we will talk about and he will talk with Planning Commission to see because Planning Commission believe it or not talks about council is letting them swing in the wind on this because you have no legislation so maybe by having this legislation that won't occur. They will know the intent and we will go from there.

Mr. Pavlica stated that he thinks that it is a great idea. This is something that they talked about in the past. They did talk about commercial property and now it is residential property and he thinks that it brings in value to the existing homeowners and the new homeowners that will be building. He thinks that it has, he would like to see a little bit more than 20' but 20' he believes is good. Sometimes even the builder will come in and do 50' if he is not mistaken. He thinks that it is a great idea to establish that so that they know that when they come to us with their plans that they already incorporate this buffer into their drawings.

Mr. Boldt stated also GPZ. It will come first so if we want to expand it from there we have that opportunity to do that.

Mr. Boldt stated that they are asking for 20' buffer between new residential developments of more than three parcels and they will vote on that next week.

b. Residential Moratorium ending October 16, 2021.

Mr. Boldt stated that they talked about the moratorium and that is going to end in the middle of October and we want to make sure that the last two pieces are voted on prior to that and if we have anything or any councilman wants us to add anything before the moratorium is over, please let him know.

3. Discussion from Engineering Department. Mr. Yelenosky**a. DiGioia Suburban Excavating, LLC Change Order No. 27 for Rt. 82 Widening Project**

Mr. Yelenosky stated that the only thing that he has is the final change order for Route 82. The main thing is decreasing the end date to October 1st.

COUNCIL OPEN TO THE RESIDENTS

None this evening.

COUNCIL DISCUSSION

Mr. Boldt stated that he sees that the disposable cans has hit the internet. He has received calls from everything from you are monitoring what garbage I am taking out because of the chip. People in MacIntosh, a few do not want it, it is too big. He thinks that the administration should look at if somebody wants to give up their right to receiving one, give them that opportunity. He will leave that in the Mayor's and the administrations hands. He has already sent Mrs. Dunlap an email which she will read into the record next week but if anybody needs some reading material he can start sending them to them.

Mr. Wolf stated that in regards to the chips, once someone puts something in the right of way it is public so the police don't even need a warrant to go through that garbage. Having a chip, they can opt out. Tomorrow night there is a meet the candidates, there are three people running for two spots for the School Board. It will be at 7:00 p.m. at the middle school. It will be recorded so you can watch it later.

Mr. Price stated that going back to the recycling cans and one of the complaints that he also received was that they were too large and he explained to the resident that it is a mid-sized can so to him he will fill it every week and for some people if they are not filling it they may not be recycling correctly.

Mr. Boldt stated that he talked to this person also on the phone because he called him, he did mention today that he talked to a few council people, but like he told him, one of the reasons that he was okay with it is when we start the automation that will be an appropriate can to use and we don't have to change or charge our residents for them.

Mr. Price stated that he may have spoken to him early on and explained to him that the majority of it, most of it was covered by a grant. It was not like the taxpayers were laying out an additional amount of money for them.

Mr. Goodwin stated that another point is that they don't have to use it. He told him that if he just wants to put his bags out there is nothing, they will still take his recyclables.

Mr. Price stated that he is looking forward to let Rumpke trash somebody else's recycling can other than his. It is in pieces right now. He will accept his. The only other thing that he wanted to share, he asked if there was a BZA meeting next week. He thought that there was one but rest assured that if there is one he will be there.

Mr. Pavlica stated that as far as the recycling cans go, the reason that we have to go with that size is that was the grant that we received otherwise because he asked about smaller cans. Secondly if we ever go to automation you are not going to be able to put a bag out there anymore. You are going to have to use a recyclable trash can. It is something in the future if we go to automation totally they are going to have to use.

Mr. Boldt stated that some of the older residents in MacIntosh over the big email, first he doesn't think that they are getting all the information because it is money that we spent where we could spend it somewhere else so he had to explain the grant, but Mr. Pavlica brings up a great point about the automation, if we turned around and said alright you don't need to take the can if you don't want it and we decide or Rumpke decides even without a cost increase goes to automation in two years, are they going to knock on the city's door in two years and say they want the can. We should talk about this with Mr. Schroedel before we make any decisions and roll it out and that way we are all on the same page of the rules and regulations during the roll out.

Mr. Pavlica stated what if they want themselves to purchase a smaller can at their cost which isn't cheap.

Mr. Boldt stated that he gets it. Some issues that they have to review.

Mr. Mandato stated that there is no BZA next Wednesday.

Mr. Boldt stated that there is also a Town Hall Meeting with State Representative Phil Robinson on September 30th, from 6:30 – 8:00 p.m. here in Council Chambers.

ADJOURN

Mr. Boldt stated that with no further business to come before council, this meeting is adjourned.

The time was 7:56 p.m.


HELEN DUNLAP, CLERK OF COUNCIL


ROBERT BOLDT, PRESIDENT OF COUNCIL