

The Village of Northfield

REGULAR COUNCIL MEETING Agenda – April 11, 2018

Pledge of Allegiance

Call to Order; Roll Call; Approval of Minutes

Presentation of Petitions, Memorials and Remonstrances

Reports of Municipal Officers:

Jesse J. Nehez, Mayor
Tricia Ingrassia, Finance Director
Richard Wasosky, Engineer
Brad Bryan, Law Director

Department Heads:

John Zolcus, Police Chief
Jason Buss, Fire Chief
Jason Walters, Service/Building Superintendent

Reports of Municipal Boards and Commissions:

Alan Hipps, Planning Commission
Mayor Nehez, Recreation Board

Reports of Standing Committees:

Nicholas Magistrelli, Finance
Jennifer Domzalski, Roads and Public Works
Keith Czerr, Health and Welfare
Gary Vojtush, Wages and Working Conditions
Renell Noack, Fire and Safety
Alan Hipps, Buildings and Grounds

Legislation:

2018-29 – An Emergency Ordinance Amending Section 1280.08 of the Zoning Code Relating to Sign Enforcement (Second Reading)

2018-30 – An Emergency Ordinance Establishing Section 1268.11 of the Planning and Zoning Code Relating to Car or Truck Rental Establishments (Second Reading)

2018-31 – An Emergency Resolution Authorizing Certain Amendments to the 2018 Appropriation Resolution and/or Transferring Items Already Appropriated in that Resolution (First Reading)

Old Business; New Business; Announcements; Adjournment

VILLAGE OF NORTHFIELD ORDINANCE NO. 2018-29

AN EMERGENCY ORDINANCE AMENDING SECTION 1280.08 OF THE ZONING CODE RELATING TO SIGN ENFORCEMENT

WHEREAS, the Mayor and Council wish to amend Section 1280.08 of the Zoning Code relating to sign enforcement in order to improve the efficiency of enforcement measures.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Northfield, County of Summit, and State of Ohio:

SECTION 1. That the Council of the Village of Northfield hereby amends Section 1280.08 of the Codified Ordinances as indicated in the attachment hereto.

SECTION 2. That the rest and remainder of the Codified Ordinances shall remain as presently drafted unless inconsistent herewith.

SECTION 3. That all formal actions of this Council concerning and relating to the deliberation and adoption of this Ordinance were taken in an open meeting of this Council or any of its legal committees and/or were in compliance with all legal requirements.

SECTION 4. That this Ordinance is hereby declared to be an emergency measure necessary for the public peace, health, and welfare of the residents of the Village of Northfield for the reason that it will assist with maintaining the aesthetic appearance and safety of the Village's business districts and neighborhoods and improve the efficiency of sign enforcement in the Village, and this Ordinance shall take immediate effect upon its signature by the Mayor, or upon the expiration of time within which it may be disapproved by the Mayor, or upon its passage after its disapproval by the Mayor, as the case may be, pursuant to Village of Northfield Charter Section 4.11.

IN WITNESS WHEREOF, we have hereunto set our hands this _____ day of _____, 2018.

Nicholas Magistrelli, Pres. Pro-Tem of Council

Jesse J. Nehez, Mayor

Approved as to Legal Form.

Bradric T. Bryan, Director of Law

I, Tricia Ingrassia, Clerk of Council of the Village of Northfield, Summit County, Ohio, do hereby certify that the foregoing Ordinance was duly and regularly passed by Council at a meeting held on the _____ day of _____, 2018.

Tricia Ingrassia, Clerk of Council

1280.08 REMOVAL.

(a) Any sign which no longer advertises a bona fide business that is conducted within a building or structure shall be taken down and removed by the owner, agent or person having the beneficial use of the building or structure upon which such sign is found, within ten days after written notification from the Building and Zoning Inspector to remove same. If such sign is not taken down and removed within such time, the Building and Zoning Inspector may issue charges for violating this section, cause the same to be removed at the expense of the owner, agent or person having beneficial use of the building or structure upon which such sign is found.

(b) If the Building and Zoning Inspector finds that any sign or other advertising structure regulated herein is unsafe or insecure, is a menace to the public, has been constructed or erected in violation of the provisions of this chapter, is in need of repair, or is being maintained in violation of the provisions of this chapter, notice shall be given in writing by the Building and Zoning Inspector to the permittee thereof to remove or repair the sign or structure so as to make it comply with the provisions of this chapter. If the permittee fails to remove or repair such sign or other advertising structure, within ~~ten~~ twenty-four hours of receiving such notice, or a longer period of time if specifically designated by the Building and Zoning Inspector in writing on the violation notice, the Building and Zoning Inspector may issue charges for violating this section such sign or other advertising structure may be removed by the Building and Zoning Inspector at the expense of the permittee or owner of the property upon which it is located. The Building and Zoning Inspector shall refuse to issue a permit to any permittee or owner who refuses to pay the costs so assessed for the removal of such sign or advertising structure. Any person or entity that is in violation of this chapter that has been convicted of a violation of this chapter within the past two years may be cited by the Building and Zoning Inspector for violating this chapter without the requirement of first having to issue a violation notice.

The Building and Zoning Inspector may cause any sign or other advertising structure which is poses an immediate peril danger to any person or property to be removed summarily and without notice, at the expense of the permittee or owner of the property upon which it is located, if such sign or advertising structure is not removed or repaired within the timeframe stated in the violation notice.

(c) Notwithstanding any other provisions of this chapter, every sign or other advertising structure in existence on the date of adoption of this chapter, which violates or does not conform to the provisions of this chapter, shall be removed, altered or replaced so as to conform to the provisions of this chapter within five years after the passage of this chapter.

(d) Penalty. Any person, firm, entity, or company, including, but not limited to, the owner of the property, his or her authorized property manager or agent, or any tenant or occupant in control of the building space in question who violates or fails to comply with any provision of this section is guilty of a misdemeanor of the fourth degree. The institution of any penalties provided herein shall not preclude the Municipality from instituting any additional appropriate action or proceeding in a court of proper jurisdiction to require compliance with the provisions of this section.

**VILLAGE OF NORTHFIELD ORDINANCE NO. 2018-30
AN EMERGENCY ORDINANCE ESTABLISHING SECTION 1268.11 OF THE
PLANNING AND ZONING CODE RELATING TO CAR OR TRUCK RENTAL
ESTABLISHMENTS**

WHEREAS, automobile and truck rental establishments present particular activity, noise, light, parking, vehicle circulation, cleanliness, and aesthetic challenges to the community; and

WHEREAS, many of the commercial parcels in the Village that are zoned for retail business use abut residential zoning districts; and

WHEREAS, franchised automobile and truck rental establishments are required to meet rigorous standards established by their franchisors that will minimize the above concerns; and

WHEREAS, the Mayor and Council desire to enact Section 1268.11 of the Zoning Code in order to properly deal with the aforementioned zoning concerns.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Northfield, County of Summit, and State of Ohio:

SECTION 1. That the Council of the Village of Northfield hereby enacts Section 1268.11 of the Planning and Zoning Code as indicated in the attachment hereto.

SECTION 2. That the rest and remainder of the Codified Ordinances shall remain as presently drafted unless inconsistent herewith.

SECTION 3. That all formal actions of this Council concerning and relating to the deliberation and adoption of this Ordinance were taken in an open meeting of this Council or any of its legal committees and/or were in compliance with all legal requirements.

SECTION 4. That this Ordinance is hereby declared to be an emergency measure necessary for the public peace, health, and welfare of the residents of the Village of Northfield for the reason that it will assist with properly balancing particular residential and commercial development uses and concerns in the Village, and this Ordinance shall take immediate effect upon its signature by the Mayor, or upon the expiration of time within which it may be disapproved by the Mayor, or upon its passage after its disapproval by the Mayor, as the case may be, pursuant to Village of Northfield Charter Section 4.11.

IN WITNESS WHEREOF, we have hereunto set our hands this _____ day of _____, 2018.

Nicholas Magistrelli, Pres. Pro-Tem of Council

Jesse J. Nehez, Mayor

Approved as to Legal Form.

Bradric T. Bryan, Director of Law

I, Tricia Ingrassia, Clerk of Council of the Village of Northfield, Summit County, Ohio, do hereby certify that the foregoing Ordinance was duly and regularly passed by Council at a meeting held on the _____ day of _____, 2018.

Tricia Ingrassia, Clerk of Council

1268.11 SUPPLEMENTAL REGULATIONS FOR CAR AND TRUCK RENTAL ESTABLISHMENTS.

The rental of automobiles and trucks in B-1 or B-2 Commercial districts shall be permitted only as follows, and in addition to the regulations provided in this Chapter, only in compliance with the following standards.

(a) An automobile or truck rental business means a retail business that rents automobiles or trucks to the public or any other person or entity.

(b) Automobile and truck rental businesses shall be located on lots no smaller than eighty-five thousand (85,000) square feet.

(c) Automobile and truck leasing businesses shall be franchised by and affiliated with a national or regional automobile or truck leasing company.

(d) Automobile and truck leasing businesses shall have a leasing office that has at least two thousand square feet of office space in addition to a service garage customarily incidental to a full service, franchised, automobile and truck leasing business and franchise. Such leasing office and service garage shall be located in a wholly enclosed building.

(e) No junk, inoperative, or unlicensed vehicle will be permitted to remain outside on the property for more than forty-eight hours.

(f) All outdoor wiring, including electrical and telephone wiring, shall be installed underground.

(g) Lighting plans shall provide for zero foot candle levels at the property line, and there shall be no light passage beyond the property lines. Lighting shields necessary to screen the lights from adjacent residential properties shall be installed to the extent necessary so that the source of the light cannot be seen from the adjacent residential properties.

(h) Locations where such use abuts a residential district or dwelling shall provide a buffer zone of not less than fifty feet in depth as required by Section 1268.03 along the entire length of the common boundary between the commercial use and the residential use. This buffer zone shall be landscaped with grass, standard shrubs, and standard trees pursuant to Sections 1268.03 and Chapter 1288. In addition, a fence at least eight feet in height of a type permitted by Section 1282.05 shall be required along the entire length of the common boundary between the commercial use and the residential use.

(i) Businesses shall be required to comply with the parking requirements set forth in Chapter 1278, and sufficient provisions for handicapped parking and access for emergency vehicles shall be made.

(j) Automobile or truck rental businesses in existence at the time of the first introduction of this section and in continuous operation since the time of the first introduction of this section shall be permitted to continue their automobile or truck rental operations at their present location without having to conform to the requirements of this section.

VILLAGE OF NORHTFIELD RESOLUTION NO. 2018-31

**AN EMERGENCY RESOLUTION AUTHORIZING CERTAIN AMENDMENTS TO THE
2018 APPROPRIATION RESOLUTION AND/OR TRAFERRING ITEMS ALREADY
APPROPRIATED IN THAT RESOLUTION**

WHEREAS, as the result of certain occurrences, information, and expenditures, amendments to the year 2018 Appropriation Resolution and/or transfers of items already appropriated in the Appropriation Resolution are required.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Northfield, County of Summit, and State of Ohio:

SECTION 1. That in order to provide for certain expenditures during the 2018 calendar year, Council hereby and herein authorizes the amendments to the Year 2018 Appropriation Resolution and transfers of items already appropriated in the Year 2018 Appropriation Resolution in the amounts and to the funds set forth in the attachment hereto that is incorporated herein by reference.

SECTION 2. That all formal actions of the Council concerning and relating to the deliberation and adoption of this Resolution were taken in an open meeting of this Council or any of its committees and were in compliance with all legal requirements.

SECTION 3. That this Resolution is hereby declared to be an emergency measure necessary for the public peace, health, and welfare of the residents of the Village of Northfield for the reason that this action is required by state law and is necessary for the operation of the Village government, and that this Resolution shall take immediate effect upon its signature by the Mayor, or upon the expiration of time within which it may be disapproved by the Mayor, or upon its passage after its disapproval by the Mayor, as the case may be, pursuant to Village of Northfield Charter Section 4.11.

IN WITNESS WHEREOF, we have hereunto set our hands this _____ day of _____, 2018.

Nicholas Magistrelli, President Pro-Tem of Council

Jesse J. Nehez, Mayor

Approved as to Legal Form

Bradric T. Bryan, Director of Law

I, Tricia Ingrassia, Clerk of Council of the Village of Northfield, Summit County, Ohio do hereby certify that the foregoing Resolution was duly and regularly passed by Council at a meeting held on the _____ day of _____, 2018.

Tricia Ingrassia, Clerk of Council