

**CITY OF INDEPENDENCE  
PUBLIC HEARING MINUTES  
TUESDAY, OCTOBER 13, 2020 AT 5:30 P.M.  
VIA ZOOM**

Vice Mayor Grendel called the Public Hearing to order at 5:35 p.m. via Zoom. Present were Council Members Kathleen Kapusta, Tom Narduzzi, Kenn Synek, Jim Trakas, Dale Veverka and Chris Walchanowicz. Also in attendance were Mayor Gregory P. Kurtz, Finance Director Vern Blaze, Law Director Gregory J. O'Brien, Police Chief Michael Kilbane, Fire Chief Steve Rega, Building Official Michael Gero, Procurement Coordinator Dennis Zdolshek, City Engineer Don Ramm, Economic Development Director Jessica Hyser, Communications Director Alla Lora, Human Resources Director Letitia Linker, Technical Services Director Dave Snyderburn, Recreation Director Tom Walchanowicz and Service Director Leon Karas.

**ORDINANCE 2020-96** AN ORDINANCE AMENDING SECTION 1141.10 – SPECIAL PERMITS FOR U-3 USE OF THE CODIFIED ORDINANCES OF THE CITY OF INDEPENDENCE (**I: MAYOR KURTZ, VICE MAYOR GRENDEL**)

**ORDINANCE 2020-97** AN ORDINANCE AMENDING SECTION 1141.03 – PUBLIC BUILDING USES AND SPECIAL PERMIT USES OF THE CODIFIED ORDINANCES OF THE CITY OF INDEPENDENCE (**I: MAYOR KURTZ**)

**ORDINANCE 2020-101** AN ORDINANCE ENACTING NEW CHAPTER 1151 OF THE CODIFIED ORDINANCES OF THE CITY OF INDEPENDENCE TO PROVIDE REGULATIONS FOR SIGNS (**I: MAYOR KURTZ**)

Vice Mayor Grendel said welcome everyone. Everyone is here, and we have had this Public Hearing set now for the last month. There are three ordinances that are the subject of this hearing, and I believe we will take them one by one. The last of the three ordinances is the sign ordinance, which I suspect will have the most dialogue.

So, the very first ordinance is 2020-96, and it's ordinance amending Section 1141.10 – Special Permits for U-3 Use of the Codified Ordinances of the City of Independence introduced by the Mayor and myself. This really comes out of Planning Commission Mayor. I think it cleans up, both Ordinance 2020-96 and Ordinance 2020-97, it cleans up that U-3 Special Use business. I believe as far as the special permits for U-3 use of the Codified Ordinances; I believe there are 5 categories, Adult Education, Religious, Assisted Living, Nursing Home and Child Daycare. I don't have the legislation in front of me, but I do know the Child Daycare has a lot of sub-parts to it and everything and needs to have approval both from the City and the State agencies. Mike, if you wanted to discuss this in a little further detail.

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Building Official Gero said thank you Vice Mayor. Both of these ordinances are, 2020-96 and 2020-97, kind of go hand-in-hand together because what we are actually doing is we are taking language that was in one and moving it to the other ordinance. Out of the old 1141.03, the existing one, we had language in there that referred to daycare facilities and also it addressed any special or similar building or use that, in the opinion of Council, would serve the public interest and welfare which was typically granted a U-3 Special Use Permit. Well, this created a lot of confusion for a lot of the people who were looking to obtain these special uses because U-3 is a zoning classification; and they were actually looking at the fact or considering the fact that they were actually getting their zoning changed to be able to exist in that space that they were looking at.

So, we took the section, the existing section ending in .03 which is in Ordinance 2020-97, and we just identified specifically City and Public owned facilities and buildings in there. I think we have 10 listed but not limited to, and these would include City Hall, the Fire station, the Police station, Recreation facilities and all the school buildings and such that are actually City owned properties that exist for City function and are used by the City.

That section that referred to the childcare facilities, we actually slid that over into the existing 1141.10 Special Conditional U-3 Use was the old title, and it is now going to become Special Conditional Use Permit which we always issued; but now we are going to have it identified specifically as a Special Conditional Use Permit, totally separating it from any U-3 association. So, there won't be any misunderstanding that someone is getting a zoning change or anything like that. As you mentioned, including but not limited to, adult education facilities, religious facilities, assisted living or nursing home; and the childcare facility is in that. The language that is there, there are about 7 items on the childcare facility, all that language was existing in the other section of code. We are just sliding it over.

The only other section in that Ordinance 2020-96, the last portion of that identifies existing code language that is remaining as far as conditional use not commencing on the property within 180 days, it would expire and those type of things; those items that are existing text, existing in the other section of code.

So, that basically is a summary of both of those sections. If anyone has any questions I can answer.

Vice Mayor Grendel said well Mike, for example, I know that earlier this year, I don't know if it was the Clinic or UH; they came to have a special U-3 use for sleeping disorders. They were having it one of the hotels and everything. Is that a special permit, or how do they go about that?

Building Official Gero said so that would be considered, the hotel is zoned a U-6A, and that's the zoning on it. The Cleveland Clinic has the Special Conditional Use Permit to exist as a sleep study clinic on half of the fifth floor there. That permit that they acquired at that time was considered a U-3 permit; and that would just continue on. Any existing U-3 permits would continue as a Special Conditional Use Permit for as long as they exist.

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Mayor Kurtz asked if someone new comes in how would that be approached?

Building Official Gero said they would go through the process again.

Councilperson Narduzzi asked so on all these permits there is no time frame, it doesn't expire unless something changes?

Building Official Gero said correct, or unless a time frame is put upon by Planning Commission.

Law Director O'Brien said most of the sleep clinics actually have, the Planning Commission approved them subject to an expiration date, generally 3 years and made them come back.

Vice Mayor Grendel asked any other questions for Mike or for Greg? Like Mike had said, they are kind of twin companion pieces of legislation. They go hand-in-hand, and I think it just cleans up, a better understanding for people using our code and applying for these special permits.

Shall we move on then to Ordinance 2020-101? This is an ordinance enacting new Chapter 1151 of the Codified Ordinances of the City of Independence to provide regulations for signs. This was the subject of our workshop that we had back on September 29<sup>th</sup>. Any questions? Well Mike, do you want to give a recap again to the legislation?

Building Official Gero said so we took the sign ordinance, and as some of you may remember, it was about 6 years ago or so that we attempted to update the sign ordinance at that time. It wasn't successful, and since then there's been a Supreme Court decision that has come in and kind of offered a very stringent guideline as far as how sign ordinances can be interpreted.

So, we have been working on this, and we actually had it ready, I was ready with a rough draft back in March; and I think I spoke with the Mayor about it the day before Covid hit. It's been stuck since then, but in the meantime we kind of got it back and got it running there so that we could get it moving along and move forward with it. This is a reorganization of the sign code. It basically reinforces the existing conditions, and it establishes criteria and organization as far as the definitions and design standards and some of the measurement standards to group them. Our current sign code is very scattered, very hard to navigate through. So, we tried to take it and streamline it; and by doing that, make it easier for the business public primarily to be able to navigate through the sign code when they are trying to determine what type of signage they want to put up.

The biggest change in the ordinance is simply the fact that there's no place in the code that a sign is identified by what it says. Everything, the Supreme Court's decision was basically a decision that if you had to read the sign to be able to determine what type of sign it was that it would be unconstitutional. So, in our code our signs are all defined by the type of sign, whether it's a canopy sign or directional sign, monument sign, roof signs which are restricted, temporary sign, a wall sign, that type of determination by how it appears as opposed as to what it represents.

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So, we reorganized the code. The sign code is a living document more so than any other code in the Codified Ordinances primarily because of all the changes that happen throughout the marketplace if you will as things progress and things change and people come up with other ideas. It needs to be looked at and revised every so often to determine whether it's still applicable. It has been quite a while since this had been done.

So, in going through it we spelled out and elaborated on some of the things that are required for permits. We took the measurement standards and the design standards and identified those so that we weren't duplicating those in every section of the zoning districts. Basically, I will say for the most part, we did not change anything in the sign code restricting signage except in the residential code we changed up a couple of things. There was a section in the residential code, we eliminated the definition of a political sign because we can't do that anymore. So, we took the sign code for residential, and we identified it by temporary signage which are the same numbers that were in the existing code. We actually loosened up the restriction of 15 foot. Somebody said 15 foot from a side line and 10 foot from a street right-of-way. The existing code states 25 foot from the side lot and 10 foot from the right-of-way; so we kind of reduced that a little bit.

The other thing we did is we reduced the size of a temporary sign for a home during construction so that it wasn't, if someone had an individual lot they wouldn't necessarily have a 4' x 8' sheet of plywood up there out front saying that John Q Builders is building that home.

There was some concern raised, brought to my attention as far as some of the signs regarding the signs in the right-of-way; and we actually, there has been no change in that language as far as the signs in the right-of-way from the existing sign code to the new sign code except that we changed that currently it's approval of the Mayor or the Board of Zoning Appeals. We changed it from that to make it the Mayor or the Building Official because the Board of Zoning Appeals meets once a month, and somebody might be having an event this coming weekend, and they want to put up some signs in the right-of-way which is typically for a temporary type of thing. It's not an issue.

Greg, is there anything that you can think of that I skipped over?

Law Director O'Brien said no, just on that point, most communities prohibit signs in the right-of-way; so to have a permit process in place where someone could get a temporary sign, they would issue it for a duration, and then after that duration, if the sign still stayed there, then the City may have to do a little bit more in a situation where there are signs put illegally in the public right-of-way. We researched this just to make sure we are consistent with the law; the City has absolutely every right to take those signs, Mike will take those signs, take them back to the Building Department and then retain them for at least 15 days so if anyone is looking for them they could obtain their signs.

Building Official Gero said and of course this code, just like any other zoning code, has the right of appeal; and we have that section in there as far as hearing and what the process is to appeal a section of the code.

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Law Director O'Brien said actually we kind of beefed that section up. I think our old code, our existing code right now is at the very least a little ambiguous; so in various situations someone gets a notice from Mike that they have an illegal sign, they have an appeal right. If someone can't get a sign that they want, they have an appeal right and so forth.

Vice Mayor Grendel asked now if somebody was going to have a yard sale or garage sale, you know how you see these signs on the main street just to direct people to a certain address and that; do they have to come to the Building Department and get a permit to put that sign up for a few days? How would that go?

Law Director O'Brien said the short answer is yes, they do. Whether or not we have the personnel to monitor our rights-of-way 24 hours, 7 days a week; I am not too sure that it is going to be the case. If someone is in the right-of-way without an issued permit by the Building Official or the Mayor's office for a duration; and obviously the point there is for those types of activities maybe if as long as it didn't prevent any sight line issues with traffic, I don't think the City is not going to be accommodating for a durational period of time.

Councilperson Kapusta asked so for instance too like say the Kiwanis were having their pancake breakfast or the high school was doing an athletic program and the signs went up; prior to that then they should be requesting approval of either you Mike or the Mayor's office, correct?

Building Official Gero said that is correct.

Councilperson Kapusta asked have we, and I know we maybe hoped that they would be doing this all along, but are we in any way going to be educating groups about this?

Building Official Gero said well the intent is to educate not only groups but a few of the businesses along Rockside Road once the sign code passes as far as the new regulations and their timeframe to comply.

Law Director O'Brien said Councilperson Kapusta, we could, Mike and I could put together an article for the next City magazine to start the education process.

Councilperson Kapusta said thank you.

Vice Mayor Grendel said this doesn't take effect until 30 or 60 days after the Mayor signs it; so it will be a lead in to the enforcement of this; but I think people should know the ground rules. You are right, Rockside Road, there are so many of those signs for different restaurants, and they don't even care where they put them. I see Applebee signs over here by the Rockside Corners. They are all over the place; so they are very unsightly. I don't know sometimes, they are low to the ground, so I don't know if they cause any traffic problems; but I think everybody should know what the protocol is to use these signs and have a little lead in to educate the different groups, the legitimate civic groups that want to either have directions or maybe have a one or two day, whether it be a chicken barbecue or maybe a Citywide garage sale or whatever, that they can properly put that in and take it down within a few days.

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Mayor Kurtz said Mike you are saying that if Kiwanis calls up on a Friday or at any time they call up and they want to put their sign up, you or I could authorize that at that time or is there another process they have to go through?

Building Official Gero said we could authorize that. We could have them submit something such as an e-mail type of thing.

Vice Mayor Grendel said so a very informal sign up.

Councilperson Kapusta said that's good.

Building Official Gero said this is going to be an educational process, and like I said in the beginning, this is kind of a living document; so we are going to kind of work through and see what works and what doesn't work and where we need to make some changes down the road. It could very well be in another year we are coming up with some things that we need to address because we ran into them; things change and we run into something.

Mayor Kurtz said so what you are saying is that this is a process, there will be some refinement; and Council has to be cognizant of the fact that we may be back to them periodically for refinement and their input and their decision.

Law Director O'Brien said 100% Mayor.

Building Official Gero said this is not an end all.

Councilperson Trakas said I think this conversation really kind of hits the nail on the head, and the main concern I have about the whole legislation with this. You are criminalizing normal behavior in a sense; I wouldn't say criminalizing.

Mayor Kurtz said that's a strong word Jim.

Councilperson Trakas said okay I take that back. You are making us get a permit now for the St. Paul Greek Festival; I think this is going to be really unfunctional. I think we are going to hack off some of our residents, and I understand what you want to do in the commercial areas and why we would want to do it in the commercial areas; but even then it's like they are all God's children. They are just trying to make a buck, and I don't think it's that unwieldy. You have a City running around collecting signs. I don't know, I just think it's going to be a lot more work than it's worth. I really would question this aspect of the legislation because I think it will be so unworkable, and again you are talking about fairly innocuous things. I just think the long hand of the Government; this is going to start hacking some people off. I think it's avoidable.

Mayor Kurtz said with all due respect, we don't go out of our way today even to get in the middle of these situations. Most people, most events, they are very orderly. They put their sign up, they take it down; and it's for a fixed period of time. It's the people who put these signs up

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on a pole or they put their signs up, and you are driving by, the event's gone a week; and they are still up. It is just an unsightly situation. I can assure you that this Administration is not out for a witch hunt, and they are not trying to take anyone's ability to help an organization away from them. You drive up and down the street, you see.

Again, we are not trying to do something or take away someone's ability to communicate. We just need to make an orderly fashion. That's the goal, but like I said earlier, this is a start. This is going to be a living document, and I would be surprised if we are not back to Council periodically to have them make adjustments. That's what I think is going to happen.

Law Director O'Brien said if I could just say Mayor, I echo that. We are going to find out from practice that there are better best practices, there are better ways to go about it. I would be very surprised within the next 6 months to 9 months if we are not back with some various changes because some of our residents say well wouldn't that be better this way or that way; and we find out that there maybe is.

Councilperson Veverka said I think that one of the things that we need to be concerned about though is if we are going to enforce these rules and lay that responsibility on the Building Official, that for sure if anything is missed, then there will be accusations of selective enforcement. Hey, I see a sign here, here and here; how come those didn't get removed? We will have to deal with that situation of selective enforcement. To me, it might make more sense in that section related to residential areas to have at the very least a list of yes you are allowed to have yard sale signs. Yes, a realtor could post an Open House sign, and the Kiwanis. To me, it seems to make a lot more sense if we have already existing a set of here are the ones that for sure qualify as being not an issue. If anything, to state what the period of time might be for a garage sale. You could have it up 3 days or whatever. The idea of this broad brush that we are painting for all of these basically daily life signs doesn't seem to make much sense to me because invariably we are going to get caught in the crosshairs I think.

Mayor Kurtz said keep in mind that we are trying to preserve the community's character and charm through this whole process. Business sign wars are unsightly and ineffective at best.

Law Director O'Brien said Councilperson Veverka, I think you raise a very valid point. Unfortunately, in the U.S. Supreme Court case, the Gilbert case, we couldn't put together; we would basically be writing up a content based list of signs that we would pick and choose what would go in a particular area. I would advise any client in this area that, but for an area that has 100 signs in the area, it's not the type of sign that wants to go in the right-of-way; and we should freely give these permits provided the aesthetics of a particular neighborhood are taken into mind. The minute we are going to withhold this sign because it's this event versus another sign; that is a bad place to be from a legal standpoint, if you understand what I am saying.

Building Official Gero said let me just reiterate that this section of code is not changing; this is existing.

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Councilperson Narduzzi said it seemed to work pretty well in the past. As long as we use common sense and use some kind of rational control; we are not changing the world here guys, we are just trying to make it a little bit better. I don't think anybody is looking for a fight or argument. We are just looking to have some kind of rational control over these signs. If somebody abuses it week after week after week; we have to have some kind of tool to take care of it. If somebody loses a cat and puts it up on the telephone pole, if the cat isn't found in a week, chances are we aren't going to find the cat. So, the sign could probably come down, and nobody is going to squabble about it. The guy who continues to put a sign out on Rockside Road week after week; and it's not supposed to be there, we have to have a tool so he can't do that.

Mayor Kurtz said well Mr. Vice Mayor, based on what the Building Official is saying, we already have that tool; so it's the same tool we have existing today.

Vice Mayor Grendel said yes, so there's really no change on the law in that regard; and again, it comes down to common sense. The main thing is enforcement, and content means nothing. We have to go by the size of the sign or where it is located and everything. I think the worst thing I have seen is all those political signs you see on the on ramps. Even though that's ODOT property, you see those political signs long after the election is over; and you wish somebody could take those and pull them out of the ground and everything.

I don't think we have any problem. Again, common sense, if the event is over and has been over, we can remove those signs. We have that authority now.

Mayor Kurtz said these updates are needed because individuals and businesses keep pushing the boundaries. That is what we are trying to manage.

Vice Mayor Grendel said very good.

Councilperson Synek said this section also caused me some angst which let me to do some reading on the matter. Based on what I found, the issue we are discussing right now has been addressed by City Councils and officials all across the country hundreds of thousands of times over; and it's led to many Court cases that have made their way all the way to the Supreme Court. Essentially, by reading it, it has told me that is that the Government has an interest in ensuring that the public roadways are free, clear, accessible, safe. That is a very strong public interest, it's the safety of the traveling public, either walking across the sidewalk or driving down the street; the Government has a strong interest in ensuring public safety. The commercial business also has an interest in promoting their business, promoting their event; and there is a balance between the two. Summarize it to say by reading, it says that the Courts have authorized cities to do what they need to do to control signage in the right-of-way. Obviously, you can't have somebody building a billboard next to your driveway where you can't see traffic coming in your direction. You have to be able to maintain a clear view. So, the City has that interest in maintaining safety in the right-of-way, and I think that's going to be probably the governing thing that Mike Gero and people on the front lines of this thing are going to say, is this a hazard to the public? If it's not a hazard, if you want a chicken barbecue sign, that's nothing to be

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worried about; but the overriding interest from the Government is public safety, the extent that these little signs don't interfere with public safety, we will find a way to work with that.

Again, it's the balancing act between the needs of the Government and the needs of the commerce; and how do you define that? Well, you can't say political signs are okay or church signs are okay without saying that business signs are okay. So, the law basically has to say no signs in the right-of-way, and you have to work from there.

Vice Mayor Grendel said thank you Kenn. Debi you said we got an e-mail or something from Larry Weir.

The Clerk said actually he had his hand raised, and his question was there a lot of confusion as to the permits and only mentioned the Clinic when you were talking about the special use, but that didn't seem to be an issue. So, he was interested in more examples as to why the ordinance needed changed.

Vice Mayor Grendel said that's getting back to the first two ordinances.

Mayor Kurtz asked Mike can you elaborate?

Building Official Gero said it's something that typically the Vice Mayor is not going to be aware of by Planning Commission or Council is not going to be aware of because it is something that happens early on when that person comes in to try to find out what they can and can't do that I am dealing with. Something that I get on the front line as far as they want to change the zoning, and I say you need a Special U-3 Permit; and they say will that change the zoning to U-3. I try to get them to understand they are not changing the zoning. The zoning for that property would remain as is, but they are getting a Special Conditional Use Permit. So, it's just an effort to simplify and try to diffuse that confusion early on. Once the process is done, and once I get through and once Jessica and I are working with the new business or what have you, then everything is kind of laid out. They still may think they are getting zoning, but at least we have them educated enough so that like I said, when it gets to Planning Commission, when it gets to Council, it's not an issue. It's an issue early on clearing up, and that's part of the reason to separate the two of them.

Vice Mayor Grendel said it just comes down to the practicality, educate them up front that they are not getting a zoning change; but they are getting permission to have a special use in that location. That is what they are seeking to get.

Building Official Gero asked is Mr. Weir looking for examples of U-3 permits because we issue them all over if that's what he is referring to.

Mayor Kurtz said I think you gave him the example of the Clinic, and I think he was just curious or was interested in knowing a couple of examples of something similar.

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Building Official Gero said Vista Springs was example of the zoning remaining U-5 which is for office building, but there is an assisted living facility on there.

Vice Mayor Grendel asked any other questions from Council for Mike or for Greg?

Councilperson Veverka said Mike, so I live on Beverly Drive up at the top near Eastview. So, I want to be able to direct people to my yard sale for example. So, I come in, but realistically I probably need at least 6 signs. Do they all fall under the same umbrella? What do we do there? I have one on Sprague, I have one on Brecksville Road, I have one on Pleasant Valley, I have one at the top of Eastview aiming the proper direction. Realistically, to be able to get where people are going and get them collected, that might be 6 signs.

Mayor Kurtz said you are probably not going to come and get a permit. Realistically, you are not going to come get a permit; you are just going to put them up. We will expect you to be respectful and take them down on a timely basis. If they are still up a week later, and you are going to do it a month later; we are probably going to call you and say hey you put the community in a bad situation a month ago, you can't do that again.

We are not going to be out policing every sign that goes up. We have the law on the books now, and I am not sure we have had real problems.

Vice Mayor Grendel said in the past when we have had a garage sale, we put one out on Brecksville Road by Chestnut. We put one by Sunset, and then we put one on Chestnut Road and I think maybe by Elmwood. We put it up the day before the garage sale, or two days before, and we have it down the day of. People just have to use common sense and be able to take those down and not just leave them up there for weeks on end until the weather takes care of them.

Building Official Gero said part of it comes into play with the good neighbor ordinance which I am currently working on too.

Councilperson Kapusta said I think we have heard so much too from different residents about the appearance of our community and wanting things to be more orderly in some areas and just a bit more favorable appearance. So, that's how I think we can perceive this. I don't see it as being a punitive thing. I don't see it as being a thing in a negative way. I would like to look at it from a more positive perspective just as the Vice Mayor said, if there's a prolonged issue or a prolonged situation that goes beyond what is necessary, then we have the mechanism to be able to remove it.

Vice Mayor Grendel asked any other questions or comments?

Councilperson Synek said so Mike or Greg, my understanding is that the existing ordinance, sign ordinance, was enacted in 1987; and in 1987 no one was thinking about these video display boards and high resolution screens in their signage that exists today. So, can you speak for a minute about the technological changes and how they have impacted this updated ordinance?

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Law Director O'Brien said well Councilperson Synek I can address the electronic messaging boards. Right now in our current code, we do not allow changeable copy and for many years we have taken the position that, except if you come in and get a variance, that if you want one of these electronic messaging boards, you need to get a variance through the Board of Zoning Appeals. That really has not changed; although we did kind of clarify that electronic messaging boards and changeable copy boards, so those are the old ones. You went out and changed; I remember from my elementary school, I had the pleasure of doing that because I got that silver star or whatever, I got to do that every morning. The organizations that still utilize those or organizations that feel that they need the electric, still come in and ask for a variance. In those cases, probably what we will do is probably put some restrictions if the Board of Zoning Appeals approves it, how many times you can change that changeable copy. A lot of communities that have allowed electronic messaging boards, they regulate the light, the illumination so that it's not distracting. We have done research on that. We have the information, Mike and I; but right now it hasn't changed, we just clarified that changeable copy also includes electronic messaging. For right now, unless you come in and ask for a variance, it's not approved under our current code and it was not prior to this code. We have that moratorium that's going to expire come the end of December. We want to get this approved and in place.

Any lawful signs in place now, lawful permitted signs, that doesn't change. They can still continue to function as is without any restriction.

Vice Mayor Grendel said thanks Greg. Any other questions for either Mike or Greg? There were none.

The Vice Mayor asked the Clerk did anything come in from the audience?

The Clerk said not in the meeting tonight. You received an e-mail from General Wagner earlier today.

Vice Mayor Grendel said I think everybody on Council received that e-mail from General Wagner.

There being no more comments, we could entertain a motion to adjourn the Public Hearing.

**Moved by Narduzzi, seconded by Walchanowicz, to adjourn the Public Hearing of October 13, 2020. Voice Vote: 7 yes/0 no; motion carried.**

Vice Mayor Grendel said Michael thank you for your input and helping us understand better the legislation. Greg, likewise thank you.

Mayor Kurtz said I would also like to thank Greg O'Brien and Jessica Hyser. They all participated in a robust discussion on this.

Vice Mayor Grendel said I appreciate the comments Mike made that it is a living document. So, 4 or 5 months down the road, if there is a way to improve it; we are open to suggestions that will

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constantly improve this legislation and keep in tune to what is happening in the Courts to also make we are abiding by Court rulings too.

Councilperson Veverka said Mr. Vice Mayor. I would ask this question. If we do indeed decide to pass this particular ruling, and you say we can look at it down the road; and unfortunately, as discussions like that go down the road, it's way down the road. I wonder if this group would be willing to revisit it say in 3 months or some other period of time to see what problems we run into and what kind of tweaks would need to be made.

Vice Mayor Grendel said well we could possibly revisit it. I do know we have our workshop at the beginning of the year. I don't know if that gives us enough time because this won't take effect; but we can definitely look at it come next spring and see if Michael could let us know if he has had any problems or any feedback from his office regarding the sign ordinance. We could all share our experiences too and take a look if anything needs to be revised at that time.

Greg, you could update us on the case law if anything comes down the pike that we might want to look at our ordinance too.

Councilperson Veverka asked would we be getting feedback on that? I know in the past from the Building Department we used to be able to get the house inspections, visual house inspections, the number of inspections and so on. Would this be something that could also be included in that report?

Vice Mayor Grendel said I know that we haven't had that recently. Mike, you used to give us how many streets were looked at by the inspector and if there were any problems and that. We really haven't gotten, and Mayor hopefully some day we can get back to having that report where each department, whether it be Engineering, Safety, all have their set of data that they could provide us. I know I use that information to kind of compare like with the Building Department or Engineering, kind of compare facts. It's kind of nice to have that information. I don't know if it would appear on your weekly, or whether we as a Council could get it maybe monthly or that just to give us an idea.

Mayor Kurtz said we will put that together, absolutely.

Vice Mayor Grendel said it might not be something maybe the residents, but I think full disclosure, the residents probably would enjoy that too.

Mayor Kurtz said I will give it to Council. A lot of it is something Council might find appropriate, but it's pretty voluminous; and that's why we changed the update.

Vice Mayor Grendel said I think your update will be about 15 pages long with this.

Mayor Kurtz said we can work on that.

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Councilperson Veverka said that was particularly helpful I know related to the Police Department and when there were all those concerns about what is happening, the sky is falling; and it would be much easier to be able to cite the data that we do have in hand to say no there's not a bunch of burglaries, no there is not a bunch of other issues and be able to lay our finger right on that piece of information, whether it be that or questions from what is happening? Where is the Engineering Department focused on? What's going on there and so on. Those reports were invaluable to Council Members, at least to me to knowing what is happening in town, to be able answer residents with a reasonable answer.

Vice Mayor Grendel said we had it from Recreation, Community Services provided us data as well as Fire and Police and Engineering and Building. It does provide us with information that I think is useful.

Mayor Kurtz said no problem. We will work on that. We started it years ago; and we will just refresh it now.

Vice Mayor Grendel said I think that's something we should be aware of, and I do enjoy the format that you have now. I think residents find it informative, but I think as a Council Member it's good that we know some of the data so as we go to have our committee meetings we know what the trend is.

Mayor Kurtz said got it.

Vice Mayor Grendel said thank you sir.

There being no further business, the public hearing was adjourned at 6:15 p.m.