

Council Work Session Minutes May 22, 2023

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

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

The meeting was called to order by Council President Rounds at 6:24 p.m.

Council President Rounds this Work Session is a continuation of the discussion on the proposed parking of commercial vehicles amendment. After a few Work Sessions now I feel that we've done our part to be more educated about what we are talking about, we've heard from some residents who are impacted by the conversations we're having and we've heard from residents that feel some vehicles are troublesome in driveways as well. After the last work session, I tried to move us from the previous draft language that we were looking at and tried to get us closer to what I thought I was hearing. Review of the language in letter (c) was read. I have a new possible proposed draft that I hope is moving us closer to where we want to be with no timeline, this is not final copy, we are still talking. Councilwoman Walsh....

Councilwoman Walsh asked why the rear set of wheels were added?

Council President Rounds called upon Director Sepik to assist with this because I don't have an answer for this. The dual set means that on the back axel there is four wheels instead of two.

Director Sepik added that yes that is correct, some of the sizes of them are longer than the 20 feet. It's completely up to council but we can't go by the weight of the truck so, we have to go by the sizes. Some are going to be wider and won't be allowed.

Councilwoman Walsh stated that it appears that if you have a 5th wheel, you can buy a truck and they recommend putting dualies on it for the towing of it. If it's under 20 feet and 9 feet in height what would be the reasoning for prohibiting someone from having the dualies?

Council President Rounds responded asking if we're talking about a 5th wheel then a pick-up truck that pull trailers, they would not be commercially plated.

Councilwoman Walsh stated that the ORC states 10,001 lbs. you have to have a commercial plate. They go by poundage. I don't know if you'll make the 20 feet with a 10,000 lbs. vehicle. I've been driving through the city and on Ridgewood there is a van that is taller than 9 feet. According to ORC you have to have commercial plates if your 9 – 15 passengers in your vehicle, also the Expedition is 9 passenger vehicles so if you own an Expedition, you most likely have to have a commercial plate. Would you be allowed to park that here? Parma Heights Baptist has like 3 or 4 vehicles in the parking lot which are zoned residential and it appears that it won't meet this, they are really tall and they sit in the back. That's just a few places that I noticed.

Councilwoman Maruschak responded that I hear what you're saying but I believe those are transport vehicles and I don't know if those are considered commercial, they're for transporting people.

Councilwoman Walsh added that the ORC states if you have a vehicle that has 9 – 15 seats you have to have commercial plates. As a non-expert that's how I interpret the ORC.

Mayor Gallo stated that the administration would look into the ORC and the regulations.

Council President Rounds thanked the mayor and asked for any other comments? Councilwoman Maruschak...

Councilwoman Maruschak added that she doesn't think we need to include the dual wheels, buses should be sufficient because we are going by size of a bus. To say that may not read well to resident and it kind of confuses me as well, if we're stating the measurements up above, I don't know that this is necessary.

Council President Rounds responded that we would leave the measurements up above, and leave buses in number 5 and strike the rest of it?

Councilwoman Maruschak then added that number 3, maybe add wording between exceeding and measurements like you said "these or the above-mentioned measurements" I think that would help to clear that up.

Mayor Gallo added that the city is not going after churches as far as their vehicles are concerned.

Councilwoman DeSouza asked about parking on concrete or asphalt? Can we put that in here? If we put it in, we won't have to keep cross referencing.

Council President Rounds asked if that is part of a previous ordinance, somewhere else. I highlighted part of (a) that when I read it I understood it to mean that you couldn't park the school bus, tractor, semi, truck you couldn't park these things on the street but you could if it was after sunset and before sunrise as long as you have flares or lanterns on and that seemed like to what we are already saying to residents now. No body parks on the streets between 2 – 5 or whatever our hours are, so why would we allow this. I would suggest calling the police department and asking for special consideration if you are for example getting possession of your home on Tuesday but a moving truck arrives on Monday. This read to me like you could do it all the time. Is anybody else reading it that way?

Several councilmembers responded at once "yes", confirming that they understood that to read the same way.

Councilwoman Durichko added that she is confident that the electric, gas company has a protocol for parking overnight especially in our city that we don't have street lights, there would have to be some visibility factor set.

Councilwoman Maruschak echoed Councilwoman DeSouza about her cross referencing because we have that in our recreation but I think we should state everything in a lot of our other ordinances that talk about sidewalk impediment and that's not in this one. I think we should have everything all in one, to include that as well. We know people shouldn't impede the sidewalk but I think that we should put it in there.

Council President Rounds responded that you think we should put everything in this legislation because if you read this, you think you're fine only to find in another section you are not fine. Councilwoman Durichko....

Councilwoman Durichko have we evolved the point that we agree or feel that it should be included that it needs to be concrete or can it be a hard surface of a different material (River Rock, Asphalt, Gravel)?

Councilwoman DeSouza added that I think in one of the other ordinances it states asphalt or concrete for a different reason, which is why we need to begin combining this stuff.

Councilwoman Maruschak added that it's in recreation.

Council President Rounds stated that even in draft form, still taking notes, getting clarification on a couple of things and add or subtract a couple things.

Councilwoman DeSouza asked about adding something to limit the number of vehicles. So just so they meet the specifications they can have 4 of them in their yard?

Council President Rounds responded that we haven't had that conversation yet, but I'm open to conversation at this time.

Councilwoman Walsh replied that I think we're moving into no pink houses territory here when we get that nit-picky. If you can afford 4 trucks and you can put them in your drive, I don't want to be known as the councilperson that said no pink houses.

Councilman Stavole added that he is a hard no on legislating how many vehicles somebody can have. I'm talking anything. I'm not going to sit here and tell somebody what they can't have and what they can have. As far as I know this is the United States and we're allowed to do that. I'm a hard no on that.

Councilwoman DeSouza asked but aren't we telling them that they can only have certain types of vehicles?

Councilman Stavole responded that I don't think I'm for that right now, either.

Councilwoman Walsh added neither am I.

Councilwoman DeSouza responded okay, fair enough.

Councilwoman Maruschak asked if we want to think about vehicle in good repair.

Councilwoman Walsh responded that that is very arbitrary, what's in good repair and what isn't? Rusty fender?

Councilwoman Maruschak added flat tires?

Council President Rounds added license even?

Councilwoman Walsh replied we have an ordinance that addresses that issue.

Council President Rounds stated that he would include it so that it's a cross reference places, be specific.

Councilwoman Walsh stated that she's not comfortable making this a 12-page ordinance. If you read the code, that's how they read, you have to refer to other sections of it. We will have a very redundant code.

Council President Rounds asked if there were any other opinions to share?

Councilwoman DeSouza stated that a lot of other cities include everything for that particular subject in that particular code instead of cross referencing. I think they should be able to go to one location and find all the specifications.

Council President Rounds asked Councilman Haase if he had anything to share this evening?

Councilman Haase responded that he does not and quite frankly this conversation has gone on so many tangents, I think we're getting into the weeds and I don't think that's necessary. I think the time has come to just figure it out put it on paper and be done with it. How many more meetings are we going to have to hash this out, we could be talking about this for a year. Time to move it forward.

Councilwoman Walsh stated that she believes if that's what it takes, we should talk it out for a year. This changes people's lives. This isn't bringing your garbage cans in at 4:00 p.m. I believe that we need to thoroughly look at this and when you start talking about it, yes questions are going to come up. That's a part of amending an ordinance. And the comments about other cities, I've said it before and I'll say it again, we are Parma Heights. If I wanted to live in another city, I'd live there.

Council President Rounds stated that he appreciated all the comments that were shared and opinions and to your point we are Parma Heights, but we can take advantage of learning from other cities what works and what doesn't work so that we can potentially protect ourselves from making a mistake or learn from another city about something that we haven't thought of that it was a good way to phrase or a good way to look at something. I am in favor of learning from other cities and picking and choosing what we like and what works and what we don't like and what won't work in Parma Heights. I don't want to negate any other cities work or that we're better than that or it's not good enough for us, we're learning from other cities, they have things that we potentially haven't thought of yet. To be fair to all the residents in the city both commercial vehicles owners and neighbors we're working hard and Councilman Haase I appreciate your comment that we've listened, we've held a number of meetings, and we've moved off one draft, we're closer to a second draft, maybe after tonight we'll have a new draft that is ready to be presented and possibly voted on. Last comments, Councilwoman Walsh....

Councilwoman Walsh stated that the City of Parma Heights has always been known as a leader in other communities and I want to be a leader not a follower.

Council President Rounds added that no-one is saying that we are either. Thank you for your time. The Work Session comes to a close at 6:48 p.m.



Barbara Allen
Clerk of Council



Tom Rounds
Council President