

**STOW CITY COUNCIL**

**PUBLIC IMPROVEMENTS COMMITTEE**

Minutes of the Public Improvements Committee of Stow City Council held on Monday, September 9, 2013 at 5:36 p.m.

Committee Members Present: Pribonic, Razor, Bednar and Lowdermilk

Committee Members Absent: None

Other Council Members Present: Costello and D'Antonio

City Officials Present: Director of Planning & Development Kurtz, Mayor Drew Police Chief Dirker, Fire Chief Kalbaugh, Law Director Reali, Director of Parks and Recreation Nahrstedt, Director of Budget and Management Earle, Tax Administrator Snyder, Manager of Information Systems Germano, Service Director Wren and Deputy Clerk of Council Preebe

Press Representatives: Stow Sentry

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Mr. Pribonic called the meeting to order.

**APPROVAL OF MINUTES**

**MOTION:**

Mr. Razor moved and Mr. Lowdermilk seconded to approve the minutes of the Public Improvements Committee of May 20, 2013 as presented.

Yes votes: Pribonic, Razor, Bednar and Lowdermilk

No votes: None. The motion carried.

**AMEND CODE – SECTION 1185.02 – TEMPORARY USES – ROLL-OFF DUMPSTERS IN RESIDENTIAL DISTRICTS**

Mr. Pribonic said that this was before Planning Commission and everyone should have the information in front of them.

Mr. Kurtz said that this proposed legislation that was recommended for approval by the Planning Commission at their last meeting and this came out of discussions with their Zoning Compliance Officer, Bobbie Carper, Councilman Riehl and Councilman Pribonic regarding some of these situations where they had roll-off dumpsters or residential dumpsters that have been parked in residential neighborhoods for extended periods of time.

Mrs. Carper indicated at the Planning Commission meeting that there were at least two situations that she was currently aware of and it has been increasing.

These regulations were put in place basically to allow this sort of roll-off dumpster but to limit the time that it could be on a property and also where it could be on the property.

Two years ago, they adopted some regulations on pods. These were different. They were not pods. These were roll-off dumpsters which he was sure that they were aware and was sure that they have seen them. They were typically open containers. It was their view that if they were on there for a limited period of time, it would not be an issue. It was when they became permanent fixtures was when there could be issues in their view.

The regulations limited the time that they could be on the property and they have also defined what could be put in these containers. They already had definitions of garbage and rubbish. The thing between garbage and rubbish was garbage was food waste and this would not be for food waste. It was specifically saying that they could use these but it was not for food waste just for rubbish—paper, construction material, etc. Again, they had those definitions from the nuisance code that they could rely on. If someone used this improperly for regular garbage, they could then enforce that section.

They needed to be on a hard surface. They also could be on the property for no longer than thirty days and there was no permit necessarily required for this. The time clock will start ticking when they became aware of the issue. In that case was how it would start. If it needed to be longer than thirty days, they could get approval from the Planning Department for that use.

There could be no more than one dumpster on the property at a time. They could not be located such that they were inhibiting vehicular or pedestrian traffic.

Those were the main elements of this regulation.

The other issue was that Section F allowed them to enforce at least in situations where they currently existed. If these were adopted then the Zoning Compliance Officer could enforce these on existing situations. It wouldn't be grandfathered in.

Mr. Rasor said that this applied in construction situations. These were currently unregulated by the City.

Mr. Kurtz said that was correct.

Mr. Rasor suggested changing the wording on Section 3 to read that they "shall not be permitted unless they comply with the following regulations." He wanted that just for clarity.

Mr. Kurtz said that was fine.

Mr. Costello said that Mr. Kurtz stated that the time clock would start when they were notified of its arrival there. Assume who was going to be the notification person.

Mr. Kurtz said that presumably it would be a neighbor. If it was there for 20 days, for example, someone in the neighborhood might ask what was going on there and they would contact the City. They elected to do it in that fashion otherwise to get a permit for something that was there for seven days because typically they were only there for seven days. It was fairly expensive if they tried to rent it for more than seven days. They considered having a permit but it was certainly much cleaner to have that. The downside was that it was going to be there a little longer if there was an issue and they were not aware of it after twenty days or over thirty days.

Mr. Costello said since most of these were used in construction or reconstruction, they will have them coming to the Planning Department if they needed to be there longer?

Mr. Kurtz said that was correct. If they were getting a permit for a single family house, then that would be part of the permit and they would know it and it would not be an issue. These were not an issue when they were on a construction site. It was when they were on other than that.

Mr. Lowdermilk knew that residential new construction in a lot, has anyone looked into or how often they would need more than one dumpster to handle safe tearing off or construction in two different areas where they might have two dumpsters on the same parcel of land per se.

Mr. Kurtz said that it was possible that during certain construction projects would require that. Given that these regulations really were not focused on those situations because typically that was not where the compliance issue was, he did not see that causing zoning issues in his view.

Mr. Lowdermilk asked if there should be something in there that would specifically address new construction. He thought what the intent here was for existing. Would it make sense to address no more than one roll-off dumpster with the exception of new construction sites?

Mr. Kurtz said that they could look at that to see if there was some language that still worked and addressed his question.

MOTION:

Mr. Pribonic moved and Mr. Rasor seconded to assign a number to the sample legislation and recommend it be forwarded to Council.

Yes Votes: Pribonic, Rasor, Bednar and Lowdermilk

No Votes: None. The motion carried.

**LIQUOR APPLICATION – CAMPEINOS, INC. – 4360 KENT ROAD & PATIO**

Mr. Pribonic asked if there were any objections or questions.

There were no objections.

**ADJOURNMENT:**

**MOTION:**

Mrs. Bednar moved and Mr. Lowdermilk seconded to adjourn.

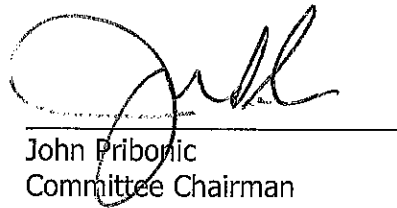
Yes votes: Pribonic, Rasor, Bednar and Lowdermilk

No votes: None. The motion carried.

The meeting of Public Improvements adjourned at 5:44 p.m.



Helen Preebe  
Deputy Clerk of Council



John Pribonic  
Committee Chairman