

**CITY OF INDEPENDENCE
PUBLIC HEARING MINUTES
TUESDAY, DECEMBER 15, 2020 AT 5:30 P.M.
VIA ZOOM**

Mayor Kurtz called the Public Hearing to order at 5:35 p.m. via Zoom. Present were Council Members Vice Mayor Dave Grendel, 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, Building Official Michael Gero, City Engineer Don Ramm and Economic Development Director Jessica Hyser.

ORDINANCE 2020-116 AN ORDINANCE AMENDING SECTION 1143.03 – OPEN STORAGE OR PARKING OF A RECREATIONAL VEHICLE OF THE CODIFIED ORDINANCES OF THE CITY OF INDEPENDENCE(**I:COUNCILPERSON WALCHANOWICZ**)

Mayor Kurtz asked Greg O'Brien do you want to opine or Mike do you want to opine?

Law Director O'Brien said over the years, we wanted to make a practical change to 1143.03. We know recreational vehicles probably even more so after Covid gets away from us, more and more people are using recreational vehicles, and we just received a couple of comments that three days is just not enough time to prepare and winterize, to put these recreational vehicles away for the winter and to bring them back and get them ready for the season. So, in talking with Mike, and at the request of Councilperson Walchanowicz, we prepared this legislation. We think it's a good practical change.

Mayor Kurtz asked Mike do you want to weigh in?

Building Official Gero said what it does is that it extends the period from three days in any calendar month to 10 days which is a little more practical. You get involved in the weekend, somebody is getting the camper ready to take it to their campsite or getting a boat ready to launch, things like that or wrapping it up and getting it winterized and ready for the season, either boat or camper or what have you, whatever type of recreational vehicle they may have. This just gives them a little more flexibility.

The intention is not that they are going to store them on their property which is what the legislation is geared towards; they are just getting them ready. They are there on a temporary basis, and this would give them more flexibility and make everything a little more easier.

Mayor Kurtz said it's my understanding that if I put my camper, I would pull it in my yard; I can keep it there for up to 10 days, right?

Building Official Gero said correct.

Law Director O'Brien said in any 90 day period.

Mayor Kurtz asked on day 11, what happens?

Building Official Gero said well typically what happens is we work off of a complaint basis on this. What happens, the past practice has been that we get a neighbor who calls and informs us that the neighbor has had his camper in his yard for a week now, and he's only allowed to have it 3 days. So, we go out, we mark it, we usually notify them by letter that they had 3 days to remove it, and that they are allowed 3 days. Then after that, it progresses from there. Typically what happens is usually it's removed because all they are doing is getting it geared up for storage or getting it geared up for the season. There has been a few cases where someone has actually intended to store their vehicle on their property. They have gone to the Board of Zoning Appeals, and variances have been granted for certain people throughout the City to allow their vehicle to stay on their property.

Mayor Kurtz said so on day 11 then our protocol is if we get a complaint that on day 11, somebody from your office will go to that residence, knock on their door, show them the ordinance, ask them what's going on; and then if they don't respond and take care of it, then the next step is to send a letter to them.

Building Official Gero said right.

Mayor Kurtz said then if they don't respond, then we cite them.

Building Official Gero said right.

Mayor Kurtz said that's the protocol we have in place, right Mike?

Building Official Gero said we aren't looking for a heavy hand on this, we are just trying to keep things close; and I believe Jack wants to have a conversation with you. That's the protocol that's been established.

Mayor Kurtz said thank you Mike. This is inside baseball, we are just having fun with that; but that's exactly how it would work in real life. We get a complaint, we send somebody out, we talk to them. If there are extenuating circumstances, at least we will have that in file. If there's not, then we will proceed with the next step which would be a letter, then go from there.

That's the genesis of this ordinance. Debi, are there any questions?

The Clerk said I have not received inquiries or comments via e-mail with regard to this issue.

Mayor Kurtz asked any Member of Council have any other questions, concerns or opinions.

Councilperson Kapusta said first of all, I just wanted to ask, Mike when you were talking about that there are some people who petitioned and have been able to keep it. Is that when I heard people talk about that it has to be outside of the sight line from the street or something. Are there any parameters?

Building Official Gero said the way the ordinance reads now is it cannot be seen from the public right-of-way. So, part of that is if someone has the ability to take a recreational vehicle and put it on their property, this ordinance doesn't say that they can't store it on the property as long as it's not seen from the public right-of-way, which would include any neighbors' yards or anything like that.

Councilperson Kapusta said okay, but with this ordinance we are saying that they could have it in their driveway while they are cleaning it and unpacking it or whatever for up to 10 days every 90 days. Is that correct?

Building Official Gero said that is correct.

Councilperson Kapusta asked so previously it was 3 days every 90 days or 3 days monthly?

Building Official Gero said 3 days in a calendar month.

Councilperson Kapusta said 3 days in a month. Okay, so I think this is fair. Thank you.

Mayor Kurtz asked any other questions of Council or comments?

Vice Mayor Grendel said Mayor I would suggest that if this does pass and everything, that maybe some little notice be put in our monthly newsletter so neighbors would know that there is a change in the laws if we can.

Mayor Kurtz said sure, we will put that in the newsletter, identify new rules.

Building Official Gero said we will put it in our Building Department article.

Vice Mayor Grendel said very good. Thank you, Mike.

Mayor Kurtz asked anybody else? If not, then I would entertain a motion to close the Public Hearing.

Moved by Grendel, seconded by Narduzzi, to close the Public Hearing of December 15, 2020.

There being no further business, the public hearing was adjourned at 5:42 p.m.