

## SAFETY COMMITTEE MINUTES

January 15, 2008

The Safety Committee meeting was held on January 15, 2008, at North Royalton City Hall 13834 Ridge Road. The meeting was called to order at 6:30 p.m.

**PRESENT:** Committee Members: Chairman Dan Kasaris, Gary Petrusky, John Nickell; Council: Vince Gentile, Kurt McKee, Larry Antoskiewicz; Administration: Mayor Robert Stefanik, Police Chief Paul Bican, Fire Chief Fabish; Other Attendees: Joanne Dumound, Linda Zalenka, Nancy Craig, Nancy Murray, Sue Valley, Paul Valley, Katherine White, Nick Cinquepalmi, Linda Pierce, Angela Ols, John Hargreaves, Paul Marnecheck, Gloria Kacik, Sandra Zawalski, Bill Schempp, Vijay Ananz.

Minutes from November 20, 2007, were accepted.

### OPEN RESIDENT DISCUSSION

Linda Zalenka addressed the committee about snow plowing problems with the last snow. Another resident said that the problem caused her to slide off the road and damage her mailbox.

Mayor Stefanik said that he will discuss the concerns expressed with the Service Department and the new Service Director and the City Hall Office Staff. He said that all the trucks we had were in use during this snow event.

Other Council members said that they did not have any complaints reported from residents in their Ward. Police Chief Bican said that at times his department will commandeer the trucks to handle another traffic emergency.

### 4. Day time curfew

Several residents were present to discuss this item.

Mr. Valley said he wanted to find out about proposed legislation for curfew violation. Chief Bican said that he asked for discussion tonight about some problems with persons at the school a couple of years ago who went into the school classroom and caused problems. There was no violation that the Police Department could use to charge the individuals involved. The Police Chief said as the result of that he obtained laws from other cities regarding trespassing on school property and criminal behavior on school property. Along with that, the school resource officer and one of the principals suggested copying an ordinance from Cleveland stating if you have children registered in the school district by state law they must attend school and this would be a local truancy law that would help deal quicker with the children in trouble who might not be going to school. The goal is to have a local law to use when dealing in areas with uncooperative parents. The Police Chief said that if the residents present read the proposed legislation they would better understand and he will provide copies. Mr. Valley said he thought it dealt with loss of liberties and the way it was provided to him indicated this would be a problem. He will read the proposed legislation and the Chief asked that if the residents still had a problem with this proposed legislation after they have read the proposed changes to please contact him.

Mr. Ananz said that they are a home schooling family and the truancy laws in general highly impact the home schooled. He feels that these truancy laws would impact their rights to raise their children and give them the instruction needed. Chief Bican said home schooled children are exempt. Cars are not stopped with children in them during the day. It is a rare occurrence that this would happen. If the child is walking they might be stopped to check why they are out. The issue with this legislation is with uncooperative parents not home school parents where children are out for 30-40 days and they cannot get parents to cooperate to return the children to school. Mr. Ananz said that they are not questioning the motives; just that he thinks it is impinging on their freedoms. He will read the proposed legislation that is provided.

Mr. Valley said that there was information being circulated over the Internet regarding this. Mr. Hargreaves asked if the proposed law is structured so that children are not randomly stopped while driving. Chief Bican said not only is it structured that way but we typically do not have that kind of problem. The Police Chief said that he took the laws from Strongsville and Cleveland to try to blend them into something that would work in North Royalton. The issue is not with home schooled kids being out on their own. We have not ever had issues with home schooled children. The

issue is with the uncooperative parents and having their children in school and this proposed law is to work for this situation.

Mrs. Zalenka suggested that the exact wording be forwarded to each Council member who could then forward and make it available to the residents in their ward. She tried to find it before coming to the meeting and was unable to. Better communication could be facilitated and the residents would not feel the need to be questioning this now. Chief Bican said that better communication would not happen if someone is trying to subvert the process. This proposal is at the discussion form now and is not being considered for passage at this time. Mr. Kasaris said that legislation is placed on the city Web site once it is in written form. This is being presented by the Police Chief tonight as a first discussion.

Mr. McKee explained that information was distributed to the home school network parents based on the topic listed. Those forwarding the information did not know what was involved or what is being discussed because it has not been brought to the committee yet. As far as better communication, the agenda will list what will be discussed as always. That email sent to the home school families said that it was being discussed as day-time curfew. This is a truancy issue as it is now being presented.

Mrs. Zalenka said that some information should be available on the agendas so that citizens who are attending the meetings will know more.

The discussion continued with residents stating that there may be a better way to approach this than with truancy. The committee members said that is the purpose of the discussion and that it was not ever intended to be approved at the Council meeting tonight. This will remain in the Safety Committee as truancy and school safety issues.

## **UNFINISHED BUSINESS**

### **1. Police Department Report**

No report.

### **2. Fire Department Report**

No report.

### **3. Safety levies**

The EMS levy is on the ballot. This is removed from the agenda.

### **4. Discussion on potential legislation governing ATVs**

Mr. Kasaris said that some residents in his ward complained about ATVs. He said as a former Law Director that he wrote legislation regulating ATVs. He asked the committee members what they felt they wanted to do with regard to ATVs. Mr. Nickell said he too has complaints regarding the ATVs. He would like to see some sort of regulation and consideration for neighbors. Mr. Petrusky felt that if there was an ordinance that timeframe be considered as other noise complaints. Because we have more open land in the city perhaps regulating the use of ATVs in some manner would be a way to approach a solution. The current noise ordinance is difficult to enforce. Chief Bican said that the decibel meter is obsolete and he had 72 complaints received last year. He wanted to review the complaints and discuss this further next month. Chief Bican reviewed the legislation written previously by Mr. Kasaris and offered a suggestion to fit it to North Royalton by requiring written permission presented at the time of riding. Mr. Willey said his complaints were related to trespassing, noise and dust. Mr. Willey said that trespassing signs are torn down by the riders and that the police are spending a great deal of time in the summer trying to enforce this complaint. Chief Bican and Mr. Kasaris will try to get something in writing for the next committee meeting.

### **5. Pumper Fire Truck Purchase**

Chief Fabish reviewed that the purchase of a new pumper was approved last year to be bought in the last quarter of the year. There is a new pumper introduced by the manufacturer and the Fire Chief wanted to review the truck. He said it is a new generation fire truck with a lot of potential. It is built on a larger chassis than we need.

Consequently the manufacturer is introducing a new style pumper on the chassis in use now. Chief Fabish wants to wait and review this pumper.

#### **6. Nuisance Fire Code**

Mr. Kasaris said that this legislation went through the committee last November. When he read it Mr. Kasaris said it seemed vague. He had other prosecutors review this and they agreed it was vague. Mr. Kasaris thought this may already be regulated in other Ordinances and he wanted to know if we wanted to get into regulating smoke.

Chief Fabish said that the committee wrestled over a way to develop an ordinance that would provide a way to deal with smoke complaints. There are not many complaints received about neighbors burning through their chimney in a legal fashion. The previous conclusion was that it really could not be specifically regulated, and it was determined to settle on the vague ordinance. The Fire Department would cite if it was determined that an objectionable odor was coming from the chimney. Mr. Kasaris felt that is covered under current legislation. Chiefs Fabish and Bican said that the noxious odor ordinance was dealing more with animal waste. Chief Fabish said that the proposed change to the legislation would be used in the instance of the smoke odor. Mr. Kasaris felt that this could be done with the legislation currently in place. The committee agreed to remove this from the agenda.

### **NEW BUSINESS**

#### **1. Blinking light at State Road and Valley Parkway**

Mr. Kasaris said residents in the area felt a caution light would be necessary. Chief Bican said that there have been five accidents reported at that location last year. He is waiting on a price. There is not electricity across the intersection where the diagonal poles would be placed. Approval would be required from ODOT because it is a state route. Alternatives were discussed as placing a reflector on the pole and having the Metro Parks check the stop sign to see if the reflective material might be in need of replacement. Chief Bican will review the accidents from 2006 and 2007 and also determine costs involved.

#### **2. Cul-de-sac parking**

Will be discussed next month.

#### **3. Live trees in multi family residential units**

Mr. Kasaris said this should be titled Christmas trees in multi family residential units. Chief Fabish said that most of the multi family residents are prohibited by their lease agreements from having live Christmas trees. He is not in favor of promoting the use of live Christmas trees by issuing licenses. He does not think additional laws are needed since they are being regulated with the property lease. Mr. Nickell said that there was a question about this in Independence Place /Sunrise Cove area. Chief Fabish said that the procedure followed is the Fire Department notifies the management who will then see that the tree is removed. This is removed from the agenda.

#### **4. Day time curfew**

See above resident discussion

#### **5. Current lighting situation at intersections throughout the city**

Mr. Nickell said some residents would like to have more lights on their streets. Involved streets were Vista, Sharon, Wallings and on State Road between Oakridge and Sprague Road. Chief Bican said that the policy for years with the several past administrations has been that when street lights are requested it go through the Mayor's Office. The Mayor's Office then contacts the Police Department to check regarding a real safety need for the light because our city typically has not had a lot of money. We have been very frugal with our lights and the approach has been if there has not been a problem in the area that the money would be saved for another area. Mr. Nickell said that after speaking with Ms. Thomas in the Mayor's Office if the committee were to pursue this a list could be created listing the needed street lights that would be forwarded to the Police Department who would provide the committee with their recommendation. The committee could review this, and determine if they wanted to pursue this and forward that to the Mayor's Office for the Mayor to review and advise the

committee the final disposition. Chief Bican also said that if we start to install them, then where would we stop. Mrs. Zalenka asked if residential lighting could be a potential resolution as opposed to the street lights as in Royal Valley. Additional research will be done and it will be discussed more next meeting.

**6. Police Department report to the Planning Commission regarding a site review on Route 82 between Deer Creek and Progress Parkway SR 08-01**

Mr. Petrusky asked about this memo if Council has to act upon it. Chief Bican explained that the memo has already been sent to the Planning Commission and this is the formal communication used to determine if a developer would need to deal with issues the city may have regarding proposed development. This is removed from the agenda.

Moved by Mr. Nickell to adjourn the meeting, seconded by Mr. Petrusky. 3 yeas/0 nays. Motion carried. Meeting adjourned at 7:30 p.m.