

**NORTH RIDGEVILLE CITY COUNCIL  
BUILDING AND LANDS COMMITTEE MEETING MINUTES  
CITY COUNCIL CHAMBERS – 7:00 P.M.  
MONDAY, OCTOBER 29, 2018**

**To Order:**

Chairman Bruce Abens called the Building and Lands Committee meeting to order at 7:00 p.m. with the Pledge of Allegiance.

**Attendance:**

Members present: Chairman Bruce Abens, Councilman Bob Chapek and Councilwoman Michelle Hung.

Also present: Mayor David Gillock, Safety-Service Director Jeffry Armbruster, Councilman Dennis Boose, Councilman Martin DeVries, President Kevin Corcoran, Assistant Clerk of Council Tara Peet, Law Director Brian Moriarty, Clerk of Council Nancy Linden and Councilman Gregg Westover.

**Minutes:**

Chairman Abens asked if there were any corrections to the minutes dated August 20, 2018. No discussion was offered. The minutes stand approved as submitted.

**Discussion regarding T 106-2018:**

Chairman Abens stated the reason for the meeting was to tighten up the code and to give the police more tools for handling all-purpose vehicles.

Councilman Boose stated he and Chairman Abens co-sponsored this legislation in an effort to tighten the code section. They met with the Law Director and this was a working proposal. He felt like this Ordinance is open to compromise and discussion.

Chairman Abens asked if anyone on the Committee had any comments or questions. No discussion was offered.

Chairman Abens asked if anyone from the Administration had any comments or questions. No discussion was offered.

Chairman Abens asked if anyone in the audience carried to speak.

Mike Babet, 38601 Sugar Ridge Road: asked what is stopping the police from enforcing this the current code section and further asked if it was just not enforceable.

Chairman Abens stated it was not enforceable and the laws aren't clear according to the Police Department. He stated some of the complaints that have come in are residents that are not actually breaking any rules of the code.

Mr. Babet asked if the police are trained to measure decibels.

Chairman Abens stated it was his understanding that the police do not have the equipment to measure it and are not trained to do so.

Mr. Babet stated there is a free app that can measure decibels.

Councilman Boose stated it was his understanding that the Police Department does have such a machine. He further stated the issue is the police having the understanding of what the code stated and how to enforce it. Councilman Boose stated they are just attempting to make it clearer from an enforcement standpoint.

Mr. Babet stated the code does talk about setbacks. The American Motorcycle Association has a way to monitor off road motorcycles. He suggested that the Law Director look into it. Mr. Babet felt the City code was dated in regard to standards. He further noted he sent the recommendations from the American Motorcycle Association to some of the Committee members. Mr. Babet felt the current laws are satisfactory if followed properly.

Councilman Westover stated he had a similar issue in his ward on Stoney Ridge Road. He stated that he felt a compromise needed made and something needs done.

Councilman Boose stated the neighbors did try to have a conversation but it didn't work out.

Kim Stermole, 37872 Sugar Ridge Road: stated kids need to have a place to play or else they will get in trouble. Everyone has dirt bikes. Neighbors need to get along. She noted she has 1.6 acres and got along fine with dirt bikes. She further noted she felt the ten acre requirement was too much.

Jim Stermole, 37872 Sugar Ridge Road: stated all his neighbors have off road vehicles. He felt a dirt path needed defined. Mr. Stermole further added he felt this Ordinance was an overstep in government.

Councilman Chapek stated these all-purpose vehicles disturb someone's peace and quiet. He stated neighbors have to be kind to their neighbors and disturbing the peace is not right.

Steve Kemer, 5481 Grace Circle: stated he tried to talk to his neighbor. He stated his neighbor runs two jumps in his backyard seven to eight hours a day. He stated he tries to enjoy his backyard but seven vehicles running at once creates too much noise. Mr. Kemer felt a compromise needed to be found.

Councilwoman Hung asked Mr. Kemer if the police had come out to his house for this issue.

Mr. Kemer stated no, not for this issue. He stated the police did come out and added they stated there was nothing they can do.

Councilwoman Hung asked how the police on an enforcement level could attack what is currently codified.

Safety-Service Director Armbruster stated he didn't think the current code gives the police the ability to enforce it. He felt even if the current Ordinance were codified, it was impossible to enforce.

Mr. Babet stated as a member of the AMA, he is held to a higher standard. He suggested perhaps he speak to the people as a mediator. Mr. Babet felt the legislation time standards were good and felt the penalties were light and could be harsher. He added UTV's should be added which are basically a modified golf cart. Mr. Babet asked if the Ordinance will apply to motorcycles that have no noise.

Chairman Abens stated Mr. Kemer stated he is worried about safety and the jumps and concern for speed and stated noise is not the only concern here. He said maybe the ten acres is a bit of a stretch but there needs to be some minimum. Chairman Abens said he appreciates Mr. Babet is responsible but there are others that are not.

Mr. Babet stated the people running multiple vehicles need to use their vehicles at a full blown practice track. He urged them to follow the laws the City currently has now. Mr. Babet felt people cannot be forced to follow the law. He suggested again that he speak to these residents.

Safety-Service Director Armbruster stated he would never want Mr. Babet to be put in harm's way or represent the City. Safety-Service Director Armbruster stated he cannot approach these residents on behalf of the City and wanted to make that very clear. He stated if he wanted to do it on his own, that would be up to him, but the City does not want him to do it.

Councilman Boose thanked everyone for their input. This type of venue is what he was looking for. He felt good behavior could be legislated as long as it was enforceable. Councilman Boose stated this Ordinance came out because the Police Department is having a difficult time enforcing these types of complaints. He felt timing specifications and distances from a structure or a support structure was necessary. Councilman Boose stated he is comfortable with the two hundred feet. Councilman Boose stated he understood both sides and was not trying to take the legislation too far, but to rather give the police enough guidelines for those that abuse it. Councilman Boose suggested the Committee take a look at the recommendations from the AMA in regard to noise level and how it is measured. He added he would like to see more information on UTV's. He also stated he would like a better definition for dirt tracks.

Mr. Babet stated there are parameters as well for landscaping, setbacks and fencing.

Councilwoman Hung suggested looking at the zoning code and applying these types of issues as permitted uses in regard to a clay track.

Safety-Service Director Armbruster stated it was up to City Council what they wanted to do. He suggested looking at other communities and how it is addressed.

Chairman Abens felt there are some things that need changed with the first draft of the Ordinance. He suggested it be tabled and additional language be added to make the provision enforceable and hear it again at a later date at this Committee.

Councilman Chapek and Councilwoman Hung stated they agreed.

Councilwoman Hung stated she has an issue with the ten acre requirement.

Assistant Clerk of Council Peet explained to Chairman Abens that no motion to table was necessary as they can come back to the issue when they are ready to.

**Adjournment:**

The meeting was adjourned at 7:53p.m.

Date Approved: \_\_\_\_\_

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Tara L. Peet, MMC  
Assistant Clerk of Council