

Minutes of the
City of Bay Village Planning Commission Public Hearing and Meeting
Held April 21, 2021
7:30 p.m.

Present: Jeff Foster, Warren Remein, Rick Kirk Sara Byrnes Maier, Jennifer Lesny Fleming, Dave Maddux, Rick Kirk

Also Present: Eric Tuck-Macalla (Building Director), Lauren Oley (Assistant to Building Director), Lydia DeGeorge (Councilwoman), Peter Winzig (Councilman), Mayor Koomar

Excused: Kendra Davitt

Audience: Jason Russell, Denny Wendell, Jim Blockside, Rosemary Kesselman, Robert Petkash

**Full recording of the meeting is permanently available on the City of Bay Village website under Government/Planning Commission/View Most Recent Agendas and Minutes/Media*

Chairman Foster called the meeting of the Planning Commission to order at 7:30 p.m.

Following roll call Mr. Foster called for approval of the minutes of the Planning Commission meeting held April 14, 2021.

Motion by Mr. Remein, **Second** by Ms. Byrnes Maier, to approve the minutes of the Planning Commission meeting held April 14, 2021 with minor changes.

Motion carried 7 yeas, 0 nays

Mr. Foster advised that the only item on their agenda is the mixed use overlay discussion. They all got updated copy of the ordinance based on their last meeting and inquired if Mr. Russell wanted to run them through the changes.

Mr. Russell advised that last week they made three major changes to the legislation that's in front of them. The first was that they discussed how to create a height standard that was variable depending on where it was. They talked about the idea of creating figures that clearly delineate where the maximum height was, whether it's on Dover Center or Clague Parkway. The second change was the creation of a section around conditional use standards. This Commission had talked, in previous meetings, about making sure they had standards for conditional uses admission.

There are a number of conditional uses mentioned in this code. Whether it's this commission or future commissions - how are they truly evaluating whether or not those conditional uses are appropriate at the site. Those standards were added for your review tonight in discussion. Lastly, changes were made to 1189.17 based on the comments last week. This is the section talks about how planning commission will review applications. For the use of the mixed use overlay, there were some language changes. Number two was split into two separate ones, since it was a little confusing as one sentence and the wording of number seven was changed. The board had discussed a variety of housing options for all individuals, rather than people since it may be construed as like some sort of demographic preference. He made sure that it reads very clearly that this is creating a variety of housing types that could be suitable for a variety of individuals. Those are the three major changes that were discussed last week that are now present in the document that you received this week, with all the red line changes.

Mr. Foster inquired if any members of the commission had discussion on the changes.

Ms. Byrnes Maier suggested going through each of the changes to make sure everyone is comfortable with the changes.

Mr. Russell remarked that he'll start with the height requirements. This is section 1189.09, on page 25, if you're following along, so the major change here is to the definition of maximum height. Prior to this change, the maximum height was 45 feet, regardless of location in the City of Bay Village where the mixed use overlay was applied. Now, the maximum height is defined by three figures, which are parcel maps that show the parcel areas that the mixed use overlay would be applied at this juncture. So as you can see, the maximum height of the principal structure is pursuant on figures A, B and C, which you know, follow shortly after this section. Parcels with the overlay applied that are not showing these figures. Let's say 10 years from now, there is a proposed application for the mixed use overlay that's not prescribed in any of these figures, that are in the legislation today, the maximum height would be set at 45 feet at that time. We still maintain that 45 feet, it's not in these three figures, and then we can discuss those figures and get the justification behind those. He reminded he board that number three did not change here. Number three says that the planning commission can create site specific regulations based on the overall site plan that is presented to that Planning Commission. So with these being maximum heights, depending on how the building is placed and what the setbacks are to adjacent property, you may be able to do 45 feet on the parcel, but if that planning commission decides, 'Where this building is sited, we don't feel 45 feet is appropriate, either move the building further away from that single story house, or bring the height down so it's more respectful to the surrounding properties'. Number three allows that planning commission to dictate the height based on the site plan. So below section C here, the first figure A, this is right at the intersection of Dover Center and Wolf Road right across from City Hall. In this area, all the parcels that would have the mixed use overlay applied to them would be limited to the 45 feet as we've been discussing from day one.

Mr. Remein inquired what the current zoning the Huntington Bank building is in. Isn't that like, garage or parking structures? He believes they went over that once. It's a pretty small parcel to put a 45 foot building on it. He doesn't see the point of making that a 45 foot high allowable uses since it's next to a house that's probably 25 feet high. It's going to totally dwarf the entire neighborhood and the same applies for the section down in off of Clague Rd. He understands that it's below the overpass and it's separated by the overpass ramp, but it still sets a precedent of 65 foot high, which he personally objects to living down in that neighborhood. He feels the residents, if they knew they were letting a 65 foot high apartment building or whatever it is going to go in there, he thinks they are going to meet with a lot of resistance from the neighborhoods.

Mr. Tuck-Macalla confirmed that the Huntington Bank building is zoned as a retail business.

Mr. Russell reminded the board that number three, as he mentioned earlier, is the maximum height allowable, but the planning commission would have the ability to make sure that they can set a maximum height that is site specific. So recognizing, as Mr. Remein has mentioned, the proximity to other structures, maybe that 45 feet, is not appropriate. As you'll see in figure B, there is an area that he said should probably be only 30 feet, just given this context as well. He opened the discussion up to the board for this particular parcel before he addresses the rest of Mr. Remein's comments.

Mr. Remein inquired if it would it be possible to say, for that specific parcel, that the new building shouldn't be higher than 10% or 15% of adjacent structures. That still gives a little bit of wiggle room, but it's not going to dwarf the neighbor. It would set a precedent for this as a type of way to look at development in the City, residential and otherwise, where residents have had a lot of concern and the big mega mansions going in next to a little tiny bungalow. Bay is a kind of an eclectic mix. It's not a Western Reserve town, per se, but you get tall houses and short houses next to each other, nobody takes any notice because they're there. But the minute you put in a big house, that it's only three feet from the property line, because of the changes zonings and side yard setbacks over the years, it really looks massive compared to the neighbors. That's something that they should be considering doing in this specific section. That one little parcel there for Huntington Bank, he doesn't see that as being a 45 foot block with a zero setback on two frontages. Where are you going to put parking? It's just a difficult parcel to begin with. Why would we allow 45 feet in there?

Mr. Russell replied that he is glad Mr. Remein got to the point about the feasibility of parking and other design issues, because a lot of that is going to drive the design of the building. They have to provide the adequate parking on site, which limits the buildable area of the site, which also starts to dwindle the height because the higher you go, the more you have to park. So in many ways, allowing the maximum height. That's one aspect of it, but other areas of the code are going to

significantly limit the size of the building as well. To his other comment, regarding no more than 10% taller than adjacent structures, this is typically a good metric, but he would just err on the side of simplicity and set a set number because in other places, it's a set number. Because they wouldn't want to say 'on this parcel, it's a percentage, this parcel it is a set number' they just want to make it clean across the board.

Mr. Kirk advised that he believes they run into the same problem, though, the same logic, all through the plan. Who's to say that the southern end of map A, on Normandy isn't the same argument? He's not necessarily arguing for a lower height, he thinks that that that the code will enforce a lower height on some of these. He believes that they will all get comfortable with the other pieces of the code that will kind of not allow this to happen, or the Planning Commission could have a little bit more influence over these, but if you're trying to sell that to the voting public, and all they see is a big 45 that may be harder. To be clear, he is not against the height as 45. He thinks that there's enough protection within the overlay that it will look good. But the optics may want to be thought of as we go to discuss this publicly.

Mr. Foster remarked that he knows they talked about diagrams last time, but as you look at this, it does say, as you look at this map, 45', 45', 45', and then you see 30' along West Oviatt. He wonders how that 30' height differs from any of these other commercial districts, which abut up to a residential. Whether it's on Knickerbocker, towards the eastern end of that where it transitions to single family, or the Knickerbocker Tower, it's right up against residential properties and it's certainly more than 30'. He would question that 30 foot height as well, along with West Oviatt - is that necessary? That's essentially what our residential code is now, actually it's less than 35'.

Mr. Tuck-Macalla advised that the 30' they're seeing is the front yard setback. The height of all those buildings can be up to 35 feet. The 30' on Normandy is front yard setback.

Mr. Foster replied that he's looking at 1189.9 (b).

Mr. Tuck-Macalla advised that those other numbers that are on the streets are the front yard setback. This zoning map has an overlay on the front yard setbacks on it.

Ms. Byrnes Maier advised that doesn't make sense, the figures that they're looking at on page 27. These are the heights.

Mr. Foster remarked that he's looking at the corner of Donald and West Oviatt. There's a red box says 30 feet.

Mr. Tuck-Macalla advised he sees what Mr. Foster is referring to now.

Mr. Maddux replied that this should probably just be 35 feet, dropping to 30 which is below the residential code doesn't make much sense.

Mr. Foster stated shouldn't just be 45' like the rest of them?

Mr. Maddux replied that it could be 35' and match the residential district that it's more part of.

Mr. Foster remarked that the he would ask the same question regarding the Knickerbocker where they have a commercial parcel that butts right up to a single family residence. Is there meant to be some kind of a buffer zone? To Mr. Kirk's point, there's a lot of other measures here that get factored in, where at face value, you say, 'Well, you could put a 45 foot building and cover the whole site' which practically speaking doesn't work. To put it back into context, the 45 feet is 10 feet higher than what you can put in any residential district right now. That basically translates into four stories, right? From a practical sense.

Mr. Remein remarked that you could have more. You could half bury a story. You could squeeze five. The apartment building that he lived in, when he first moved here, had eight foot ceilings, and it was flexicore between floors. That was approximately 8.5-9' floor to floor.

Mr. Foster replied that, for a market like this, if somebody is going to do a mixed use building they are probably not going to do that.

Mr. Remein replied that if there are apartments up above that could easily be lowered. He thinks they said that they had to have a 10 foot ceiling. Isn't that correct?

Mr. Russell replied that figure is not in the code. He believes that height code is dictated more by building code.

Mr. Foster remarked that the outside form of the building is 10 feet higher than what's allowable right now in any residential district.

Mr. Remein inquired if the section shown on the Knickerbocker is that just the Knickerbocker property in the like the Thyme Table or is that include residential properties?

Mr. Russell advised that it does not include residential property, those are all commercial properties right now.

Mr. Kirk inquired if it could be 45 feet, but with a buffer which essentially is saying that the last parcel, which is actually adjacent to residential, would have to be used as the buffer. So if you butt up to it you have to provide, some type of a buffer where you wouldn't necessarily, on the south

east corner of Dover Center and Oviatt - because there's already a fairly big buffer between that the cul de sac housing project that is just to the west of it. Maybe that's the way like if you're on the street, who cares? But if you're right next to a house, maybe there's something. Even across from City Hall, where you you've got Heinen's, they've gone right up to a house, they actually ripped the house down, for more parking. We can't include parking on the exterior like that- right? As part of the mixed use? He's trying to think out loud of an alternative way of presenting this that would allow for the for the height that they think is appropriate, but also potentially buffer the residential homes in some of these areas. All lots are a little bit different.

Mr. Russell replied that he thinks they will accomplish that through the setbacks because right now they have prescribed a different setback, whether it abuts a commercial use or a residential use. Because if we say, 'the last parcel' at some point, someone's going to consolidate the parcels and it'll be one parcel. Its better just to set it back, use the setbacks to prescribe how far it has to be from single family structure.

Mr. Foster stated that the ordinance is calling for a larger setback with front and side yards, where it meets residential districts which is 20 feet in section 1189.08. Items two and three calls for 20 foot minimum setback. It's a pretty good to size side yard.

Mr. Russell confirmed that it is 20 feet plus, obviously, the setback with a single family house has as well. So bringing that back to Mr. Remein's original comment, if you throw a 20' foot setbacks on the Huntington Bank property, you significantly reduce the building buildable area, that property if it was 45 feet would be difficult to do close to a single family residential property.

Mr. Foster suggested that they continue the discussion on the Clague Parkway, the 65 foot height there.

Mr. Russell stated that, as they discussed last meeting, the height of the bridge on Clague Parkway, going up to I-90 is 30 feet and the thought was at 65 feet from the bridge, it would appear as a two story structure above the bridge height. So wanting to allow for some flexibility given the buffer with railroad tracks to the south, the Clague Bridge to the west, the trees to the east, and then the park to the north. There's a buffer from single family residences. So the opportunity to go a little bit taller was what's present there.

Mr. Remein commented that it does set a precedent in terms of heights regardless of what it might appear from the top of the bridge. If you're in the park, or if you're in the neighborhood if you're walking down east Knickerbocker and looking over the bridge, you're going to see windows and you're going to see the building is going to be lit up in the parking lots will be lit up. If you're walking down Knickerbocker to the east the lights in the park adjacent are so bright at night that you can't see to walk. They can require shades, or whatever on the downlights, but it's going to

raise the overall illumination and it's going to be a huge block that anybody that's walking in that neighborhood is going to see - it's not going to be small. 65 feet has no relationship in human scale to the residential buildings of that area, which are all bungalows and smaller houses. Very few Two story houses.

Ms. Byrnes Maier commented that this area is very separated from the rest of the neighborhood.

Mr. Remein stated that he walks that area all the time, it doesn't seem separated to him. He walks by the vets place and the food trucks, etc.

Ms. Byrnes Maier advised that this was an area, when they were doing the master plan that people generally kind of gravitated towards and said, 'Clague Parkway needs to have something done with it'. There was a pretty strong sentiment that it could be more than the typical, that it could accommodate more development, more density, more height, just because the characteristics, and they're not talking about a huge difference.

Mr. Remein replied that to him 35' to 65' is twice as high and he'd call that a big difference.

Ms. Byrnes Maier advised she was saying between saying between 45' and 65'.

Mr. Remein stated that if they kept the 45', it would be the same as every other mixed use. He could see an argument for that, but it's 65' which becomes monumental. It could be seen from the freeway.

Mr. Kirk replied that he thinks the point is that this is not this is not the same as any other area with a city. It's significantly different based on the on the borders around it.

Ms. Byrnes Maier replied that she's just remembering comments from public meetings from surveys, from the master planning process, that this was an area that a lot of the general public that participated said 'this is different, this area can be treated a little differently'.

Mr. Foster added to provide some context, The Bay Presbyterian sanctuary is about 56' to the top. So that gives a sense of scale, how big that is. He believes it is about 65' is about the top of the cross. So 65' is a big building. But if they think about it in context, half of that building is below the bridge and half is above the bridge. Is that a big building when you walk past it? Sure. But you've got a lot of breathing room around it, you've got tennis courts, you've got the park, you got a long distance to get across the creek before you hit to the next set of houses to the east. Practically they don't know what is going to be built there. You are next to the tracks and the freeway. There are a couple challenges there in terms of residential. It doesn't necessarily have to do with the lake

because you can't get up over above everybody. But maybe that kind of height is getting some potential.

Mr. Russell replied he was just measuring, as they spoke, and it's approximately 250' from the first house on Knickerbocker to the sidewalk on Clague Parkway where the parcel starts. As they talk about doing a 65' structure, the closest house to it is 250' from that. Which is significantly further than the conditions that exist on Dover Center. He would also argue just looking at it from the crows eye view, the exit ramp off 90 might be closer to the building than a house would be in Bay Village - just to give some context to the situation. He thinks, as Ms. Byrnes Maier stated, this is definitely a different environment and context for the other areas that they're talking about in Bay Village. Other discussion on that? Hearing none he moved down to the conditional use standards on 1189.14 page 32. This is a completely new section to give criteria to this and future planning commissions on how to evaluate conditional uses. This is all new language. They talked through some of these things last week, but this is the first time in reviewing as a group to talk through the language.

Mr. Remein remarked that he sees outdoor vending machines. He'd like some explanation in terms of F - loitering. He understands what Mr. Russell is trying to say, but he's not sure what they would do to. There could be incidental loitering. He could live without it being in there. Overall, he thought it was had some good tools to use.

Mr. Russell replied that he feels that loitering is important given the context. Because there can be uses that promote loitering for example concert venues. At the House of Blues, and he's not saying that's an appropriate use, they always have the line and it could be hundreds of people lined up for a show and they have multiple shows a week. It's a loitering for people who are just waiting, but is that what the type of use you want in the district that's going to create that type of loitering on a regular basis? There are instances for loitering for every type of use, and he thinks they can live with most of that, but if it's a use that encourages that on a frequent basis, maybe it's not appropriate for the site. These are just standards for members of the commission to consider so it's not saying, because it promotes loitering, it shouldn't be there, but it is something that the commission should consider.

Mr. Foster advised that he thinks all this is good to have a framework for people down the road. To make sure that the thinking is the same as the intent.

Mr. Russell advised that the last changes were made to 1189.17 page 34. Numbers two and three used to be a singular statement. It was revised to make it two separate statements. Lastly, number seven, was changed to promote a variety of housing types for all individuals. That is language almost directly out of the master plan, as well.

Ms. Byrnes Maier replied that they shouldn't include the word all, per Mr. Winzig's comments from last week.

Mr. Russell advised that is correct and thanked her for the correction. He inquired if there were any other things that they saw in their rereading that needs to be discussed as a group here.

Mr. Remein replied that he has some comments from last week that were lost due to his technical difficulties. Which go back to not what they're talking about today, but previous things. For example, 1189.03 A11, in the definitions, assisted living is defined as elderly. He would suggest that that not be limited to elderly. They could have someone with a medical condition that needs extended care and he would suggest they reconsider the word elderly to include handicapped or special needs for assistance or something like that. Bikeways, 1189.3 A19, are limited to two way. He'd suggest that they not be limited to two way, if you have a bikeway associated with a road, you're going to have it one way in one side one way in the other. Why couldn't you have other bikeways through an area or a park that's one way on one side and returns from a different direction? He'd suggest that not be limited to two way. He also called everybody's attention to 1189.3 A45-53 which are essentially new definitions of housing and townhomes. They are essentially designated as row housing without any limitation to length or number. From the standpoint of firefighting, if you get a really big long set of row houses those become, from his experience, a real difficult issue of firefighting because if you have common attics or anything, those fire just goes through there. He is sure there'll be some limitation for maximum area allowed in a specific use, but he would like to think that they should say 150' or 200', the maximum initial hose and a truck is 200'. They have a 300' hose, but it would have to be broken out and attached a fire truck. So 150' leaves you enough for the hose to get around a quarter and be able to set up fire lines right away. Also there is some kind of thing in the code that requires fire lanes, where you have multiple buildings and higher densities and residences. They're going to significantly increase issues with firefighting, multiple stories, whereas now it's one or two story. He thinks they ought to consider fire lanes through an individual development, no less than 20' or 25', he thinks they should ask the fire chief for some input on that. He would say a 20' or 25' fire lane between buildings is kind of minimal.

Mr. Tuck-Macalla replied that everything that was brought up in regards to the fire code is all prescribed in the building code currently. The City isn't allowed to put any restrictions that are tighter than what is in the current building code.

Mr. Remein remarked that they are dealing with an entirely new development scenario.

Mr. Tuck-Macalla advised that throughout the state any development is governed by the state building code. The fire lane width, sprinklers, height all that is prescribed in the building code. As a municipality, they can't make up rules that are more restrictive than what is in the building code.

All the items that Mr. Remein brought up are going to be covered in the building code. When someone presents a set of plans to the building department it goes to a plans examiner who is going to look at all those parameters that were just brought up to be taken into account. There is no reason for us to include those in this document.

Mr. Remein remarked that he'd have to go back and review the building code regarding fire lanes. He requested that Mr. Tuck-Macalla send him documentation regarding the code.

Mr. Kirk inquired what the first thing Mr. Remein brought up was.

Mr. Remein remarked that the first thing he brought up was that assisted living is defined as elderly definition 11. The bikeway was the second one and the third one was relative to fire safety. 1189 3A 77 re-vegetation. It doesn't have a definition there about riparian setbacks. He'd like to suggest that it might be a good time to have an increased riparian setback since these are higher density although none of them may back up to creeks. He advised he would like to see a 100' setback rather than 25'.

Ms. Byrnes Maier replied that this is connected to specific parcels and none of these may be impacted other than the Heinin's property and a little on W. Oviatt, To his point, she believes they do need to have larger riparian setbacks, but it is a very big departure from what they have right now. She would like to see it applied on the entire city basis.

Mr. Russell advised that what they would do is they could add the language here to refer to the section of the code that addresses riparian setbacks. So if in the future that number is changed this part of the code doesn't have to change.

Mr. Kirk stated he'd like to go back to definition #11. Do they have the work elderly in there? Couldn't it just say assisted living shall be residents that are provided with care without defining the recipients of that care?

Mr. Russell replied that he does believe they can, but the only thing he'd be concerned about is how it is defined elsewhere in the code to ensure they're not conflicting with another definition, but it's a good idea to make it more inclusive.

Mr. Kirk in regards to the 19b the bicycle lane with two lanes. Is that trying to get at having an acceptable width? He doesn't know why they wouldn't want two ways everywhere, but if you say one way then you could potentially reduce the width of the lane or it could be something smaller than they'd ever want as a bike lane. He doesn't know if you'd have to mandate two lanes, although he thinks it's more appropriate for circulation.

Mr. Russell replied there is an opportunity to expand to allow for two way traffic, but doesn't need to be mandated for two way traffic. For example, he was in Boulder, CO recently and a lot of their paths are dual purpose, but there is a single lane for bike and you have to go into the pedestrian to go around, but it has enough width to accommodate in the same area.

Ms. Byrnes Maier inquired if they really need to get into that in this section? They are more or less following best practices and there is plenty of guides that prescribe the width and setback for bike lanes and trails.

Mr. Kirk replied they are trying to define bikeway. They are actually differentiating between bike lane and bike path. Maybe that's not necessary?

Ms. Byrnes Maier replied they could simplify it and say bicycle facility. It covers the gamut. It's a little bit of a wonky term, but it's a general catchall.

Mr. Russell stated that the point here is to just say a lane is on a roadway that is shared with vehicles. A bikeway is separated from a roadway. They are really just prescribing what a bikepath should be.

Mr. Foster inquired if any of the areas that they are talking about big enough to even bring that into play?

Mr. Russell advised that if they think big and start consolidating parcels – he thinks so.

Mr. Foster inquired if that is something that would be more appropriate city wide? For a bike lane or bike path to work it has to be connected to a couple parcels.

The commission continued to discuss the simplification of the bike path definition.

Ms. Byrnes Maier remarked that in 1189.02 C7 should be increase instead of increased.

Mr. Foster inquired if the commission feels comfortable approving this? There are a few grammatically changes to be made, but do we feel comfortable with it, as it's written with corrections, and moving it back to council.

Mr. Russell replied that they have had some people join the call. He wanted to reinforce the fact that they've talked about the height. The planning commission will have the discretion to change the placement of the structures on the site related to height. They are setting the minimum and maximum height, but the planning commission has the ability and the power to control the height based on the height. He feels it's an important point to reiterate.

Mr. Foster stated that the other important thing about public comment is that council will be having a public hearing on this.

Ms. Byrnes Maier replied that they will. It will be after they motion from planning commission. There will be public meetings/hearing for the purposes of getting public comments. She also reiterated that all of these regular meetings are open to the public.

Mr. Foster opened up the forum to any comments from the public.

Ms. Lesny Fleming stated, before they get to public comment, that she thinks the discretionary height piece of this could be worded a little bit better to make it clearer. It could be subject to different interpretations because they have the height maximum in A2 and in A3 it just says site specific height restrictions may be established as part of an overall site plan. To her, she thinks some language is missing to make it clear that those height maximums are subject to change.

Mr. Winzig remarked that he has a tiny edit under #111 definitions it says pedestrian path and at the end of that it says see 'trail', but when you turn to trail there is no definition so that should be stricken.

Ms. Oley advised that she does not have any public comments.

Mr. Foster inquired if the commissioners feel comfortable moving this back to council with the corrections from Mr. Russell?

Mr. Kirk advised that he does.

Motion by Ms. Byrnes Maier, Second by Mr. Remein, to refer the Ordinance back to Council with the edits and corrections that were discussed during the 4/21/21 Planning Commission Meeting.

Motion carried 6 yeas, 0 nays
Excused: Davitt

Mr. Foster inquired, of Ms. Byrnes Maier, when folks can expect the public hearing?

Ms. Byrnes Maier remarked that they have not set a date, but they will need to have decent public notice. They want to avoid holiday weekends, but expect that it will get scheduled in May. Keep an eye out - it will be put out in front of the message board and it can be pushed to this group, and announced in the next council meeting.

Mr. Foster added that he encourages the planning commission to join that meeting as well. He thinks it's an important piece of legislation and a useful too. It could do some great things for the city.

Mr. Remein inquired if there was any consideration to moving back to in person.

Mayor Koomar remarked that city council has been in person for quite some time. They have been leaving it up to the board and commissions with what they feel comfortable with. He believes they started back in fall. Remote voting expires in June and he doesn't know what the state legislature will do about that. He doesn't know if that will continue past June 30. That decision may be made for them if they don't choose to extend that.

Ms. Byrnes Maier added that they have invested in the equipment to continue to stream the meetings. The hybrid for the public participation will stay. It makes it a little easier for the public.

Mr. Winzig replied that from a council standpoint they have had good participation from the public when there are issues worthy of discussion. They have also had individuals come to the meetings and stand up. It has worked quite well on both fronts. He advised that they are getting more and more comfortable using the technology in recognizing people at the appropriate time. It seems to be working just fine.

Ms. Byrnes Maier replied that it is a positive thing having people participate.

Ms. Lesny Fleming advised that the remote proceedings work very well. When they do consider moving back to in person meetings they want to make sure people are comfortable with it and whether or not they've received their second vaccine and the time has elapsed. She is a real proponent of masks and she isn't sure when that is going to expire. Until that expires, she feels that these zoom calls are preferred because you can hear people articulate a little bit better than you could otherwise.

Mr. Koomar replied that he was on a call recently with the area hospital CEO and a county board of health commissioner and he would guess, what he's hearing from them and numbers of people being vaccinated, that the earliest you'd see an update is in June, but he also doesn't think it's going to be a whole lot later than that. As people are vaccinated, they realize people want to get on with their lives and when they might make a move.

Mr. Foster seconded Ms. Lesny Fleming's comments. He thinks it is easier to take people's comments in this fashion than it is in a bigger open room venue. You can be more concise and

clearer. It is easy to present and not having to do it with a mask. It was difficult last summer when they had a couple meetings at the Dywer Center and being able to hear people.

Ms. Byrnes Maier advised that she doesn't know if this is for the long term. Even if the remote voting would allow. The participation for committee members if they have to travel for work to be able to participate in the meeting even if ultimately they can't vote, but maybe that would be something where more people would be encouraged to go out for a position. It may be less of a barrier if they have to travel for family or work.

Ms. Byrnes Maier provided a council update that the planning zoning public buildings and grounds committee is working on the tree ordinance. They will be having a series of meetings throughout April and May to finalize that and hopefully bring it to the full committee and move forward on it.

Mr. Kirk thanked Mr. Russell for his help with this process.

Motion by Mr. Remein, **Second** by Mr. Maddux, to adjourn.

Motion carried 6 yeas, 0 nays

Excused: Davitt

There being no further discussion, the meeting adjourned at 8:30 p.m.

Jeff Foster, Chairman

Lauren Oley, Secretary