



**Community Development Committee Special Meeting
Thursday, October 10, 2019 at 4:30 PM
Minutes - Approved**

I. Called to Order: At 4:30 P.M. by Chairman Jim Addington

II. Present: Mayor Ron Gunter, Village Clerk Jinny Szymski, Chairman Jim Addington, Trustee Linda Liddle, Trustee Bruce Barker, Trustee Harold Barry, Trustee Mary Guzzo, Trustee Steve Nero, Village Manager Steve May, Community Development Director Bruce Sylvester, Building Commissioner Jason Vitell, Finance Director Spencer Parker.

III. Pledge of Allegiance

IV. Approval of Minutes: Trustee Liddle made a motion to approve the minutes from the July 18, 2019 Regular Meeting and Trustee Barker seconded the motion. Motion passed on a voice vote.

V. Open Forum - No one spoke during Open Forum.

VI. NEW BUSINESS

- A. Ordinance 19-116 declaring cargo containers as a nuisance** - Community Development Director Bruce Sylvester updated the Board on the various efforts of the Code Enforcement Division for obtaining compliance for the removal of cargo containers. Business and property owners in violation were initially mailed official notices giving the owners one month to comply. Based on feedback, another notice was sent giving an extension of the compliance date. Sylvester then discussed the status of compliance. Chairman Addington asked Mr. Sylvester to discuss the container home that is currently being constructed. Sylvester responded that although shipping containers will be a component of the construction, the property will not be in violation with the new ordinance.

Public Comment - The following business owners were present and spoke on the matter:

John Griffin of Griffin Landscaping, located at 222 E. Quincy Street, expressed concern for aesthetics, security, and safety as an effect of removing his shipping

containers and not being able to alter his property to accommodate based on Zoning regulations.

Jack with McGrath Lexus, located at 500 E. Ogden Avenue, stated that the business currently uses the containers to store used tires which can be hazardous if not covered or stored properly.

Mark Daniel with Danielle Law Office spoke on behalf of KB Building Corporation; owners of 100-130 E. Quincy. Daniel expressed the hardships that the current business occupying the space, Industrial Gas Engineering Co. are experiencing which included time constriction, storage limitations, and lack of notice prior to the ordinance being passed. Daniel suggested screening as a resolution and to defer the enforcement beyond November 1st, 2019.

Craig Thomas of Warren Thomas Plumbing, located at 33 W. 63rd Street, expressed his businesses hardship due to the fact that out structures are not permitted on Commercial lots. Due to this restriction, they would not be able to consolidate their containers and material.

Stan Bales Senior of Bales Ace Hardware, located at 20 E. Quincy Street, commented to the Board that when they initially placed the container on their property in 1968, an employee of the fire department did not think there would be any issues nor did their property fail any annual inspections. Bales did not feel that the aluminum box fit the description of a cargo or shipping container and that more than anything, it represents a memorial of their business. Bales requested a waiver.

Mark Hill of Cars Plus, located at 27 W. 63rd Street, stated that he had already complied with the ordinance and removed their containers. Hill however expressed that the time frame given was unreasonable and costly.

John Fleming of J. Flemings Absolutely Delicious, located at 18 N. Cass Avenue, expressed concern for storage limitations including items necessary for his business like heavy catering equipment and materials.

Al from Collision Craft Autobody, located at 536 N. Grant Street, expressed concern with the removal of their container due to limited storage space in their shop.

John of Buttrey Rental, located at 216 W. Ogden Avenue, stated that he had already complied with the ordinance and removed the containers. He expressed

that there was little notice or time given to remove the containers and did not feel that the Village was trying to work with the businesses or be community like.

The general concerns and arguments of the business concluded as follows :

1. Not enough time for compliance.
2. Not enough room to conduct, current, business operations (storage) within Village code requirements.
3. Compliance is only required due to the appearance of the containers.

Manager May reiterated that shipping and cargo containers have never been permitted in the community. The difference now is the classification and enforcement. Sylvester added that accessory structures, much like containers, are not permitted in commercial districts due to current building codes and life safety matters.

Trustee Barry also stated that since the containers were never permitted, items such as lot coverage and stormwater management were never reviewed.

Trustee Barker noted that the intention is to keep the community clean and safe and it's difficult to regulate these containers.

The Board and staff replied to some of the concerns of the business and property owners and let them know that staff will work with them and are willing to grant extensions to accommodate needs and explore options.

- B. Request for waiver of fees for public improvements** - Sylvester updated the Board of a permit and plat applicant, located at 509 N. Warwick Avenue, that is looking for a waiver of fees for public improvements. This individual has worked with the Community Development Department for an extensive period of time and feels that the process has been very strenuous, costly and hassling. The Board was not in favor of any waivers and did not want to set a precedent. The Board and staff made comments and suggestions for educating and being more transparent when it comes to associated fees and requirements for lot splits.
- C. Enforcement of Section 86-2, weeds and grass in parkways** - Sylvester commented that earlier in the summer, code enforcement received a complaint in regards to overgrown native plantings in residential parkways. Sylvester asked the Board how diligently they would like the Community Development Department to enforce the requirements to maintain the parkways. The Board had mixed feelings, some felt that the native planting were beneficial in various

ways, and others felt they were unsafe and unsightly. The Board recommended looking to the Environmental Improvement Committee for guidance.

VII. Community Development Reports

A. Community Development Director

- a. The Board was provided with a quarterly packet that included various updates and statistics for the Department and told the Board they can always follow-up with him if they have any questions.

IX. Adjourn

Trustee Nero made a motion to adjourn at 5:50 PM, and Trustee Barker seconded the motion. The motion to adjourn was approved by unanimous consent.