

SAFETY COMMITTEE MINUTES
March 18, 2008

The Safety Committee meeting was held on March 18, 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: Don Willey, Larry Antoskiewicz, Kurt McKee; Administration: Mayor Robert Stefanik, Police Chief Paul Bican, Fire Chief Mike Fabish, Service Director Kris Kamps; Other Attendees: Nick Cinquepalmi, Pat Jones, Joanne DuMound, Jim Aust, Bill Schempp.

APPROVAL OF MINUTES

Moved by Mr. Petrusky, seconded by Mr. Nickell to **approve the February 19, 2008, minutes.** Yeas: 3. Nays: 0. **Motion carried.**

UNFINISHED BUSINESS

1. Police Department Report

Mr. Kasaris said that he received a request from the Police and Fire Chiefs to remove Items 1 and 2 from the agenda. Both Chiefs attend the Safety Committee meetings and bring information to the committee as it arises and they feel that there is no need for a formal monthly report. The committee agreed. Moved by Mr. Petrusky, seconded by Mr. Nickell to remove Items 1 and 2 from the Safety Committee agenda. Yeas: 3. Nays: 0. **Motion carried.**

2. Fire Department Report

See Item 1 above. Removed from agenda.

3. Discussion on potential legislation governing ATVs

Jim Aust, 17325 Bennett Road, addressed the committee regarding this matter. Mr. Aust said that he has experienced problems with his neighbor using an ATV on property that he does not own but which abuts Mr. Aust's property. He said that it occurs during the day usually on the weekends and can be as many as four ATV's at a time. He said that he has tried to get in touch with the owner of the property, but they do not live on the property. Chief Bican said that this is pretty typical of the complaints they receive throughout the city.

Bill Schempp, said that he lives on the same side of the street as Mr. Aust and he too is impacted by these ATV's. He said that he has also tried to contact the property owner and has been unsuccessful.

Mr. Kasaris has provided the committee with draft amendments to the Codified Ordinances based on discussion that occurred at the last Safety Committee meeting, as well as comments and concerns raised by Councilman McKee regarding elevating of fines and penalties for driving these vehicles on city streets. These amendments were reviewed, copies of which are attached to these minutes. Discussion was held on these draft amendments pertaining to enforcement, method of application, measurement of sound, and property owner permission. The Police Chief felt that Item (F) was unenforceable as written. Item (C) was discussed. The number of feet from any dwelling not owned by the operator in which a vehicle could be operated needed to be decided. Mr. McKee felt that Item (C) was getting too specific. Mr. Nickell said that we have many different property set ups in North Royalton ranging from 80 foot frontage lots, to long bowling alley lots, to multiple acreage lots. Chief Bican said that maybe it has to be based on acreage. Mr. Nickell said that we may have reached the point where these vehicles are not appropriate in our neighborhoods.

Mr. McKee felt that Items (A) (B) (D) and (E) were sufficient for now.

Mr. Antoskiewicz felt that Items (A) and (E) were somewhat redundant and that item (E) was all that was necessary. The Police Chief agreed.

Mr. Antoskiewicz asked if we were taking on too much at one time. Maybe start out with the requirement for permission to ride on private property, and together with the time restrictions, see how much that cuts down on abuse. If not, we can come back and address the distance from a dwelling issue.

Chief Bican said that the permission issue is a bigger step than it sounds. Most of the people we stop do not have permission of the property owner, so this provision would stop a lot of this abuse.

It was agreed to amend Item (D) by correcting the prohibited hours of operation to “between the hours of 9:00 p.m. to 9:00 a.m.”

Mr. Kasaris said that he will draft an Ordinance with the introductory and conclusion paragraphs as presented and Items B, D and E, and with the changes discussed here today.

Mr. McKee asked about increasing the fines for driving these on the street. He felt that a larger fine would act as more of a deterrent.

Mr. Kasaris said that he is proposing an amendment to 476.03 to add language which states “whoever violates Section (a)(1) of this section shall be fined not more than \$750.00 or imprisoned for not less than three days nor more than 60, or both. Mr. Kasaris explained that Section (a)(1) prohibits the operation of these vehicles on any street or highway. Mr. McKee felt that this would be sufficient.

Mr. Petrusky suggested that we have a zero tolerance policy for riding these vehicles on a street or highway. This way you don’t have to worry about the amount of the fine because the violator would have to pay for the towing, storage, still have to go to court and pay a fine.

Mr. Antoskiewicz said that he does not agree with this for a first offense, he felt that maybe someone doesn’t know it’s against the law.

Chief Bican said that if it is a disturbance of the peace that the ordinances currently in place could be used to handle that. Often the parties involved are asked to stop and the problem is resolved.

Moved by Mr. Petrusky, seconded by Mr. Nickell to recommend approval to Council of the amendments discussed. Yeas: 3. Nays: 0. **Motion carried.**

4. Blinking light at State Rd and Valley Parkway

Chief Bican said this will not be approved by ODOT and there would be a cost for this light. He is going to ask that new signs and posts be put up with new 3M material to see if this will help.

5. Cul-de-sac parking

Chief Bican said that the fire trucks, school busses and garbage trucks use this area as the turn-around access. Impeding access to the fire hydrants may be a consideration. There has not been a severe problem in the past. If there is an emergency problem the departments will do what needs to be done to gain access. Special parking permission can be granted by the Mayor’s Office, but most residents are not aware of this and ways to inform them through communications was recommended. This is removed from the agenda.

6. Truancy and school safety issues

Chief Bican distributed proposed amendments earlier for new sections to our Codified Ordinances.

Changes were noted to 648.16 from what was previously distributed and Chief Bican explained that this would assist with the needed enforcement problem. Moved by Mr. Nickell, seconded by Mr. Petrusky to recommend approval to Council of the amendments presented for 648.16 Criminal Activity on School Property. Yeas: 3. Nays: 0. **Motion carried.**

There were no changes to Section 642.126 from information originally presented. Moved by Mr. Nickell, seconded by Mr. Petrusky to recommend approval to Council of 642.126 Trespass upon School Grounds or Facilities. Yeas: 3. Nays: 0. **Motion carried.**

648.131 and 648.132 will be discussed at the next meeting.

7. Current lighting situation at intersections throughout the city

Will be discussed at the next meeting

NEW BUSINESS**1. RTA Service cuts**

Will be discussed at the next meeting

2. Stop Sign at Rye Gate Drive and Nottingham Parkway

Will be discussed at the next meeting

3. Proposed Ordinance 08-43 amending Section 1246.03.

The Planning Commission discussed width of sidewalks and suggestions from some of the members were given to Council. Changes will involve eliminating a 1 ft. grass space between the road and a sidewalk. Another change will involve allowing for the sidewalks to remain at 6 ft. wide in commercial and industrial zoning. Committee members present were in agreement with the proposed amendments. Moved by Mr. Nickell, seconded by Mr. Petrusky to recommend proposed Ordinance 08-43 back to Planning Commission with the recommended changes for approval. Yeas: 3. Nays: 0. **Motion carried.**

ADJOURNMENT

Moved by Mr. Nickell, seconded by Mr. Petrusky to adjourn the meeting. Yeas: 3. Nays: 0. **Motion carried.** Meeting adjourned at 7:33 p.m.