

Utilities and Streets Committee Minutes December 16, 2024

PRESENT: Committee Chair Sue Durichko, Committee Vice-Chair Chris Kolezynski, Committee member Stephanie Palmisano and Council Clerk Allen.

The meeting was called to order on Monday, December 16, 2024 by Chairwoman Durichko at 5:35 p.m.

Chairwoman Durichko asked for a motion to approve the minutes May 14, 2024; Moved by Kolezynski; Seconded by Palmisano

Clerk Allen, Roll Call: **Aye: Palmisano, Kolezynski, Durichko**

Minutes approved

Chairwoman Durichko began the discussion with the proposed changes to the following sections following discussion on each section with her colleagues. Beginning with Chapter 678.01: Weeds. (a) (1) ~~No person~~ No owner, occupant, or individual responsible for ~~having charge of the following described~~ lots or lands within the City shall fail to remove ~~cut~~ noxious weeds in keeping with this ordinance. ~~upon them as hereinafter described:~~ In A. All lots within ~~sublots in~~ a recorded subdivision in their entirety; B. All land located ~~which lies~~ within twenty feet of a lot line ~~which is adjacent to lots or lands upon which is adjacent to lots or lands upon which a residential or commercial building exists;~~ D. No ~~person being the~~ owner, occupant, lessee, agent, tenant or individual responsible for lots or lands ~~person in charge of any lot or parcel~~ within the City shall allow or maintain on such lot or parcel of land between April 1 and December 1 annually ~~May 1 and November 1 of each year~~ any growth of grass, weeds or other similar types of vegetation in excess of six inches in height.

Councilwoman Palmisano stated that she would bring to the next meeting the average temperatures for the last 5 years to substantiate the dates being used in Section (a) (1) (D).

Chairwoman Durichko continued Chapter 678.01 (a) (2) Property owners or those responsible for lands must insure the removal of all ~~No person having charge of any lot or land described in this section shall fail to keep such lands free from~~ Russian, Canadian or common thistle, wild lettuce, wild mustard, wild parsley, ragweed, and all other designated species in keeping with current OAC (Ohio Administrative Code: Chapter 901) the Director of Public Service will maintain the most up-to-date and complete list. ~~noxious weeds growing or upon the lot or lands.~~ Noxious weeds must be removed and/or ~~Such weeds shall be destroyed through methods by spraying with a chemical compound~~ approved by the Director of Public Service, such as approved chemical treatment, ~~by cutting or digging.~~ A listing of approved methods and chemicals will be maintained by the Director of Public Service. ~~under or by any other method approved by the Director.~~ Moving on to (a) (3) If noxious weeds are identified on any lot or parcel of land ~~and are likely to spread or mature and produce seeds, Upon written information that noxious weeds are growing on lands as hereinbefore described and are about to spread or mature seeds,~~ the Director of Public Service must issue ~~shall cause~~ a written notice to the responsible party requiring removal or destruction of the weeds within 7 business days of receiving the notice. ~~be served upon the owner, lessee, agent or tenant having charge of such land, notifying him that noxious weeds are growing on such lands and that they must be cut and destroyed within five days after the service of such notice.~~ Section (b)(1) As used in this chapter, "litter" includes weeds, grass and similar types of vegetation in excess of six inches in height, garbage, waste, peelings of vegetables or fruits, rubbish, ashes, cans, bottles, wire, paper, cartons, boxes, parts of automobiles, ~~wagons~~, furniture, glass, debris, oil of an ~~unsightly or unsanitary nature or anything else of an unsightly or unsanitary nature.~~ (b)(2) Upon

a finding by the Director of Public Service that litter has been placed on lands, has not been removed and constitutes a detriment to public health, the Director of Public Service shall cause a written notice to be served upon the owner, and, if different, upon the lessee, agent or tenant having charge of the littered land notifying ~~him~~ them that litter is on the land, and that it must be collected and removed within ~~72 hours~~ six days from the date of the service of the notice. (c) (3) Upon the completion of abatement, the Director of Public Service shall bill the property owner the price of the contractor's service and an additional forty ~~ten~~ dollars (\$40.00) (~~\$10.00~~) for the City's administrative costs. The total costs shall be forwarded by the Director of Public Service to the Director of Finance who shall make a return in writing to the County Fiscal Officer of such total charge which shall be entered upon the tax duplicate of the county and be allocated on the taxes in accordance with Ohio R.C. 731.54. (d) Whoever violates any of the provisions of this section is guilty of a minor-misdemeanor ~~of the second degree.~~

Chairwoman Durichko stated that she likes the use of minor-misdemeanor because it's the only offence that does not hold jail-time associated with it, it still has a fine of up to \$150.00.

Councilwoman Palmisano stated that she likes that because they are still getting penalized and the city is still ultimately taking care of the problem. The problem is solved and they are still getting a penalty.

Councilman Kolezynski stated that they can avoid getting a criminal record and potential jail time, which means how are they going to pay or fix this problem.

Chairwoman Durichko added not to minimize the concern, but the ability to approach it in a punitive legal sense, to me should be more in alignment with what the offense is.

Councilwoman Palmisano agreed, I would agree with minor. Just out of my own curiosity, do you know do we have any other ordinances that are minor-misdemeanors?

Chairwoman Durichko stated that that raises a good question. There are other ordinances and I don't know them off the top of my head, that carry that second-degree misdemeanor or other out of the four levels of offense. Maybe those need to be looked at, maybe for future meetings we could look at that.

Councilman Kolezynski agreed and stated that he thought we should go through them all. Whatever is under our purview, go through them all and adjust the penalties. I think it's a good idea.

Chairwoman Durichko said 100 percent, we want to be helpful and help the community resolve the problem without damaging. Chairwoman Durichko continued through the agenda beginning the discussion of Chapter 703.01; Advertising on Public Property Prohibited. Current language: No sign, advertising device or related structure, whether ~~either~~ temporary or permanent, commercial or private, shall be permitted, erected, placed or allowed ~~suffered~~ to remain within, under or over any public way. For the ~~purpose~~ purposes of this chapter "public way" means any street, tree lawn, sidewalk including utility poles, trees or property owned either wholly or in part by the Federal, State, County or local government. All wiring, braces, lights, fixtures and other appurtenances attached to or used in connection with any sign, advertising device or related structure located in the public way shall be considered a part of the sign, advertising device or structure. Add definition of a "Public Way": A public way refers to a (listing of all those), owned either wholly or in partly by the government including land that is held in trust for public use, the term shall also include any area within the boundaries of a public easement or any public land not restricted by zoning ordinances exclusive of public property. I'd like to also add: Permits might be granted for signs or devices used exclusively by the City of Parma Heights for public purposes subject to permission from the ~~Director of Public Service~~ Mayor's Office to ensure public safety and the esthetic quality of public spaces. I'd like to add: Temporary signs related to community or public events, such as fairs, parades, plays or governmental functions maybe allowed in certain designated public areas with the appropriate oversight of (office) to ensure the sign does not disrupt public order or safety.

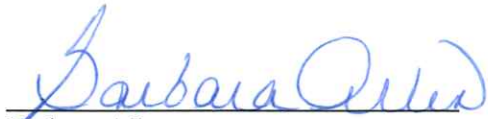
January 21st at 5:30 p.m. was the proposed next meeting date.

Councilman Kolezynski asked about the sidewalks, and if they fall under this committee to vet? Perhaps we can add that to the upcoming agenda.

Chairwoman Durichko asked for a motion to adjourn; Motioned by Palmisano; seconded by Kolezynski.

Council Clerk: Roll Call: Aye: Kolezynski, Palmisano, Durichko

Utilities and Streets Committee meeting is adjourned at 6:24 p.m.



Barbara Allen
Clerk of Council



Sue Durichko
Chair, Utilities and Streets Committee