



Council Work Session Minutes May 8, 2023

PRESENT: Council President Rounds, Councilmen Haase, Stavole, Councilwomen Maruschak, DeSouza, Durichko and Walsh; Clerk of Council Allen.

ADMINISTRATION PRESENT: Mayor Gallo, Service Director Sepik, Finance Director Iaconis, Recreation Director Bacci

The meeting was called to order by Council President Rounds at 6:22 p.m.

Council President Rounds this Work Session is a continuation of the discussion on the proposed parking of commercial vehicles amendment. We are still looking at that initial draft proposed language that we've moved away from in a number of our discussions already. At the last Work Session, I reached out to Mayor Gallo and asked if Director Sepik and Renee Overstreet, Public Works Coordinator could put together the slideshow that was with your council packets so that we could view the different trucks that we are talking about here. With a description of each slide, page one consisting of a semi-trailer and a flatbed truck and I'm going to assume that we're in agreement that those are items that we would not like to see parked in our residential driveways. Page two includes a Stake Bed truck, box truck, flatbed truck, keep in mind the dimensions listed below are averages. I believe that those in top row do not belong in our residential driveways. Below those on the same page we have a truck with a cap, snowplow I see no problem with those. Page three introduces dump trucks and I'm learning that dump trucks tend to come in size variations but we can use 1ton, 2ton, and so on. It's difficult to tell what size each one is by the photographs but when we're looking at dump trucks, I'm thinking just leading the conversation to see where we land, but I'm thinking a 1ton dump truck might be okay, I'd like to talk about the 2ton being too big in our residential neighborhood driveways. Moving on to page 4 you'll see a truck with a cap, truck with a rack, look fine with me, a step van which is looking more invasive and the bottom row I think the maintenance utility truck looks okay but looks long, the work truck and utility truck is quite large on the truck part, but the back of it I don't find it to be as troublesome as some of the other vehicles. The last page, the cargo van looks fine, transit van looks to be large, but I don't have an issue with transit vans and the work van with ladder rack, I personally don't have issue with it but when you add multiple ladders on the top, it starts to look like a lot. Those are our initial pictures that we had to look at with titles and classifications. The second document "classifications" we start to look light duty, medium, or heavy duty also weight limits and then different examples of what the different trucks were called in those classifications. That is not all inclusive, because of all the different truck styles and everything out there. So now looking at these, the class 1, 2a, 2b probably no issues there but when you get to class 3, I'll begin by saying no problem but we are starting to get bigger and wider. Class 4 medium duty, I think we start to note where do we want to go with those, these are 14 – 16,000 lbs. but are beginning to look like they are large, tall and not what we would like to see in the neighborhoods. Class 5 and 6 medium duty, I think we are seeing large vehicles and then class 7 and 8 heavy duty for sure. That's my summary of both packets and these are my initial thoughts on some of these to help move the conversation along. I'd like to add, that my own thoughts that I've been tossing around are if I lived next door to one of these vehicles how would I feel about looking out my window or I'm backing out of my driveway and I can't see around a vehicle. Keeping in mind the esthetics of the residential neighborhoods, if I go to sell my house and a large vehicle is next door am I going to have a harder time selling or if I was moving to Parma Heights and looking at houses and I saw a class 6 vehicle in someone's

driveway, would I be less likely to want to purchase a house because of the esthetics? I'll open the floor for other comments at this time. Councilwoman DeSouza....

Councilwoman DeSouza added that she is comfortable up to Class 2b. Class 3 I think those are getting big especially for the short driveways that that the attached garage so there's no place and it's out there.

Councilwoman Maruschak added that she would go higher than that and she starts to get hesitant around Class 5. Class 4's include dump trucks and I think we should consider the tonnage. Class 5 and higher should not be in our residential area but I still need to work with Class 4.

Councilwoman DeSouza suggested entertaining something behind the setback because the Class 4's in the driveways seem too large.

Council President Rounds added that his concern about the setback is some people have setbacks and some people don't, just due to the property layout. I don't feel like we can say if you have a setback, you can do this but if you don't, you're out of luck. I think we have to draw the line for all and setback or not, this is the classification that we are saying is permitted or not permitted.

Councilwoman DeSouza responded then I would go back to Class 2b, I think having anything larger on Appleton or something will be very intrusive.

Councilman Stavole added that you put a plow on a 2500 and you have folks that won't be able to plow in Parma Heights. Class 2b is the size that we're talking about, mine is a 2500. I would concede Class 8 and Class 7 but there's too many variations on these pictures of these vehicles that based on the jpeg, it looks bigger or it looks smaller so it's difficult to go with what class it is based on the picture. I think we need to look more at the weight class on some of this stuff. Class 7 and 8 are 26,000 lbs. – 33,000 lbs. That's a semi, I get that nobody wants a semi next door to them. Most of the calls that I received; everyone understands that. But the Class 2b is less than what we are talking about, I think we need to look more at weight. The box truck is a Class 5 medium duty so we're looking at pictures but it's not representing what the vehicle is. The Class 4 might be bigger even though it weighs less. I think we need to be more specific to what the vehicle is even if it comes down to listing it. You can't ask a section of the population to remove their trucks from the city. There has to be a balance to what we're doing with the residents that are trying to live and work in Parma Heights, and people that don't want the esthetic of a truck. How many complaints are we getting on this? I think that's important information is it one area of the city that's getting complaints, is it the entire city that's getting complaints? I'd like to see the list of the complaints and the address's that their complaining about so I can go see what the problem is. I'm not seeing any in my neighborhood.

Council President Rounds responded that we're not intentionally trying to push anybody out of the city, tell them they can't park here therefore they can't live here because that's their situation.

Councilman Stavole added that I know we're saying that but that's not what's coming across.

Council President Rounds added because I don't think we're there yet. You just said Class 7 and Class 8, there's a start and in my view whether we've gotten 10 or 100 complaints, I respect that you're asking for them but what tends to happen is if you see one then someone thinks I can park my truck there, it could just grow. I get what you're saying but if we started with Class 7 and 8, and I think I even heard you say maybe as we look at Class 4 -6 and under those classifications get more specific. Like dump truck over this size, box truck with this much weight limit. We wouldn't be saying all dump trucks are out. But if you had a big

dump truck kind of a thing. I agree with the pictures on the page without a flagpole or a mailbox or house, it's harder to tell.

Mayor Gallo added that we listed all types of vehicles but some of those listed we have not received complaints. The for the Class 2a and 2b we don't get complaints about those, we just listed those as a frame of reference. I would also caution council that some of those are not used for commercial purposes, just forms of transportation. I would not suggest that we outlaw those. Majority of the complaints that we get are for the semis and very large box trucks. Many complaints are anonymous so it would be difficult to provide some information as far as that goes, so I hope that helps with the discussion.

Director Sepik explained that FHWA is the Federal Highway Administration, so these are their guidelines which defines each truck and each size. Class 2a, Class 2b no issues at all. Class 3 we don't have any complaints that I've seen. Class 4 is where we start to have some issues. Those are the size of our trucks in the shop. We plow with those trucks, dump trucks we use. It is hard to see the size of the trucks on this presentation. Class 6 is our dump truck; this is what we roll down the street with 10 yards of mulch. If you're carrying 10 yards of mulch at a time, you've got a pretty big business.

Councilwoman Walsh stated that she agrees with when you go to Class 4, the way our ordinance reads now you can't have anything above a Class 4 in the city, so if we're getting complaints on a Class 4 they should be sited already because they weigh 14,000 lbs. They shouldn't be there according to our ordinance as it reads today.

Director Sepik responded that our inspectors have a tough time going up to somebody and asking can you open your door so I can see the inside of your truck to check the weight on it. I can't have them knocking on doors, the residents can simply say no. Right now, it reads 4,000 lbs., not 14,000 lbs.

Councilwoman Walsh asked what are we talking about really, Class 2a, 2b and Class 3 are the issues.

Council President Rounds responded no; I don't think so. We are all saying Class 2a, 2b and Class 3 are fine.

Councilwoman Walsh replied then what trucks are precipitating this ordinance that we want to change? That's were I'm having a hard time understanding it. Even with the setback, if you have a truck that's blocking you from getting out of your driveway, just like a fence, I would think we have an ordinance that says you can't block the view of your neighbor to get out of the driveway. If you have a truck that you can get behind the setback line then park behind the setback line and get it in your backyard.

Councilwoman DeSouza added that that is exactly where she was going with her comments on the setback, I agree with that. Right now, the ordinance says 4,000 lbs. which eliminates everything. If we're talking 14,000 lbs. that would be Class 4 and above.

Councilwoman Walsh responded that now Class 6, 7, 8 will probably ruin your driveway if you park there. I think we should concentrate on the trucks that are in that grey zone, not the Class 1, 2a, 2b.

Council President stated that we're up to Class 5 before even starting to worry about anything. Class 1, 2a, 2b, 3, 4 are fine.

Councilwoman Durichko with all this information and we want to please everyone, we're in a tight spot. There's a vast majority of people that aren't represented in this room tonight that really do want their city

to look like a neighborhood and not an industrial parkway. I don't mean any disrespect to anyone that is a laborer, it's not about that. It's about the community. When Councilman Stavole suggested getting rid of Class 7 and 8 and Councilwoman DeSouza would like to start at Class 3, I'm in the middle and I'm at Class 4 with some specifications to some of those items to allow for some of the ones we all agree don't interfere with the intended neighborhood aesthetic that the founders of the city started and has been built upon. To support Councilwoman DeSouza in part solution, I don't know how the language would be proposed, but those questionable vehicles in Class 4 could be stored in a way that's not considered an eyesore. Is it on a concrete slab, past a setback, with an enclosure? I don't know, but we should consider those details.

Council President Rounds summarized what he's hearing a consensus for Class 1, 2a, 2b, 3 we are fine but Class 6, 7 and 8 are not permitted, maybe when we get to Class 4, 5 we need to be more specific about type.

Councilman Stavole added that he's at Class 7 and 8 right now because there are too many variables. The configurations of the vehicle needs to be considered, the cab could be one size and the back could be your box truck or it could be a dump truck with a short bed.

Councilwoman Durichko suggested a solution to add weight and dimensions in some of these questionable areas so it's not just one or the other, so if you exceed a certain dimension or weight.

Councilman Stavole mentioned that he still wants a list of the complaints because I want to see for myself what these are and if they're anonymous then I don't count it. If I'm going down a street in Middleburg Heights, and I see a competitor there's nothing preventing me from calling the city and reporting an illegal vehicle parked there. I wouldn't do that, but could somebody, absolutely. We're talking about people's livelihoods and so you should step up and provide your name when calling in.

Council President Rounds added that he understands what you're saying but even on Cleveland.com you can write an editorial anonymous because the person writing it was afraid of retaliation. I don't know that we have neighbors that are feeling that way.

Councilwoman Durichko stated that even if there were zero complaints, I think it's our obligation to be good stewards of their dollars but it's also our obligation to be good stewards for the homeowner who wants to sell their property but has trouble selling it because of the aesthetic is unappealing. Someone who's moving in that could bring in good money because of the aesthetics, so we have to be fair to everyone. Not just the people in question with these trucks.

Council President Rounds added that in his opinion that all ordinances should be specific enough that everyone knows where they stand and where they don't stand. If you're going to have an ordinance, enforce it. If you're not going to enforce it, don't have it. That leaves our Service Department and our inspectors in this precarious position where they're enforcing, not enforcing. The more specific we can be the better we set them up to be more successful.

Council President Rounds: I'll get together with the mayor and Law Department and we will try for some draft language for the next meeting. Our Work Session comes to a close at 7:00 p.m.



Barbara Allen
Clerk of Council



Tom Rounds
Council President