

**NORTH RIDGEVILLE CITY COUNCIL
STREETS, SIDEWALKS AND BRIDGES COMMITTEE MEETING MINUTES
COUNCIL CHAMBERS – 6:00 p.m.
MONDAY, MAY 21, 2018**

To Order:

Chairman Bob Chapek called the Streets, Sidewalks and Bridges Committee meeting to order at 6:00 p.m.

Attendance:

Members present: Councilman Dennis Boose, Councilwoman Michelle Hung and Chairman Bob Chapek.

Also present: Mayor David Gillock, Safety-Service Director Jeff Armbruster, President Kevin Corcoran, Councilman Bruce Abens and Deputy Clerk of Council Donna Tjotjos.

Minutes:

Chairman Chapek noted an error in the May 7, 2018 meeting minutes in the first line where he called the meeting to order. It states he called the Safety Committee meeting to order and that should read Streets, Sidewalks and Bridges Committee meeting to order. He asked if there were any other corrections or additions to those minutes and if those can be approved.

It was moved by Boose and seconded by Hung to approve the minutes as amended with the first sentence instead of stating Safety Committee to read Streets, Sidewalks and Bridges Committee.

A voice vote was taken and the motion carried.

Yes - 3 No - 0

Discussion regarding T 53-2018:

Chairman Chapek stated the ordinance before us today is under Chapter 400 for the weight limit on trucks and through trucks. He proceeded to read the intent of the ordinance as it is written. The weight limit is being increased to six tons. He asked if there were any comments.

Mayor Gillock stated as he was reading through the ordinance today, he believes there was clarification needed. Instead of the ordinance stating designated weight, it has to be defined as gross vehicle weight for clarity. He asked the Committee to have the Law Department make that change.

Chairman Chapek asked if there were any comments from the audience.

Mike Babet, 38601 Sugar Ridge Rd: expressed his appreciation of the Committee looking at the ordinance. He is glad to hear what the Mayor said. REZCOM sent out an informative bulletin to all the Council people. He noted load is what the vehicle carries and not the weight of the vehicle. He was asking that it be clarified so that it is clear. He

believes that North Ridgeville is more like Avon and Avon Lake which would be the five tons rather than the six tons. He asked the Committee if they would like REZCOM to send a draft to the City Law Department.

Kim Stermole, 37872 Sugar Ridge Rd.: stated she believed they needed clarification regarding the ordinance. She stated she had driven pickups over that last thirty-three years and asked if it were illegal for the last thirty-three years. She expressed concern about the load these trucks could be hauling. She doesn't want the semi's on the road but she also doesn't want little construction trucks hauling a lot of weight. She spoke of the safety concerns in having that much weight and being able to stop. She asked that more consideration be put into the drafting of the ordinance.

Councilman Boose stated he was glad the Administration had brought this to Council for consideration because he believes it does need to be addressed. There are parts of the ordinance that is from the 1960's and is antiquated. He suggested the Committee send it back to the Law Department for revision to things such as the definition of gross vehicle weight versus the word load. There is also gross combined rate rating which refers to the total mass of the vehicle including all trailers. There is also curb weight, dry weight, gross trailer rate rating.

Ann McCarthy, 38806 Sugar Ridge Rd.: explained they ride horses over at Blue Ridge Farm and they are hauling horses in and out of there all the time and it has never been an issue before. She wanted to make sure that is still okay.

Mayor Gillock stated that they will look at the definition and try to make it clear, but it is pretty clear what the gross vehicle weight is as it is put on there by the manufacturer and it is the weight of the truck plus any load that it is rated to carry. That doesn't include a trailer. A trailer has a separate weight, but that will be looked at. He stated someone mentioned that the cities around us have five tons and Elyria has six tons. If you went to five ton, the 3500 ton horse trailer would be illegal because gross vehicle weight on Ford F-350's or 3500 is ten to thirteen thousand. Mayor Gillock recommended it be left at six tons in order to make sure that the F-350 is legal. The resident is carrying the horse in a trailer which the trailer has its own gross vehicle weight.

Councilman Boose added to the Mayor's point and stated the Ford F-350 along with the GMC 3500 and others in that classification are still considered class three light trucks and then the next classification up is a medium truck then it goes to heavy trucks. Everything the City would want to do would be within the light truck category.

Mike Babet, 38601 Sugar Ridge Rd: stated that the law reads that if you are going to or from a property and have a stop on that street or live on that street you are exempt. Further, if going to that location the driver is required to take the shortest route from the nearest state route to that location. He stated that two of the three ordinances do not specify truck in other cities. He asked that it be clear. There are vehicles that are not trucks that are overweight and they shouldn't be traveling if they are not making a stop down that road.

Councilman Boose stated in Ohio Revised Code it does state vehicle and not truck.

Mr. Babet stated that Ohio Revised Code states commercial vehicle which is identifiable by the plate. He stated they would be happy to provide something just as an example.

Councilman Boose stated that the Law Department will look into that.

Albert Krage, 37903 Sugar Ridge Rd.: asked when the law changes will it be posted with the no-truck signs.

Mayor Gillock stated that they would change all the signs but it will not apply to the utility vehicles. That is the purpose of the exclusion when it talks about designed to carry a load. The City won't make utility vehicles such as Columbia Gas and Ohio Edison go from the west end of Sugar Ridge all the way around town to get to Ridgefield.

Safety-Service Director Armbruster added that it won't affect the garbage trucks either.

Mayor Gillock added as long as they are doing work. That is a good example with waste management trucks going through. The City has no basis to stop that truck and ask where they are going and coming from.

Mr. Babet stated he was confused because the reference to carrying property is not in any of the other ordinances.

Mayor Gillock stated it was in the City of North Ridgeville.

Mr. Babet stated if an Ohio Edison truck is overweight and has no stop on a street, they should not be using it as a cut through. He is interpreting that law himself. If a garbage truck is cutting through and they are not on a planned stop they are overweight.

Mayor Gillock stated if it was a waste management truck and the City somehow caught it cutting through, it would be ticketed. A First Energy truck with a cherry picker on it is not a truck designed to use and carry property. In the opinion of the Police Department, those are not trucks designed and used to carry property. They are exempt from the interpretation of this ordinance as they are not designed for use to carry property. If there is a First Energy truck carrying poles, then he is carrying property and he should not be cutting through. Most utility vehicles are not designed to carry property.

Mr. Babet asked that consideration be given that none of the other three City ordinances gives specification to carrying property. He would deem that reason because it is weight based. He asked that it be under consideration because a 14,000 pound truck is driving down Sugar Ridge and it goes off the road, it will go off the road for a long ways because the road is sloped and banked. A person walking, biking is subject to a double axel vehicle hitting them.

Mayor Gillock stated if in other cities they see utility trucks they are not going to pull them over even if they are big trucks. They aren't going to follow them to see where they start and where they end up. They are recognized in all cities to be utility trucks.

Councilman Boose thanked Mr. Babet and stated he understands the Mayor's point in that a utility truck could be anywhere in the City and the Police Department doesn't have the wherewithal to follow every utility truck to make sure that they are going to a stop. Councilman Boose stated he will recommend that when this ordinance is being reviewed it will be discussed and considered.

Albert Krage, 37903 Sugar Ridge Rd.: stated in looking back at the gross vehicle weight, he noted some Republic trucks that are cutting through and not picking up dumpster trash.

John Tipple, 36655 Chestnut Ridge Rd.: stated that they have a lot of cut through and in speaking of the BFI trucks, on any given day, they shortcut to the highway to get out to the landfill. They continually use Chestnut Ridge from 83 to get on the highway which is full of holes. He felt there was a lot of through trucks on a daily basis coming out of Winfield Farms traveling down Chestnut Ridge. He noted on Mother's Day starting at 10:00 the single axel dump truck hauling dirt all day long. He took a video and called the Police Department and they sent out a cruiser. He stated that he spoke to the patrolman who pulled him over and he told him that he was hauling dirt out of Winfield Farms and going down to 83 south of Butternut. He is using Chestnut as a cut through.

Councilman Boose stated that is already illegal and that is not being addressed in the ordinance.

Mr. Tipple stated that the police officer thought it was legal and asked once the ordinance was adopted to educate the police officers on what was legal or not.

Chairman Chapek asked if there were any further comments.

It was moved by Boose and seconded by Hung to recommend the ordinance go back to the Law Department for further clarification and revision specifically the change in the gross vehicle weight and to look at the issue having it identified specifically a truck deliver or remove property from any place.

A voice vote was taken and the motion carried.

Yes - 3

No - 0

Adjournment:

Chairman Chapek adjourned the meeting at 6:20 p.m.

Date Approved: _____

Tara L. Peet, MMC
Assistant Clerk of Council