

SAFETY COMMITTEE MINUTES MARCH 15, 2022

The Safety Committee meeting was held on March 15, 2022 at North Royalton City Hall, 14600 State Road. The meeting was called to order at 6:01 p.m.

PRESENT: Committee Members: Chair Mike Vos, Vice Chair Jeremy Dietrich, Dawn Carbone-McDonald; **Council:** Paul Marnecheck, Joanne Krejci, John Nickell, Linda Barath; **Administration:** Mayor Larry Antoskiewicz, Fire Chief Robert Chegan, Police Chief Keith Tarase, Finance Director Jenny Esarey, Law Director Thomas Kelly; **Other:** Vincent Weimer, Ken Krejci, Michael McDonald.

APPROVAL OF MINUTES

Approval of February 15, 2022 Safety Committee minutes. Moved by Mr. Vos, seconded by Ms. Carbone-McDonald. Vote: Yeas: 3 Nays: 0 **Motion carried.**

UNFINISHED BUSINESS

1. COVID-19 Local Response

Chief Chegan provided an update on the number of cases, in which the state was down to 317 cases reported for the day. The numbers have decreased tremendously. The hospital visits policies have lapsed, meaning that families can be at the hospitals with their loved ones; however, masks are still required in all hospital settings. We continue to do PPE (Personal Protective Equipment). We have gone through two different variants of Covid, in which there are reports of another one, potentially. The hope is that this one will be even weaker than the others. The vaccine should work; there are still unknowns. The City, especially Fire Department employees, will continue to be prepared for whatever is to come.

2. Police & Safety Report

Chief Tarase reported on the February stats, which included the following: 4 deer accidents/1 involving a police cruiser, 2 hit skip accidents, 24 non-injury, 2 private property crashes, 43 physical arrests, 21 speeding tickets issued, 14 theft complaints, 45 alarms, 54 disabled vehicles, 29 disturbances, 10 frauds, 42 suspicion complaints, 564 traffic stops conducted, 41 welfare checks, and 15 citations for school bus lights from January 1st until now.

We are anticipating new hires. We are looking at two possible laterals, with 50 names on the Police eligibility list. Also, with the weather warming up, we have started getting speed signs back out; whereas one was posted on Bennett Road.

Mr. Vos inquired about the school bus lights offenders, whether they were new. Chief Tarase indicated they were not repeat offenders. Mr. Vos brought up the fine being increased. Mr. Kelly advised that we have made it a point to recommend to the Mayor's court judge that he imposes jail time; which he has done so. Since the last few Mayor's courts, the magistrate has been imposing this in most cases, but then suspending. The manner in which the magistrate does this is to convey to the defendant, that besides the fee, the jail sentence is ten days. Then on the next pause, the magistrate will suspend those ten days; however, place the individual on one year's probation. We are trying our best to make it clear to the public that this will not be tolerated. Mayor Antoskiewicz wanted to point out that just because the court is suspending the jail time right now, that may not always be the case.

Mr. Nickell inquired about whether we hire part time in the Police Department. Chief Tarase indicated that would be contractual and the union would have to negotiate that with the City. Mayor Antoskiewicz commented that with the way we have changed over, not only with the laterals, he believed it has improved our opportunities tremendously; having had 50 names. He felt that we are on the right track.

Chief Chegan made mention of the recent challenges in trying to hire part time, which we have discussed. For the Fire Department, we have discovered that people do not want to work part time anymore and the volunteer system is crumbling. We had 71 applications. People do not seem to want the jobs with set schedules in this new generation. This job has changed, more so on the Police side. Chief Chegan explained that many of the part timers are looking for full time employment.

Mr. Dietrich wanted to know while one is on probation, and if they are a repeat offender within that year, whether it would be a ten-day jail time. Mr. Kelly clarified that it is an inactive probation, because we do not have a probation department; we are not monitoring it. If someone returns in front of the magistrate with a second offense, it would be known. The magistrate has the opportunity to impose what sentence they wish; up to the ten days. On the new offense, another sentence could potentially be imposed. In terms of re-imposing that sentence, they would only be limited to the ten days given to them. Mr. Kelly indicated that you would be looking at two different offenses. The second offense would be a free-standing experience, which a new sentence could be imposed. Then the prior offense would be essentially a probation violation offense, which could then lead to the imposition of the balance of the original sentence.

3. Traffic Lights Discussion

- **Strongsville/North Royalton border – W. 130th Street**

Chief Tarase has not received any complaints. Traffic would be increased due to Sprague Road being shut down. There have been no unusual backups, as to the adjustment made to Albion Road and 130th Street. Mayor Antoskiewicz agreed that you get problems when you are coming south. Chief Tarase clarified that from his understanding, the changes made to the timing of the light for York and Albion Road has worked tremendously.

4. Flock Safety

- **Proposed legislation (agreement for the purchase, installation and professional services of Flock Falcon Cameras)**

Ms. Carbone-McDonald asked how the residents could be assured that it is not about the privacy issues that they are really concerned about, but rather about their safety. Chief Tarase sent out an e-mail this afternoon, in which there is a portal set up online where residents can go and actually see what we are doing; with the data being received, what we are looking at, and why. When the officers do searches, this is more detective, criminal investigation material, and they have to put in the reason for their search. By manpower, the cameras are not being monitored. The body cameras cannot review them unless something comes up. The purpose of the camera is for us to solve crime. This is the only reason Chief Tarase has requested the cameras. Mayor Antoskiewicz concurred that a resident can go on there and monitor what the police have done. He explained that whether we get the cameras or not, license plates are going to be on camera when folks travel down Route 82 in Broadview Heights, as well as Independence, Brunswick, and other cities. The more cities that obtain them, people are going to be on camera. In other words, we would not be unique.

Mr. Wos mentioned that he has received communication from people that they are not in favor of them. Ms. Barath also had the majority of communications as not in favor. She pointed out that the moment they purchased a phone, they signed up for big brother. She brought up the cost. She wanted to know if there is a way to show how productive it has been in other cities, such as how many cases have been solved. Chief Tarase indicated as far as other agencies in the county are concerned, it is all new within the last couple of months, therefore, there is not much history. It could depend on the cases. Ms. Barath understood, however, she has a lot of nervous residents that do not want this; they feel that it is a tracking method.

Mr. Dietrich noted that whenever there is change, even if a positive one, there will be a lot of push back. He felt we are not getting too many complaints considering the number of residents. He felt that it is all about information; perception is everything. It is our job to explain to them what is not happening. He spoke about the reason he got on the Safety Committee, whereas he has a lot of family members who are Police Officers and Fire Fighters. He is passionate about it, nonetheless he knows that money is always a factor. However, he

pointed out that we are supposed to have more Firemen and Policeman than what the City has. If you take the cost, and it helps the officers to do their job better, it is worth every penny. If we hire two or three more officers, consider the cost of those salaries. This tool helps the Police do their job better, it is going to help solve crimes, and perhaps save lives. He went on to say that you have to think of the positives. He expressed that he is in favor of this.

Mr. Nickell concurred with Mr. Dietrich. He had two e-mails in his ward that were against it, out of thousands of residents. He added that if you have cell phones, Google knows your location. Pretty soon, the turnpikes are going to put license plate readers on the toll booths. Pertaining to crime, if the Chief can go and look for vehicles, it is invaluable. He agreed that it could save lives.

Mr. Marnecheck asked how this could impact staffing levels. Chief Tarase indicated that it would only supplement staffing; the cameras are out there 24/7. Mr. Marnecheck inquired whether it would delay the need for additional officers. Chief Tarase indicated that it definitely would not cause delay. The numbers are significantly down with two more retirements in two weeks. Mr. Marnecheck wanted to know who owns the data. Chief Tarase indicated that the department owns it; Flock cannot look at the data. Mr. Marnecheck asked about the contract wording, as to Flock having the ability to do anything if it is considered lawful. He wondered if they could sell the data. Chief Tarase clarified that his understanding was, they are only able to look and ensure that it is working properly; while setting up the system in the beginning. The data then belongs to the Police Department, which is deleted every thirty days. Mr. Marnecheck asked if they would be able to sell it to anyone for traffic counts at intersections. Chief Tarase indicated they would not. Mr. Marnecheck inquired about where the data is stored. Chief Tarase explained in the Department's servers; cloud servers.

Ms. Krejci shared that she has gotten a lot of residents not supporting the safety cameras as well. She felt that if we can protect our City better and potentially solve crime, it is a great investment. She wanted to know if there was a way to start small, rather than spending \$40,000 right off of the bat. She suggested perhaps reducing the number of cameras and evaluate later; how much it helps the Police.

Mr. Wos asked if we could take a look at the part of the contract regarding the data. Mr. Kelly agreed that he could review it again. He wanted to speak to the "big brother" issue that residents have conveyed. Everyone needs to know that the Ohio Supreme Court has repeatedly made known that when you are in a car driving on the public roadways, there is no right of privacy. He reiterated, as he did previously, that there is no such thing as privacy on the road; that is what the law is. You have a right of privacy in your own home. If driving, you have given that up all together. If the Police deem appropriate to search your vehicle, etc., the Supreme Court allows it; they have a right to do so. He expressed that all of this big brother stuff is malarkey.

As discussion ensued about data, Mr. Nickell encouraged all to keep in mind how many are against it out of many residents. Ms. Barath commented that she still had 25 e-mails from residents. Mr. Dietrich stated that he has not had one person contact him negatively. He felt that they need to be educated and informed of the facts of having this tool. He talked about the size of our City once more; that we do not have very many officers. He pointed out that these cameras are another tool to be able to do more with less. Furthermore, there were not people present tonight to oppose it.

Ms. Carbone-McDonald stated that she also comes from a law enforcement family and feels as though she represents everyone. She indicated that there were a couple of questions regarding whether there could be other uses with the money. Also, whether our officers were armed with everything that they need; that should come first. Chief Tarase clarified that we have worked hard to supply the officers with all of the equipment that they need. There have been times where certain officers have requested Tasers. We have looked at Tasers in the past and in doing so, we looked at our numbers of 'use of force' calls, whereas officers have had to use force to detain. As a result, the number of incidents and the cost of the Taser program did not justify getting them for the Department. He continued that Tasers are a very expensive tool, which requires re-certification every year. He felt it did not justify at that time.

Mr. Nickell went over an area of the contract that involved aggregated data, stating that Flock shall not sell agency data or aggregated data. He reiterated that they delete data after thirty days. He questioned if we would want to keep data for over the thirty days. He asked if we have to have our own server. Chief Tarase concurred, although the only time something would be kept longer is if it involved an investigation. Chief Tarase verified that otherwise, they would delete it.

Mr. Dietrich asked about the capabilities of residents, such as what they are allowed to request with records. Chief Tarase clarified that it is not video footage, however, it is photos of the license plates; front and back. Mr. Dietrich asked if it would be considered a public record. Mr. Kelly stated that it is a public record; as long as we have it and hold it according to our records retention policy. The thirty-day limit is what would pertain. In short, it is a public record.

Mr. Wos moved to recommend to Council for vote. Seconded by Mr. Dietrich. Yeas: 3 Nays: 0. **Motion passed.**

5. House Bill 172

Chief Chegan explained that there has not been new information or an update from the State Fire Marshal pertaining to the rules. It was agreed to table this item.

Ms. Barath asked for some information on the City's noise/nuisance ordinances. She mentioned that it could be of help if considering to leave it as is; but strengthening the noise ordinances. Mr. Kelly concurred. Mayor Antoskiewicz recapped that the current ordinance would not be sufficient if we did nothing. Mr. Kelly agreed. His recommendation is that we repeal the existing ordinance on fireworks and allow the state's statute to become effective, or adopt a new ordinance. You can track the state's statute or you can diverge from it. He reiterated that something should be done.

Mr. Nickell noted that he supported the state statute; getting rid of ours. However, he would like to know what ordinances we have, while concurring with Ms. Barath. Mr. Wos also agreed. Mayor Antoskiewicz felt that with the noise ordinance, he is not sure how that could be applied or measured with noise; with shooting off fireworks.

Ms. Krejci reiterated that at some point, we do have to make a decision. She would not recommend sitting on it while letting the state law take effect. She did not support it, unless we could implement something with distancing; which would be difficult for the Police. She did not support having fireworks in the City.

As discussion ensued, Mr. Nickell spoke about ticketing and other things if one goes against the noise ordinance; and after hour scenarios. Mr. Kelly was certain that in more instances that not, when the Police are called to a site for that kind of behavior, they settle people down; until the police drive away. Then the call is made again, whereas the second time around, generally the officer will make it very clear. In the event that someone is not going to cooperate, that person often times will be the subject of some other offense; disorderly conduct or disturbing the peace. Therefore, the result is the same. However, it takes more effort from the officers. The objective is more often reached and the fireworks come to an end.

Mr. Marnecheck questioned when the State Fire Marshal may have more information about the rules. Chief Chegan indicated that no one is aware of when he would do so. He did suggest looking at the noise ordinances, in which there are some things that would need reviewed. His department would be responding to some bad situations. The other Chief will be responding to the nuisance calls. Chief Chegan will be responding to injuries or something being on fire; therefore, it is different for his department.

Chief Chegan reiterated that he is not for fireworks. As far as the legislation or the rules, he is not certain if there will be anything out by July. After the meeting in April, he may have more of an update to see where we are. Ms. Carbone- McDonald asked about what other cities are deciding. Mayor Antoskiewicz indicated that Broadview Heights has banned them. Others that he has spoken to are leaning toward banning them. Chief

Chegan mentioned that the last meeting he attended, he was under the assumption that the County was looking to ban them. He reiterated what Mr. Kelly had conveyed, which is, you run into difficulties when you start putting stipulations on them.

Mr. Dietrich expressed that again, he leans heavily on the experts and their recommendations, as we all should. He recapped that as the Chief pointed out, there is a lot more risk than it is worth. Mr. Dietrich felt confident in his decision of opposition. The majority of the wards are close together and he feels that North Royalton has to have more regulation. He agreed that if we are going to move forward, we do not have a lot of time; although we were waiting for a response from the Fire Marshal.

Mr. Wos wanted to wait until next month. Mr. Marnecheck felt that we should keep the ban; he opposed this. Chief Chegan stated he could provide the noise ordinance, which he quoted an area that would make officers jobs more difficult in enforcing; if a ban is not in place. Mr. Kelly noted that typically the noise ordinances are determined on the basis of the decibel level. He went on to say that the experience is intended to be able to measure it, which means the sound would need to be either repetitively beyond a minimum decibel level, or a maximum decibel level; or in the alternative, a constant, in which fireworks are not. Using the noise ordinance in that manner would make a case in charging someone very difficult. It is most likely going to be done on the basis on disturbing the peace; disorderly conduct in that nature. He agreed that we do have enough meetings that remain. However, at some point, we have to come together on some legislation to present to Council for consideration. As he discussed how many votes it would take, we have enough to begin putting together legislation. We would like to have something on our books that tells the community and the police which direction we are going.

Mr. Marnecheck wanted to clarify voting rules, as to whether banning them means keeping the status quo. Mr. Kelly concurred. Ms. Carbone-McDonald made it known that she is in favor of allowing them; with no ban. Ms. Barath was fine with the ban, which she was leaning toward. She understood that it is a difficult thing for Police. Chief Tarase noted that either way you go, this law would be violated. Mr. Wos agreed that regardless of what we do, people are going to do it anyhow. He felt that we have enough tools with our current law enforcement. Mr. Nickell suggested making the legislation. Either way, he does not want to make laws that create more difficulty for the Police.

Mr. Vincent Weimer, resident of North Royalton, wanted to speak. He stated that he is one of the only residents that is here. His thoughts were, often times legislatively, it becomes confusing to our residents. We have a state law that is going to come out and the firework dealers are going to abide by the state law. You are going to have people move in and move out of North Royalton, and they are expected to know the rules that we have. He went on to say that someone is going to move in, shoot off fireworks, while thinking they are following the rules, and the police are going to show up; and a citation could be potentially written depending on the circumstances and the night he has had. He feels that it is confusing. It is not necessary at the moment, legislatively, and he feels that we should let state law ride. You can legislate any time that you want. He did not feel that we have a problem yet; until we have a problem. He wanted to suggest to lean in on that and not over legislate initially, but to let the state law ride and see where we go.

Mr. Kelly pointed out that Chief Chegan made him aware that the law also allows for retail establishments, whereas you can ban those. You could prohibit the sale of fireworks within the community for the sake of consistency. From his point of view, if we were to draw the legislation to ban the use of fireworks, we could also prohibit the sale of fireworks within the confines of the City of North Royalton. He wanted to make Council aware. Mr. Marnecheck noted that would be a change then. Mr. Kelly explained that it is already defined in the statute, as Mr. Wos inquired. As discussion ensued about buying of fireworks, Chief Chegan spoke of a store where they will be readily available in the City.

Mr. Dietrich asked Mayor Antoskiewicz for his thoughts. Mayor Antoskiewicz indicated that he would ban them. His biggest concern is area, in which some areas are very tight residential housing. Also, the other ten holidays other than July 4th. Due to the area that we are in, he felt it is difficult on the urban end of the City. Mr. Dietrich raised question about permits. Mayor Antoskiewicz clarified that you cannot get into having

some people allowed, and others not permitted. Discussion ensued about selling of fireworks and challenges if the sale of fireworks were to be banned.

Mr. Wos moved to have legislation drafted to ban fireworks and ban the sale of fireworks in North Royalton. Votes: Yea 3, Nays 0. **Motion passed.**

Mr. Kelly wanted to reiterate that the new legislation would look different; the current one would not suffice.

6. Hydrant Painting and Maintenance

Chief Chegan indicated that they do not have a date yet, however the company that is working with up to five cities will be working with us on this. He will update us when he has a date, which would be dependent on the weather. We should have a target date in the next month.

7. Safety Town

Chief Chegan had no update as of yet.

8. Fire Department Services

TAKE OFF OF THE AGENDA

NEW BUSINESS

1. Waiving Hunting Permit Fees for Veterans

Ms. Carbone-McDonald provided a hand out. She thanked Mr. Wos for adding her own legislation to the agenda, which entails the deer hunting fee for retired, and honorably discharged veterans in our City. She expressed that our City is home to many brave military veterans, which we honor during the annual Memorial Day ceremony; among other programs. Being a Purple Heart city, and most recently, the Home Town Heroes banner program, this would be a small way to add another way to thank our veterans that hunt. They are also helping our community to control the deer population and improve public safety, which the number of deer and car accidents have been reduced. Ms. Carbone-McDonald pointed out on her legislation, the red highlighted area, in which she added a change to our deer hunting ordinance. She is adding a sentence as follows: Any retired and honorably discharged veterans will have their registration fee waved after presenting a valid I.D. card at the time of application. She wanted to make a motion that would place this legislation on the next Council Meeting agenda.

Ms. Krejci asked what we are trying to accomplish. She pointed out that we voted on this in the past. Ms. Carbone-McDonald felt that this was a way of thanking our veterans. Also, she had some veterans approach her after she won, inquiring about assistance with this. With everything we do with our veterans, this is an added touch with what we can do for them, she stated. Mr. Wos asked if this entails all veterans or North Royalton veterans. Ms. Carbone-McDonald indicated it included North Royalton only.

Mr. Dietrich raised question about the word retired on the legislation, whether it would include active military. Ms. Carbone-McDonald clarified at this time, it was for retired and discharged. Mr. Dietrich suggested if honoring veterans, then active military should be added as well.

Mr. Nickell asked about the fee amount, which is \$75.00. Mr. Dietrich shared that he proposed this before when we originally were looking to reduce fees; we compromised to the 75-dollar fee. We felt that would cover the cost of the officers having to go out and inspect the stands etc. When proposing this in the past, he believed it was decided to be difficult to monitor for the Police. He strongly supports veterans; however, this has been talked about. Mr. Dietrich pointed out the fact that this would need to be put into committee first, as her legislation had already been drawn up. He encouraged all to ask the experts that run this program, which is

our Police Department. We had a different Chief in the past. Mr. Dietrich referred to current Chief for his thoughts, Chief Tarase.

Chief Tarase reiterated that he was opposed to it last year and still is, as a veteran himself. He does not look for discounts etc. for his service. Regarding cost, you are looking at roughly \$90 per application; for the Department. Therefore, when you start adding all of those free applications, more money is going out; over-time would go up to do inspections, as well as to process the additional applications that come in. He shared that he was not in favor of this.

Ms. Carbone-McDonald brought up the new position and expenses, wondering whether we could find some funds to help our veterans. Mr. Marnecheck stated that we heard a veteran weigh in on the topic, Chief Tarase. Chief Tarase indicated that over-time costs were already under water on each application as it stands. We would go even more so; we had 90 applications in the last two years. That is as much as we can handle right now. We have two officers that would go out and inspect all of these properties for their permits, whereas one is retiring; we will be down to one officer that has experience in this.

Mr. Dietrich expressed that this was important to him as well, and all of us care about our veterans. However, he defers to the experts and they are the ones that run and fund this program; which is why it was not added the last time. He fought very hard to get the price down, which we compromised at \$75.00; he felt was a reasonable rate. He agreed with the Chief. He pointed out that Chief Tarase has taken steps to improve the program and we are still in the same boat as last time. It was decided to remove this item from the agenda.

REMOVE FROM AGENDA

ADJOURNMENT

Moved by Mr. Wos seconded by Mr. Dietrich to **adjourn the March 15, 2022 meeting**. Yeas: 3 Nays: 0.
Motion carried.

Meeting adjourned at 7:30 p.m.