

## **MINUTES OF PUBLIC HEARING**

### **PERRYSBURG CITY COUNCIL**

**OCTOBER 6, 2020**

Mayor Mackin called the first public hearing to order at 6:15 p.m. Present were Council Members Deborah Born, Cory Kuhlman, Jan Materni, Jim Matuszak, Tim McCarthy, Jonathan Smith, and Barry VanHoozen (7). Also present were Bridgette Kabat, City Administrator, Kate Sandretto, Law Director, David Creps, Clerk of Council, Brody Walters, Planning and Zoning Administrator, and Mark Easterling, Deputy Planning and Zoning Administrator.

The purpose of the public hearing was to hear public comment regarding proposed Code Amendments to Chapter 1215.02(180) Specialized Animal Raising and Care, Chapter 1215.02(180.1) Keeping of Chickens, and Chapter 1225.08 Land Use Table. Mr. Walters stated that this three part amendment would allow keeping of chickens in Agricultural, R1, R2 and R3 zoning classifications. He stated that the Planning Commission voted 5-1 to recommend not approving these amendments and to keep the language regarding raising chickens as is. Mr. Smith asked if any concerns have been raised since the existing chickens were grandfathered. Mr. Walters said that there were no significant concerns raised and he feels there are two reasons for that. The first is that the bad eggs were weeded out, and the second is that neighbors that had concerns knew that there was an end in sight because new chickens are not permitted. Mr. McCarthy asked that the minutes from the Planning Commission meeting where this issue was discussed be sent to Council prior to the Planning and Zoning Committee meeting. Krista Kiessling, 947 Maple Street, asked that City Council make Perrysburg a forward thinking community, and permit chickens with enclosures the proper distance from neighbors. She said that not everyone wants to raise hens, and her neighbors will say that his dogs are louder than her chickens. Doug Kollman, 421 W. Fifth Street, was present and stated that he already sent an email to Council members, but he had an unfortunate incident years ago with a neighbor who had 25 chickens and 2 bee hives. He said that this is not an agricultural community, there are health concerns, and he has concerns about the local government's ability to enforce the rules. Mr. Kuhlman asked if Mr. Kollman had a bigger concern with the chickens or bees. Mr. Kollman said the chickens, because chicken droppings are stinky even if they are 10' away. Mr. Kuhlman wondered if Mr. Kollman would be more comfortable if he read the proposed regulations. Mr. Kollman said he does not think chickens should be in the City. Rhonda Grimm, 28210 Simmons Road, said that she had grandfathered chickens, but they have all passed. She said that they had several inspections and had no problems; it was really a good experience. Mr. Matuszak stated that the composition of City Council has changed since the last time this was considered.

There being no further comments, the public hearing adjourned at 6:44 p.m.

Mayor Mackin called the second public hearing to order at 6:45 p.m. Present were Council Members Deborah Born, Cory Kuhlman, Jan Materni, Jim Matuszak, Tim McCarthy, Jonathan Smith, and Barry VanHoozen (7). Also present were Bridgette Kabat, City Administrator, Kate Sandretto, Law Director, David Creps, Clerk of Council, Brody Walters, Planning and Zoning Administrator, and Mark Easterling, Deputy Planning and Zoning Administrator.

The purpose of the public hearing was to consider a proposed Code amendment to Chapter 1250.06(a) Parking Space Layout, Standards, Construction and Maintenance.

Mr. Easterling stated that recently they have had several businesses trying to update their parking lot. Currently the Code does not allow for maintenance of parking lots

without going through a Site Plan Amendment process. The driveway section of the Code allows repairs of a driveway up to 10% per year, and to offer businesses some relief, the Planning and Zoning Division has been using that language to allow businesses to repair 10% of their parking lot each year without going through the Site Plan Amendment process. Mr. Easterling stated that the Planning Commission considered this amendment and recommended that the percentage be 20% per year for parking lots as opposed to the 10% recommended by the Planning and Zoning Division. Mr. Matuszak asked why they aren't allowed to just fix the whole parking lot. Mr. Easterling explained that the Code tries to bring properties into compliance and parking lot repairs is one of the triggers to bring a property into compliance. Mr. Matuszak said that he has a hard time wrapping his arms around making them do it in stages. Mr. Walters explained that the whole parking lot does not typically go bad all at once. He said that the areas near the storm sewer drain and entrance areas typically need to be repaired more often. The 10% allows a property owner to keep up on maintenance. If there is no percentage, it does not incentivize them to make the necessary repairs and if they were permitted to repair the whole thing, then it would never be brought up to Code. There was discussion regarding the 10% versus 20%. Mr. Kuhlman asked how the percentage is calculated, and Mr. Walters stated that they use the surface area.

There being no further comments, the public hearing adjourned at 6:59 p.m.

David D. Creps, Clerk

Thomas Mackin, Mayor