

Minutes of the Ordinance Committee meeting
Sheffield Lake, Ohio
Sept. 6, 2022

This regular meeting of the Ordinance Committee was held Tuesday, July 5, 2022. Chairman Radeff called the meeting to order at 7:04 PM.

ROLL CALL OF MEMBERS:

Present: Radeff, Wtulich, Cizl, Mayor Bring, Law Director Graves, Service Director Hastings.

Excused: None.

Attending: None.

MINUTES: July 5, 2022 *Motion by Wtulich/Second by Cizl to accept the minutes with any corrections. Yeas All.

PRESENTATIONS: None.

OLD BUSINESS: None.

NEW BUSINESS: Law Director Graves states Chief Kory sent some ordinances to be addressed. The first one is in regard to excessive alarm calls/false alarms. He recommends creating an ordinance similar to the City of Lorain. I'm not sure what they have, but I can take a look and put together a draft for the next meeting. Chairman Radeff says the next one refers to disorderly conduct and he highlights specifically carrying a pistol while in a park. I believe all that needs to be done is to delete that part. With the new gun laws, you really can't restrict anybody who has a license or is a law-abiding person from doing so. Law Director Graves says he also mentions other subsections such as (g) regarding using profane language in the park and (h) regarding loitering near toilets. We do have a specific disorderly conduct in the parks that has been used before. Mayor Bring says what is happening is young kids are going in the parks and swearing and families have their kids there and are getting offended. Law Director Graves replies we already have an ordinance covering that, I thought he was addressing it to take it out. We will leave it in for now. What about loitering near toilets? Service Director Hastings states that refers to the boat launch. They hang out and sit on the counter and carve on it, etc. Law Director Graves says I think he is wondering if these are relevant anymore and if we should remove them. 961.07 we are really just looking at subsection (f), because the case law says with permit less carry, you can carry in the parks. There was an Ohio Supreme court case where they ruled a valid conceal carry cannot be prohibited by local ordinance from carrying within parks. Chairman Radeff says the next one is 521.12 spitting. I think he is wanting to remove that one. Law Director Graves states

we have never really enforced that. I think there are other ways to go after them. Chairman Radeff says I think we remove it then, any objections? None stated. Chairman Radeff says next is carrying concealed weapons. Isn't it really just us approving the new written law? Law Director Graves says I will have to look into it, it is possible that now much of 549.02 is not relevant. Chairman Radeff says you can still be charged if you aren't a qualified adult. Law Director Graves says we will need to check with Walter Drane to see when they do the codification, if they are updating local ordinances in that regard to comply with state law. Chairman Radeff says improper handling in a motor vehicle stayed the same, I don't think there was a change. Law Director Graves says I will talk with American Legal Publishing and see if they are going to update ours to mirror the state code. Chairman Radeff says 961.09 we can just get rid of because we don't have park police. The last one is 961.05 and I think the only thing you would need to get rid of is carry a firearm and keep the rest. Law Director Graves says that is also my recommendation. Chairman Radeff says he sent an additional one later on, 549.15 possession of an object, etc. it seems to indicate a person can't bring a fake gun, etc. into a school. I think he wants something like this added to the books. Law Director Graves replies ours talks about defacing identification marks of a firearm or possessing a defaced firearm. We have that right now, what change is he recommending? Chairman Radeff says I don't think he knew we had this; he wrote one of the guys suggested adding it. Law Director Graves says in regard to the first one, I'll have a draft for the next ordinance meeting. In regard to #4 and #5, I'll do some research and have recommendations for the next meeting and in regard to #8, I'll ask the chief what changes he is proposing. I will prepare something for work session as well. At the last meeting, we discussed the Park Board and the various powers the ordinance conveyed on them. I have two ordinances attached tonight. The first is chapter 961. If you look at the charter, there is quite a bit of overlap. We changed the chairman of the Park Board duties and either eliminated them or changed them to the Director of Public Service. Under 09, I can delete park from that sentence and just make it police officer. Chairman Radeff asks 961.13 it says such special permit shall be for a particular time, etc. it says approval by Park Recreation Board, Director of Public Service and only if request is approved by the mayor, so you need approval from all three? Law Director Graves replies the role of the Park and Recreation Board should be more of establishing rule making, etc., but the day to day enforcement and administration of the parks should be under the authority of the Director of Public Service. That subsection is written for the Park Recreation Board and Director of Public Service to work together to establish the form/application and then the request needs approved by the mayor. Member Wtulich asks in regard to repealing section 163, does the new one cover it? Law Director graves replies Chapter 163, in the prospective of trying to amend each section, it got to the point where virtually everything needed revised. I thought it would be better to repeal it all at this time.

*Motion by Wtulich/Second by Cizl to send two recommended ordinances to work session. Yeas All.

Service Director Hastings says I have been talking to the mayor about a section of our water ordinance that says any discounts that may be available to senior citizens contact the clerk’s office, but there is no mechanism for a discount for senior citizens. I would like to bring something to this board to actually have a mechanism for those 65 and older to have a flat rate or reduced rate. You would have to apply for it, approve it, etc. Mayor Bring says there will be a cap and certain parameters. Service Director Hastings states we are a NOPEC city which means the city has opted to have all of its’ residents be able to participate in what should be a lower rate.

CITIZEN’S COMMENTARY: None.

ORDINANCE/RESOLUTIONS BEFORE COUNCIL AT THIS TIME:

None.

MEETING ADJOURNED: With no further business before this committee, *Motion by Wtulich/Second by Cizl to adjourn at 7:40 pm. Yeas All.

CLERK OF COMMITTEE AFFIRMATION:

This Meeting of the City Committee of the City of Sheffield Lake, Ohio, was and conducted under all Rules and Regulations Governing the Sunshine Laws of the State of Ohio as they may apply. All meetings are recorded and available in Council’s Office.

CLERK OF COUNCIL/COMMITTEES

Brandy Randolph

I, Brandy Randolph, duly appointed Clerk of Committee Of Sheffield Lake DO HEREBY CERTIFY that this

Is a true and exact copy of the Minutes of the Ordinance Committee of Sept. 6, 2022.

CHAIRPERSON

Rocky Radeff

COUNCIL PRESIDENT

Rick Rosso