

SAFETY COMMITTEE MINUTES

April 15, 2008

The Safety Committee meeting was held on April 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, Don Willey, Larry Antoskiewicz; Administration: Mayor Robert Stefanik, Law Director Tom Kelly, Police Chief Paul Bican; Other Attendees: Nick Phillips, Nick Cinquepalmi, Pat Jones, Joanne DuMound, Margie Pinter, Gus Pinter, Patricia Richie, Ken Stahorsky, Eugene Stepanik, Paul Marnecheck, Channel 5 Team.

APPROVAL OF MINUTES

Moved by Mr. Nickell, seconded by Mr. Petrusky to **approve the March 18, 2008, minutes.** Yeas: 3. Nays: 0. **Motion carried.**

CERT Community Emergency Response Team

Mr. Phillips addressed the committee regarding CERT. He thanked Council for the funding and continued support for the volunteer CERT program this year. CERT has 155 members and Mr. Phillips said that the annual fund raiser is being held this month. He announced that information is available through the link on the city Web page and that volunteers are always needed.

UNFINISHED BUSINESS

1. Blinking light at State Rd and Valley Parkway

Chief Bican said that this is pending. Mr. Kamps is supposed to talk to the members of the Metro Parks about upgrading the sign.

2. Truancy and school safety issues

No action.

3. Current lighting situation at intersections throughout the city

Chief Bican said that there is a cost to the city for street lighting and that our city is not able to put in street lights at each request. His department recommends the lights based on safety needs. Some requests would involve setting poles and running electricity and is more costly. Chief Bican said he would rather have the money used for other needs than to put up a street light where there is not necessarily a problem. Some homeowners associations have lights installed at a cost to the residents of approximately \$10 per light. This is removed from the agenda.

4. RTA Service cuts

This was discussed in another committee. Mayor Stefanik said that RTA was to get back to the city regarding bus route number 135.

5. Stop Sign at Rye Gate Drive and Nottingham Parkway

Chief Bican said that this intersection qualifies and he will have the Service Director install the signs. This is removed from the agenda.

NEW BUSINESS

1. Proposed Ordinance 08-69 amending Chapter 620, entitled Smoking Prohibited.

Mr. Kasaris said that he understands that the administration was contacted by the baseball and soccer boosters to request that the city prohibit smoking at the fields. He met with the Law Director and they recommend amendments to what was originally proposed. These proposed amendments cover only areas the city owns, and permits the Mayor to designate smoking areas on city-owned property except York Recreation fields, soccer fields or any other property owned by the city where the sole recreation activity is softball, baseball or soccer.

Mr. Kelly said that there was concern expressed whether this was a constitutional act. He feels that the ordinance is entitled to a presumption of constitutionality. The ordinary test for the determination of constitutionality set by the Supreme Court first looks to the question of whether the Ordinance prohibits something that the state law permits or permits something that the state law prohibits. This ordinance does neither. Mr. Kelly said he feels the ordinance is constitutional and tracks the state code in a very large measure. At some point the committee still has to review Chapter 620 to bring it up to date.

Mr. Kasaris said that there are issues with enforcing parts of 620 that deal with indoor smoking in light of the changes to the Ohio Constitution and rules promulgated by the Department of Health. For what is being dealt with in Safety Committee tonight and Council later tonight is smoking outdoors on city owned property. Mr. Kasaris asked if anyone in the room had any comments about this proposed legislation.

Patricia Richie said that if there is a problem with smokers then a designated area should be stated. She feels that parent participation will be lost over this issue. Mr. Gentile said that the games usually last about an hour and he feels that smokers should be able to go for an hour. He knows that some won't agree, but he feels that this is the right thing to do. Mr. Nickell said that one focus is because most of the fields are around our youth. We are sending a message to our youth that we do not want them smoking. When they see adults smoking it sends a message. This will not stop people from smoking. This restriction is for city property. Mr. Kasaris said that the schools have also banned smoking on school property. Mr. Gentile said that the people of the State of Ohio spoke very strongly in November 2006 by restricting smoking in taverns, restaurants, and public buildings. A vast majority of the public has spoken that they want to be isolated from second hand smoke. Mr. Kasaris responded to a question about why smoking areas could not be designated at the baseball/soccer fields. He said that this restriction is responding to the request of the booster clubs who asked that smoking be prohibited where the children were playing at the baseball or soccer fields. Mr. Antoskiewicz said that there is really no place to put a designated area for smoking due to the congestion at the York Road and Heasley fields. Other areas where games are played by children are on school property where a smoking ban already exists and this legislation reinforces that. Mr. Kasaris said this does not apply to the property at St. Albert's or Royal Redeemer. Mayor Stefanik said that this is not being put into place to rush out and issue tickets. The intent is to issue warnings and the expectation is that residents will discontinue smoking at the fields. The school has been doing this for quite some time and it is working fine. The overwhelming majority want this to happen.

Moved by Mr. Nickell, seconded by Mr. Petrusky to recommend approval to Council of proposed Ordinance 08-69 with amendments creating Chapter 626. 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 7:05 p.m.