### MINUTES OF STREETS & SIDEWALKS COMMITTEE MEETING July 16, 2012

The Meeting of the Ravenna City Streets & Sidewalks Committee was called to order at 6:42 P.M. by Chairman, Jack Ferguson. In attendance were Sharon Spencer, Fred Berry, Frank Seman, Bruce Ribelin, Amy Michael and Fran Ricciardi. Also attending the meeting were Mayor Joe Bica; Finance Director, Kim Cecora and Finance Director, Bob Finney; Utility Billing Supervisor, Mike Reynolds and Street Superintendent, Chuck Dowdy. Also attending were Marc Resnik of 1102 East Riddle Avenue, Ravenna and Nick Dudek of 328 North Prospect Street, Ravenna.

Mr. Ferguson asked who put the no parking on tree lawn issue for the committee meeting agenda.

Mr. Seman responded that he asked it to be put on and said that Mr. Ferguson and Mr. Berry talked about driving around and looking at those slots and the mayor is ready to ticket them. They are going to have a mess when they start handing out tickets.

Ms. Michael said she and Mr. Seman both attended the mayor's meeting on Wednesday. They did address that they were going to start enforcing it. One of her big concerns was that she asked about Spano's. People park along the front. It's a gravel area. She was told they would start ticketing that. That has been a long standing business in the community for years. She doesn't want to see that business get ruined.

Mr. Berry said they're not visiting them. They have been identified. Mr. Finney gave them a map when they first started discussing this; of the properties that were identified as people parking on the tree lawns. He still has that map. They're not actually going up and talking to people about parking on tree lawns.

Mr. Seman said that he thought there was going to be a survey to make sure they had them all. The mayor is looking at like if he doesn't see some sort of legislation the ameliorate the law, he's going to ticket. Whether they have been parking there for 40 years or not, they going to get tickets.

Ms. Michael said that Mayor Bica said Council never came back with an actual decision on it and Chief Adkins said they were going to start ticketing. They wanted Council members to be prepared because they are going to be getting the phone calls.

Mr. Ferguson said they have discussed this over and over. They talked about what to do and what not to do. Something obviously has to be done. They talked about grandfathering people in. It seems to him that is going to be very difficult to do that and do it 100% and make those folks who have been doing this forever happy and the other folks are going to be very unhappy. If this is going to get started and absolutely 100% no parking on the tree lawns, they better start some kind of a campaign to let the public know that this is coming.

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Mr. Ribelin asked if they didn't already do that. It was in the paper, has he recalls and as soon as they started getting ticketed, the phones started ringing off the hook. He still contends that some of those people have been in those houses with the small driveways on some of those streets and have done it for a very long time should still be able to do that.

Mr. Ferguson said that some of these folks have done something to improve it. They put concrete, slag, something down to make it a viable parking area. He agrees that there are a lot of people in this town on side streets, if they take that parking away from them and fine them constantly, this is not the way to do things.

Mr. Ribelin said the houses are very close together. They are small lots.

Mr. Seman said he just doesn't know where some of them will go. They used to be able to rent a garage somewhere in an area. They can't do that any more. Everybody is loaded up.

Mr. Ricciardi asked if they are distinguishing between rental units and privately owned properties. How do they differentiate?

Mr. Finney said that it's easy to discuss Elm, Walnut, the old neighborhoods but when you spread it out onto Third Avenue. He understands what they are saying on Elm. He understands Spano and many of these. There has to be some criteria for him to say yes or no. The last thing he wants to do is march 2,000 residents into a planning commission or planning committee meeting to grant them approval to park on the tree lawn. There has to be some kind of criteria; if they park there, there has to be some kind of hard surface. It has to be asphalt or concrete. It can't be gravel or mulch. He doesn't have a criteria but they do need something. He hears what they are saying. Yes, the driveways are small. Some people have the ability to widen their driveways. Some people don't.

Mr. Ricciardi asked who is going to propose that criteria. Is that something Mr. Finney could do? Council certainly isn't going to do it. Someone has to.

Mr. Finney said it was his understanding that Mr. Berry and Mr. Ferguson were going to get together, put this map together and start talking about it. He has a set of codes to follow. That's what the Police Chief is saying. He has a set of codes that says there is no parking on the tree lawn. He told Maureen some time back to let it go. He doesn't want to deal with it. He doesn't have the time. If they can't come up with an amenable solution or a way to permit this and he can't enforce what's in black and white, then he doesn't want any part of it. He's not going to selectively choose, yes/no; yes/no. He wants to see it in black and white. Some people are saying there is an ordinance on the books and it has to be enforced. Then there are residents who are saying they've been doing this for 30 years. What's the right answer? He's personally not comfortable selecting the rules as they want to.

Mr. Seman said they could get the date of that ordinance and anything in use prior to that date gets grandfathered.

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- Mr. Finney asked what if the resident actually does have the ability to widen their driveway and actually park in their yard.
- Mr. Seman said he thought there was an ordinance against people parking in the front yard, too.
- Mr. Finney said a driveway cannot consume more than 50% of your front yard but you are allowed up to a 24 foot wide driveway. Realistically, it's 16 to 20 feet. That is based on a 16 foot wide garage.
  - Mr. Seman asked if cars are parked in the front of the house, they'll be alright.
- Mr. Finney responded in the affirmative. It just has to be in the driveway. In fact, they even allow a turn around in a front yard as long as it's hard surface. Again, they can't consume more than 50% of your front yard.
- Mr. Ferguson said some people might have the capability but some may not have the finances to do it.
- Mr. Finney concurred but he doesn't want to dive into somebody's personal financing. One of the questions that was raised in the past was, what form of permitting can they come up with; do they run these people through? Give everybody warning and tell them to schedule a planning commission meeting for \$100.00 each and have the planning commission grant a variance? To his knowledge planning commission can't grant a variance on something like this. He doesn't know if the BZA can either. He doesn't know if it is an appealable item.
- Mr. Ricciardi asked if they are revisiting to do what? To force Council to make some sort of amendments or decisions? What are they doing this for?
- Mr. Seman said that was the interpretation he got. Because nothing's been done with it, that they are going to start enforcing it. He's not picking on them for doing it. He understands. The article in the paper ought to say to call the mayor, don't call Council.
- Ms. Michael reiterated her concern about the businesses such as Spano's that have been there for years and years.
  - Mr. Finney asked how many cars park there.
- Ms. Michael said that she would say about six could park there at once. He can only get three in his driveway. Can you imagine these people getting tickets on their cars? They are going to put them out of business. Is that fair? She's not saying she isn't concerned about the people on these other streets but after the paper said they were going to talk about it. Then they were told at this meeting that they are going to start getting tickets. These people need to be aware of this. It's being blamed on Council because they're not moving forward. If there is action they need to take to protect these people, then that's something they need to do.

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Mr. Finney said it was his understanding that Mr. Ferguson and Mr. Berry were going to work on assembling this potential list of who is parking on the tree lawn now.

A discussion ensued regarding Section 432.24 of the Codified Ordinances and how it says that "other than a duly authorized".

Mr. Ribelin asked what year it was passed.

The clerk noted that there is no date on that section.

Mr. Ricciardi asked who is authorized to duly authorize these things.

Mr. Berry said that came up when they first discussed this. A resident had mentioned they received a letter from either the service director or the mayor giving them permission to do that.

Mr. Seman said quite often it was verbal.

Mr. Berry said that he believes Mr. Finney mentioned at that time that if they can't product a letter, it doesn't mean anything. To him, the bottom line is, what are they going to do about it. It doesn't matter how many are out there, it's just a question of what direction do they want to take.

Mr. Ricciardi said one way to approach it might be to determine what areas, because of their age and the size of the lots, are going to be impacted most by this, whether it's Elm Street or some other street. Then he thinks they ought to somehow contact those residents and say here is the situation and if you're going to continue to do this, you have to do this; this and this as may be established by Mr. Finney in terms of what would constitute a parking area in the front of the house, or the tree lawn or off the road, etc. He thinks that might be one way to start. At least identify those older areas.

Mr. Finney asked if Council has the power to request legislation changes.

Mr. Ricciardi said that Council, in fact, not only has the power but they are the ones who get to affect legislation.

Mr. Finney said Council could then repeal this no parking on tree lawn law, if they desired to do so. If they don't like the law, then change it. He doesn't think they serve the public well that way but he thinks they ultimately has to come up with some form of criteria to allow them to do that.

Mr. Ricciardi said he's not sure they serve the public by suddenly changing the rules on them or what they thought were the rules and where they, in good faith, thought they were doing the proper thing.

- Mr. Ferguson said that if you read that section, it says if it is improved, they are allowed to park there.
  - Mr. Ricciardi noted that is if they are duly authorized.
  - Mr. Finney said then the question would become how do they duly authorize them.
- Mr. Ricciardi said he thinks they need to establish a procedure to do that. At this stage of the game, he thinks it was any city official they happened to see on the sidewalk. He would like to see some suggestions from the law director as well as from Mr. Finney with reference to what direction they need to go in and see what they can all come up with.
- Mr. Reynolds said he would like to make a suggestion that if there is a curb box for water, they can't park there. Their vehicles damage those boxes and it's the city's responsibility to fix them and make sure they are operable.
- Mr. Ferguson said he thinks a meeting needs to be held with the service director, the committee, maybe someone from the Police Department.
  - Mr. Finney said that it will take some time to put together the criteria.

It was decided by those present that the issue would be discussed at 6:00 on August 6. Mr. Finney noted he would not expect to have the issue resolved in the hour but at least it's a start.

- Mr. Ferguson said the next item for discussion is waiving a lien for utility billing.
- Mr. Reynolds said the property at 811 Mill Road was mowed on May 24, 2011. The lien was applied in August. In the meantime, the property changed hands and so the lien that was applied no longer fits with that property owner. What he is asking for is an ordinance waiving the lien for the delinquent mowing charges for the property at 811 Mill Road. That lien was for \$60.00.
  - Mr. Ricciardi asked how many liens are on properties right now being held by the City.
  - Mr. Reynolds responded that he couldn't begin to say.
  - Mr. Ricciardi asked if every one of those is going to require an ordinance of Council.
  - Mr. Reynolds said only to repeal the lien that was improperly placed.
  - Mr. Ricciardi asked if they are canceling the lien.

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- Mr. Reynolds responded in the affirmative.
- Mr. Ricciardi asked what the method is for canceling liens now.
- Mr. Reynolds said this is the only one right now.
- Mr. Ricciardi asked if people pay every lien that's out there, they have to come to Council for an ordinance.
  - Mr. Reynolds said that is only if it no longer requires payment.
- Mr. Ricciardi canceling a lien is canceling a lien. Why is there a different method for one that is erroneously put on. How do they cancel them normally.
  - Mr. Reynolds said they pay it.
  - Mr. Ricciardi asked then who does the cancellation after it is paid.
- Mr. Reynolds responded that it is handled through the Portage County Auditor. It's a county lien and not the city's?
  - Mr. Reynolds responded in the affirmative.

There being no further questions or comments, it was decided by those present that a tracking sheet would be submitted for Finance Committee approval.

- Mr. Ferguson said the next item for discussion is certifying liens to the County Auditor for delinquent mowing and property maintenance items.
- Mr. Reynolds said this is applying a blanket of liens for mowing and trash on tree lawns for service department. These must be certified to the County Auditor. They have to do this once a year. They are starting a little early this year because last year they pushed it too close to the deadline. Of course, if people come in and pay these prior to the lien going on, they will be removed from the list. First week of September is the deadline.

There being no further questions or comments, it was decided by those present that a tracking sheet would be submitted for Finance Committee approval.

Mr. Ferguson noted that there is an additional item for discussion regarding some changes in funding for the Street Department.

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Mr. Dowdy said what they want to do is reallocate some funds from the capital improvement budget. There are funds appropriated for a salt shed this year at \$250,000.00. ODOT graciously is going to build a salt shed for them so they would like to take that \$250,000.00 and reallocate it to purchase a couple of smaller, one ton trucks. These trucks will be used for plow trucks, brush trucks and leaf bag trucks. Those trucks are \$67,000.00 each, fully equipped.

Mr. Dowdy went on to say that they would like to purchase an asphalt paver with the city of Kent and paving at a cost to the City of Ravenna of \$45,000.00.

Mr. Dowdy said they no longer need the sidewalk tractor because they have another machine in-house to use for that purpose. The leaf machine body was just a replacement chassis; since they are buying these new trucks, they won't fit so they can't use the money for that. They have come up with a total of \$315,000.00 in the capital budget.

Mr. Dowdy went on to say that the last item he would like to purchase is a loader scale for the use of loading salt from the new storage facility. Any entity coming to get salt, be it ODOT, City of Ravenna, School System, each entity has an ID to punch into the machine. It loads the amount of salt, puts out a bill. They know who bought salt, how much and how much to bill for it.

- Mr. Ribelin noted then the total bill is \$181,800.00 rather than \$250,000.00.
- Mr. Cecora said that half of that is Storm and the other half is 65-74.
- Mr. Ricciardi asked if all of the \$250,000.00 come from storm and 65-74.
- Mr. Cecora responded in the negative stating it was all Capital Improvement monies.
- Mr. Dowdy said it was budgeted over the last two year to be built this year.

Mr. Ferguson said he thinks the Mr. Dowdy should be commended for these ideas and thoughts and savings.

Mr. Dowdy said he doesn't know if they are familiar with the hot box the department built but they can actually haul hot asphalt in the truck. That is the thing with Kent. They will be recycling grindings. They will be making asphalt probably at half or more at the cost they're paying for cold patch now. They should be able to do it even in the climate weather.

Mr. Ricciardi asked when they plan on bringing that on line.

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Mr. Finney said he doesn't really have an answer. Ideally they'll have it ready for this fall when the asphalt plants shut down and they'll have it ready, tested and figured out how to upgrade the system.

There being no further questions or comments, it was decided by those present that a tracking sheet would be submitted for Finance Committee approval.

There being no further business before the Committee, the meeting adjourned at 7:16 P.M.

ATTEST:	
Clerk of Council	Jack Ferguson, Chairman Streets & Sidewalks Committee