

SAFETY COMMITTEE MINUTES
February 21, 2006

The Safety Committee meeting was held on February 21, 2006 at North Royalton City Hall, 13834 Ridge Road. The meeting was called to order at 6:30 p.m.

Present: Chairwoman Lisa Uffman-Kirsch, Denise Bobulsky, Robert Stefanik; Police Chief Paul Bican, Fire Chief Michael Fabish; Sun Star Reporter Joanne DuMound; Residents: Tom Koch, Jim Rymut, Shannon Sites, Karen Kramarz, David Blank, and Megan Rowe.

Moved by Mrs. Bobulsky, seconded by Mr. Stefanik to approve the minute of January 17, 2006. 3 yeas/0 nays. Motion carried.

Mrs. Uffman-Kirsch asked if anyone had any new business to add to the agenda. There was none.

UNFINISHED BUSINESS:

1. Nuisance Deer Permit

Overview was given by Mrs. Uffman-Kirsch regarding previous discussion about hunting deer within the City. After last month's meeting, Chief Bican had provided committee with copies of ordinances from other communities for review. Mrs. Uffman-Kirsch distributed to those present a copy of our current code which prohibits hunting. The question that has to be decided is whether or not hunting deer should be totally prohibited or permitted under certain circumstances. To guide the conversation, Mrs. Uffman-Kirsch distributed a list of questions we should be asking ourselves based on her review of the other communities' codes (attached).

Mrs. Uffman-Kirsch asked for input on the question on whether hunting deer should be not allowed or allowed in limited circumstances.

Chief Bican gave a historical overview of hunting deer by State permit in the City. Even though we have a NO HUNTING code right now, certain commercial establishments like landscapers, orchards filed with the State to get special permits to cull the deer out of their property because of deer damage. Traditionally, the City has allowed that under certain circumstances. Within the last two years, the State has experienced an increase in requests for permits from other people besides those with commercial establishments.

Mrs. Uffman-Kirsch clarified that if the State issued these deer culling permits and the City, as a chartered municipality, forbids their use, the permits would not be able to be utilized. The City has authority to supersede what the ODNR (Ohio Department of Natural Resources) permits in this instance.

Mr. Rymut spoke in support of the hunting because he felt we have a problem, and it cost other communities money to address it. He felt that if we allow the hunting, it would take care of the problem, it wouldn't get any worse and it would cost the City nothing. He also felt it enhances our City because we are a rural City and a lot of people like hunting as a sport, just like baseball, soccer. Mr. Koch said this was brought up when he was on Council, and it was like a no win situation. He felt the best way to handle it is the way we have been handling it.

Mrs. Bobulsky didn't think we should continue handling it the way we are because, in her Ward, there are deer being killed that end up in neighbors' yards. She sees this as a safety issue. She is leaning toward limiting the circumstances, like a specific acreage and if it is a hardship on the business like an orchard or landscaping.

Chief Fabish mentioned that if it is decided to limit it to businesses, there are several properties which are declared agricultural properties. In his mind, speaking as a citizen and not as the Fire Chief, those would be the only ones that would be eligible to have hunting. He would be in favor of allowing those people if they could show that their property is being damaged because this is what they earn their living from and they should have a right to protect that property. He also felt that those residents should contract with a professional to do the culling. It is not a sport, it is protecting property. This would eliminate people who may have enough acreage but want to shoot their bows where it might be dangerous. He reminded about the hunting accident in 1975 off of West 130th Street where a young kid accidentally shot his buddy.

Mr. Rymut stated that he has been trying to get these permits for the last three or four years, and he was stopped because he was told "this isn't your main line of work." He has fifty apple trees and a couple hundred pine trees and the amount of damage that is done there is costly to him. He's been putting up fences around them which are expensive and ugly.

Ms. Kramarz asked how it was decided who gets the permits. Chief Bican stated that an application is filed with the ODNR and you have to express some sort of damage on your property by the deer. Supposedly, the ODNR inspects the property damage to determine if it is significant enough to need to cull the deer and they issue the permit based on that.

Mrs. Sites asked what would make the Mayor's Office take away someone's permit but let other people have one.

Mrs. Uffman-Kirsch said she feels this is one of the reasons why she agrees with Mrs. Bobulsky that we shouldn't be doing it the way we've done it before. We should have the parameters codified because it takes the Chief, the Mayor or whoever out of the position of having to make those decisions. This should be a legislative matter. The items on the list she handed out are some of the things we should consider. When dealing with a subject like this, she feels we need to be very thoughtful and very specific about how it's handled.

Dr. Blank asked if any of the codes from the other communities had a total ban. Chief Bican stated he got the codes from the ODNR, and he was looking for the ones that did regulate it in some way. Dr. Blank wondered how other communities like ours that ban hunting accommodate property and business owners who must have similar complaints. He also wondered to what degree insurance covers the loss to a business. He was curious whether the killing of the deer ensure there would be no damage by any deer that were left or if we would need to kill all the deer. He felt that if we were pursuing the conditional hunting there were a number of questions that would need to be answered to be really explicit.

Mrs. Uffman-Kirsch stated that there are many schools of thought that relate to deer culling. Some say that culling reduces the deer population. Some say that deer culling creates a higher birthrate because of the balance of nature....less deer with a food supply will cause an increase in the birthrate with more twin births and bring the numbers back up. She felt in her opinion there was validity to this point of view.

Mr. Stefanik felt that we should allow hunting for livelihood purposes, but there would have to be registration with the City who would have oversight of the list and the City would have to be contacted first and issue the actual hunting permit, for which we would have a set of guidelines.

Mrs. Uffman-Kirsch questioned the term "nuisance" stating she felt it is a very relative term. So far, it seemed we were talking about limiting it to commercial business' economic losses. She mentioned that Gates Mills has a deer management committee made up of two members of the Safety Committee and the Police Chief who review applications and the majority rules; similar to our Moral Claims Commission.

Chief Bican made the suggestion to get rid of the word "nuisance." He felt either you have commercial damage or you don't. Deer shouldn't just be a nuisance.

Mr. Rymut stated the he is getting a lot of damage, but he is not a commercial grower per se. He asked how many commercial livelihoods do we have affected in the City compared to all of the residents who are losing their flowers, etc.

Mrs. Uffman-Kirsch stated that we have to ask ourselves about the safety factor, the costs versus the benefits. She stated that for some people there are also moral or ethical issues. Also, you may have a large parcel but the deer and the arrows don't know the boundaries of that parcel, and there is contiguous property we need to be aware of.

Mr. Stefanik asked that no matter what we do, the Metroparks still supersedes anything we have on the books with their property rights regarding their culling program?

Mrs. Uffman-Kirsch asked for input on the Deer Management Committee or if anyone had a better way to handle the determination if there really is a loss.

Mrs. Bobulsky suggested having the State determine it. They are impartial rather than leaving it to a political group within the City. It was stated that there could be different definitions depending on who was on the committee. If it was decided there was significant deer damage, it would still come down to whatever we establish as rules regarding commercial only or ten acres minimum or whatever.

Mr. Stefanik stated that if we let ODNR decide, they're giving out permits like candy right now. It was answered that's why we have to draw up specific rules to go along with that. Applicants would have to meet our parameters in addition to ODNR's rules for whatever they consider damage.

Dr. Blank said that first it needs to be determined if hunting is going to be allowed at all. There has been no vote by the committee on that and he feels that for the record there should be that vote to begin with. His personal belief is no hunting at all. If there is going to be hunting through this governmental process, he would like to see certain things assured.

Mrs. Uffman-Kirsch reminded that she previously suggested we see where the conversation takes us without a final decision on that because we may come backwards into a decision.

It was suggested that it be simply ownership of a commercial property with at least ten acres, you can get a permit and whatever other criteria we want rather than going out there and inspecting the damage. Mrs. Uffman-Kirsch stated that obviously the business would have to be such that deer could cause an economic loss.

Dr. Blank stated that he felt Chief Fabish made some good recommendations; for example, prove a certain amount of damage and put the actual hunting into the hands of someone whom has been contracted with.

Mrs. Uffman-Kirsch stated we are comparing the contracting with a professional versus other options. She brought up other communities' requirements of proof of a State Hunter Safety Course. Some communities also require archery proficiency tests. Maybe they could take those at South Cuyahoga.

Mr. Stefanik felt that we should just stick with the professionals; it would be much easier. If there is a business that really has a problem, they should just go out and hire a professional.

It was mentioned that they would have to be bonded, insured.

Mrs. Uffman-Kirsch asked what the job title of that professional would be...she is curious whether there is such a thing.

A company by the possible name of White Buffalo was mentioned that was possibly used in Solon. It was also mentioned that we might have some local hunters whom we could hire who are better than these.

Mr. Rymut said the problem with professionals is that they are sharpshooters using high-powered rifles. Mrs. Uffman-Kirsch clarified that we are only talking about bows, which brings up another question...are we going to just allow longbows, or crossbows, compound bows. There is a big difference.

Mrs. Bobulsky suggested that we try to research the professional companies first.

Mrs. Uffman-Kirsch asked if anyone wanted to discuss any other part of this before we come back next month hopefully with answers on the professional archery hunters and their certification criteria.

Mr. Rymut suggested we find out their costs because other cities have used professionals and it has cost them quite a bit of money. Mrs. Uffman-Kirsch clarified that this would be a private landowner's responsibility, on private land. If a commercial economic loss was being incurred, the business owner would hire these contracted professionals at their own expense to come in and do the culling. This would not be a City expense.

Dr. Blank mentioned again that he was curious whether commercial properties have insurance for this, like crop damage insurance. Mrs. Uffman-Kirsch said she has a commercial orchard in her ward and she will ask and come back with that answer. She also said that she will try to see if we can answer Dr. Blank's question about total ban communities; if there are any out there and, if so, who they are and how they are making it work.

Mrs. Uffman-Kirsch stated obviously we are not going to make a decision tonight and stated that the next meeting will be at 6:30 pm on March 21.

2. Purchase of equipment (fire truck)

Chief Fabish stated that despite the current budget situation, he's going to continue to prepare in the event we would be able to afford to purchase a truck. He would try to go under the State contract for State purchasing. He said we have the same number of pumpers that we had in 1969, but now we have two fire stations. Now we have one at one station and two at the other. If one goes down at either location, we only have one at each place which doesn't sound terrible except when you look at the chances of a vehicle getting into an accident, you can't come up with another fire truck.

Chief Fabish said we lowered our ISO rating significantly during the last audit because we were using one piece of equipment in two places. The auditor caught onto that and stated that we don't have a spare. Chief Fabish told him that this one is our reserve pumper but it is also our rescue pumper, it is also our first line pumper. The auditor recognized that we were eventually going to purchase another pumper. Chief Fabish said that the Fire Department has had a lot of progress, but they can't really stop that progress or at least we shouldn't totally derail it.

Chief Fabish discussed the fire trade show in Indianapolis they are planning on going to at the end of March or the beginning of April which gives them good insight into different apparatuses. We've purchased Pierce in the past; they have the best quality and they stood by us two years ago when our rescue pumper had a significant amount of rusting. When we first purchased it, he put a ten-year warranty on the body. The company eliminated the warranty, but he kept his warranty paper and was able to save about \$25,000 on that repair.

They are planning on another regular kind of pumper that looks like our rescue pumper, probably with another foam system on it and it might go to Station 2 and be the pumper for the next twenty years there. The Aerial that is now at Station 2 would come back where it belongs in the center of town along with the pumper with the foam system, that's more of a rural truck for taking off-road and for areas that don't have water.

Mrs. Uffman-Kirsch asked the Chief if it would be all right with him if we took it off the agenda for now while he continues behind the scenes to get ready. Chief Fabish and the other committee members agreed. Item removed from agenda.

3. Traffic light Akins & Ridge status update

Due to budget cuts, as of now, the light is scheduled to come down anytime within four to sixteen weeks as an estimate, as per Chief Bican. The Chief said we've been trying to keep it up as long as we can.

Chief Bican stated there was a refund coming from the current light project. Mr. Stefanik asked if the money left over from the traffic light program was enough for this light, and if the money isn't being used for this light, where is it going?

Mrs. Uffman-Kirsch stated that she has heard equal input from residents who want it to stay up and who want it to come down. Chief Bican stated that if it's done the right way, it will work better than it does now. Now it is not computerized. If it was redone the way it should be permanently, Ridge Road would run green unless there was some reason for it not to.

Mr. Stefanik requested that this stay on the agenda for a month. Chief Bican said he would see if he could get a better removal date by then.

4. Ridge/Royalwood/Julia intersection—Limited “right-on-red”

Chief Bican handed out a copy of a new sign that will go up at this intersection on a trial basis when the Service Department can get it placed. The Police Department Traffic Unit will determine if it's working and safe. Right now there is no turn on red at that intersection. The new sign will state No Turn on Red 7-9 am and 5-7 pm Weekdays. This will remain on the agenda for an update next month.

NEW BUSINESS

1. Lane Striping-Royalton Road at West 130th Street

Mrs. Uffman-Kirsch stated she had a resident contact her about the lane striping on Royalton Road not lining up across the West 130th intersection. Chief Bican stated that Strongsville's Royalton Road construction shifted the lanes in Strongsville and caused the eastbound left turn lane to encroach into the westbound through lane from Royalton Road. He said it is a problem and the Mayor and City Engineer have a meeting scheduled with Strongsville and they are going to ask Strongsville when they restripe their side if they will come over and curve our center line over enough and perhaps put a dash line in to guide the cars over more. Because of the width size difference, it will not be possible to solve it with striping, but it can be improved. Chief Fabish suggested a “Road Narrows Up Ahead” sign.

Mrs. Uffman-Kirsch asked for a motion to adjourn. So moved by Mrs. Bobulsky, seconded by Mr. Stefanik. 3 yeas/0 nays. Motion carried. Meeting adjourned at 7:20 pm.

DEER HUNTING PERMITS WORKSHEET

HUNTING

- A. NOT AT ALL?**

- B. LIMITED CIRCUMSTANCES?**
 - a. Nuisance Condition Exists**
 - i. Who Determines?—Deer Mgmt. Committee (Gates Mills)**
 - ii. Limited to Commercial Nuisances, Economic Loss?**

- C. POSSIBLE CONDITIONS**
 - a. Acreage Minimum? Enjoined?**
 - b. Contiguous Property Owner Approval?**
 - c. Proof of State Hunter Safety Course and State Hunting Permit?**
 - d. Archery Proficiency Test?**
 - e. Longbow, crossbow, compound bow?**
 - f. Boundary flags during hunt?**
 - g. Resident advance notification? Which ones?**
 - h. 2 or 3 doe before a buck?**
 - i. Only during State bow season (Oct-Jan)?**
 - j. Specific dates within that season?**
 - i. No Sunday or weekend or kids off school hunting?**
 - k. Specific times of day? Not during school arrival and departure times 7-9am, 2-4 pm?**
 - l. Only 1 hunter on property at a time?**
 - m. Proof of liability insurance for permit holder?**
 - n. Only from identified tree stands?**
 - o. Signed understanding of rules & hunting agreement (Moreland Hills)**
 - p. Requirements of this Chapter shall take precedence over Nuisance Animal Kill Permits issued by the ODNR, Division of Wildlife?**