



## **Council Work Session Minutes April 24, 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 6:30 p.m.

Council President Rounds this Work Session is a continuation of the discussion on the proposed parking of commercial vehicles amendment. We all had an opportunity to share where we were and our initial thoughts at the previous meeting, I thought I'd first open the floor to Councilwoman DeSouza since she was unable to join us last meeting.

Councilwoman DeSouza began by stating that Parma Heights is one of the smallest and tightest communities in the area. She reflected on the past meeting minutes and her colleagues concerns on how commercial vehicles will affect property values and she noticed that city ordinance 1193.01 states that you can't have a fence that blocks the view from the front of the house to the sidewalk, yet trucks are parked there are taller and bigger and those are being allowed. There is a particular truck that has been talked about in the back of the house on a side street that is not being used much. This is a good location to have something like that but if you take that truck and put it on Appleton, Stoney Creek, Springwood, that truck would be a nuisance because of the short driveways. Another colleague stated that we don't want to take anyone's livelihood away and I can appreciate that but how do other cities deal with these kinds of things? I think we need to figure out the categories and the definitions and have it equal throughout the city.

Council President Rounds asked if everyone came ready to hammer out the what is, and the what aren't. What are we comfortable with, what do we think is fair, what protects but doesn't over legislate all those things in the process? I'm happy again to open this up for discussion. I'm hoping what will happen tonight if we can come out of this with enough ideas that maybe draft legislation could come from tonight's conversation, we'll have an opportunity to weigh in on the draft legislation just as we did with the initially presented draft legislation. Let's keep moving through the process. Who's got some ideas to get us closer to where we want to land? Councilwoman Durichko....

Councilwoman Durichko stated that she went back to the Parma legislation as Councilwoman Maruschak referenced at the last meeting and I do like where she's going with it. It's clear and concise, it's almost like bullet points. For me or people that aren't in the industry, so I like those specifications, if we are trying to move forward without disrupting some of these already established folks maybe it's a listing that has specifications next to items, such as maybe we don't allow dump trucks but we do allow dump trucks of a certain height and width. This will make it clear for the inspectors and they won't be hitting everyone with a dump truck.

Council President Rounds: Councilwoman Walsh.....

Councilwoman Walsh added that during the last meeting it was brought up about the weight limit and it was higher than his particular truck which is his personal truck, what we were looking at or even in Parma.

I would like some examples of what we're actually talking about because the pictures we were provided, after the fact was then said they were not all nuisances. I don't know which ones are and which ones weren't. If we could see exactly what we're talking about it would be helpful. I'd like to know what precipitated us going through this? Is it a big problem or is it two vehicles in the city that we have a problem with? Is it a citywide problem, all the streets have these big trucks on them? We've had trucks in the city for 50 years and it hasn't been a problem.

Council President Rounds responded that his understanding is that the two pages of pictures that we were provided, there was an intent to get to those during the last Work Session and an explanation come with those, but we worked through our time and the meeting came to a close. The one page is an example of trucks that we are probably targeting and the other page is an example of other vehicles that are probably not as much as a concern. There are calls coming from residents expressing concerns or dislike in the size of these vehicles that blocking sidewalks, next to their homes, blocking the view to back out of your driveway safely. Just that alone says to me that it's an opportunity for us to be specific, we don't haphazardly pick and choose, we always focus on this is the yes and this is the no. I believe the current resolution, paragraph (c) is vague enough that it calls for some clarity.

Councilwoman Durichko asked to add to that, that it was also to provide guidelines to the inspectors when they go to investigate a complaint or to look at something, it doesn't matter if 2 or 20 complaints come in, if they don't have guidelines, it's not fair to them or the resident. Also, if anyone is interested in purchasing a vehicle it's clear to them, what they can have in the city, assisting them in the decision-making process.

Councilwoman Walsh added you can't block your sidewalk, there's a separate ordinance. It would be a good reason to put something in the code, if you are not able to back out of your driveway safely such as a fence. I don't believe we need to regulate everything in the city. There is a difference between a 30-year truck that's falling apart in the driveway and someone who spent \$80K on a truck to be able to work and puts it behind the house, that it's clean and nice. There're vast differences....

Council President Rounds stated that we're not talking about that this evening. Agreed, but that's not where we're trying to get tonight.

Councilwoman Walsh responded that she's not sure where we are trying to get tonight, I don't understand why we're even discussing any of this. I have a new resident in my neighborhood and they have an equipment trailer, they live on a corner, not much of a back yard. That shouldn't be there, by ordinance it can't be there. There's a plumber that's been in the neighborhood for probably 20 years and he's always brought his truck home. I don't understand why that would be a problem.

Council President Rounds addressing these concerns responded that we're not saying that it is a problem. We're not saying that at all. That isn't the intent, that isn't the conversation we're having, we're saying that there are examples of vehicles that may or could be a problem and those are the ones that we want to tighten up our ordinance language so that it's clear that the inspector doesn't knock or leave a letter on someone's door without reason. We don't want our inspectors to be choosing, or guessing height or weight. We're looking at paragraph (c) of the originally passed ordinance and we're trying to come up with language that helps tighten where it needs it. I respect your comment about not over regulating. That's why we're not talking about the plumber's van, a trailer, which if it is on cement or pavement, it possibly could be alright as well. Focus on what we want to say is not okay, so everybody else can relax and not worry that we're after them or trying to over regulate.

Councilwoman Durichko added that the photos were disbursed during the last session and I don't think it was clearly given to people in the audience, the four on the first page are the ones that are problematic and folks are complaining about, the second page are examples of ones that are okay that we want to work into the language including the plumbers van that you just referenced.

Councilwoman Walsh added that a young man who attended the last meeting mentioned that he had a personal truck, I know someone else that has two big trucks; one is a work truck the other is a personal truck. This new (c) will not allow them to have a truck.

Council President Rounds explained that we don't have a (c) yet, not a proposed, not anything yet. None of us are comfortable with the current proposed (c). We don't have current proposed (c).

Councilwoman Walsh asked so then how are we going to get to proposed (c)?

Council President Rounds responded that that is what I'm asking us to do tonight. Make suggestions and recommendations.

Councilwoman Walsh stated that she has no knowledge and would like someone to educate me on trucks. I don't know what you need to be a plumber, contractor. How can I make a decision when I'm complete ignorant. I don't think I'll be able to go online and say this truck will fit, that will fit.

Council President Rounds responded that that's what we're all in the process of doing tonight, learning, clarifying. Our conversation tonight along with samples of other cities if that's the direction we want to go or not. Public comment from our last meeting, that Work Session was very informative. I'm sure we will hear from residents this evening during public comment, so that's where our education is coming from and we can continue to ask questions as well. If we don't feel that we're knowledgeable to make a decision we keep asking questions until we have the knowledge we need and we understand exactly what we're doing. We do not want to pass legislation that a month later, we are in repeal mode because we didn't consider all the avenues. However long it takes. We are working towards learning, understanding, consensus building, education helps us to make the decisions we need to make.

Councilwoman Walsh asked if we could look into finding someone that is an expert. Expert on trucks and who could come and say these dimensions are these kinds of trucks, maybe a car lot here will help us. I want to be educated when I got to vote on them.

Councilwoman Maruschak stated that although we need to clarify for our inspectors, but we also have to clarify for our residents so they know as well. I'm going to go back to bullet points again, (a) talks all about on the street, (c) talks about driveways, we need to clarify no school busses. Do we all agree that school buses should not be parked in driveways? Let's go with that. What do we think about tow trucks? Should there be a tow truck in a driveway, we have to decide on that. Let's put that in there if we think not. Dump truck, if there is a dump truck should we say what size, a 1 ton; a 2 ton. We do have to look and do some research and educate ourselves. There's a whole list like in Parma, tractors and semi-trailers, I don't think they should be in driveways, maybe without sizes, parameters and dimensions. We need to make that very clear; I also think the word ANY needs to be removed as suggested originally by Councilman Stavole. That word ANY is causing confusion because we are saying ANY commercial plated truck can't be there. That is not what we are saying. That's not what I'm saying. Maybe the next time we come in for a Work Session we can look at Parma's we should be able to bullet point the ones we will allow in a driveway, and the ones we can not have in a driveway, not sure about these – let's look at sizes and go from there.

Councilwoman DeSouza reiterated that she goes back to location, location, location. There are driveways that trucks can go in and they are unintrusive. There are all kinds of streets that that same truck has no place else to go but right in front of the house. Should they be behind the setback, and if someone has an attached garage with a short driveway, then that wouldn't be allowed. There's a lot of different scenarios not just the size of the truck, type it's also the location of where those trucks going to be parked on what particular street and how that street is set up? It's difficult for sure. How is this truck okay for this driveway but not okay for two streets over? Could even be a couple blocks down on the same street? I've got to learn, we have to figure this out, different scenarios as to where the truck is on the property.

Councilman Stavole added that he thinks it's a good thing to be specific because we aren't specific now. But for example, my colleagues' comments about Tow-trucks, there's all kinds of Tow-trucks, there are semi size tow-trucks, there are pick-up size tow-trucks, when we talk about this stuff it has to be specific so that we don't end up in a place where we need to repeal it.

Councilman Haase added that the last time I stated we have to be very careful with our words and how we write this. We don't want to do something that's going to be restrictive for the residents who are trying to make a living. I do not want to put anyone out of work, I don't want anyone to have any problems with losing their livelihood, but the language needs to be very specific and we're not talking about every single kind of truck, limit the language to exactly what we're focusing on. We are not there yet. It needs to be: is it only semis, or only this, or that and I don't know the answer to that yet because we haven't done enough work. It has to be spelled out so that Joe Lunchpail out there reads this, they understand it and they know what it means and that when we read it, we understand what it means so that the inspectors can enforce it and they know what it means. There has to be clarity, distinct, and specific. We're not there yet.

Council President Rounds said he agrees. Maybe we can try two things for the next Work Session, better educated about what we are talking about and not talking about, and then move education into language. With the first language that came before us, we were all uncomfortable with it but it was a place to start. We knew where we didn't want to be. We need to try to get closer and closer to where we do want to be. Director Sepik perhaps you can assist us to learn what is and what isn't, sizes, shapes, weights? Maybe a PowerPoint picture show.

Mayor Gallo offered to have the Law Department prepare a new draft for the next meeting with something like Parma has?

Council President Rounds said he would look at that option and maybe we take that draft and review it with either a yea or nay. I think there's an education piece that comes into play as well.

Councilman Stavole asked to do the education before seeing any drafts. This way we're not going back and forth.

Council President Rounds: I'm sorry we are out of time. Our Work Session comes to a close at 7:00 p.m.



Barbara Allen  
Clerk of Council



Tom Rounds  
Council President