

**CITY OF INDEPENDENCE
SAFETY COMMITTEE MEETING
MINUTES
NOVEMBER 7, 2022, AT 3:30 P.M.
COUNCIL CAUCUS ROOM & VIA ZOOM**

Present: Chairperson Tom Narduzzi
 Vice Mayor Dave Grendel
 Councilperson Dale Veverka

Others Present: Councilperson Anthony Togliatti
 Councilperson John DiGeronimo
 Councilperson Jim Trakas
 Councilperson Chris Walchanowicz
 Mayor Gregory P. Kurtz
 Finance Director Vern Blaze
 Police Chief Robert Butler
 Officer Kevin Repicky

Chairperson Tom Narduzzi called the meeting to order at 3:33 p.m.

Chairperson Tom Narduzzi said Good Afternoon everybody, and thanks for coming to the Safety Committee meeting this Monday, November 7, 2022.

On the agenda today there are three things, and we might be skipping around because the first one isn't here yet. I guess we will go right on to Number 2, the Independence Teen Driving Program.

Police Chief Butler said so thanks for having this meeting. We are going to talk about a few things, first and foremost, the community outreach for 2023. In 2022 we did some really great significant community outreach. We plan on not only continuing what we have already started, but we are going to take things to the next level in 2023.

Since I have been here, I have put a focus on foot patrols, especially around the swimming pools, our parks, anywhere where our citizens can see us. We are going to be out there. We want to work with them. We have also done a lot of programming. We have done self-defense programming for joggers. We have done a scam class for seniors, and next year we are going to be introducing our Teen Driver Program. Our Teen Driver Program, I am going to have Officer Repicky who is going to be running this and who put this all together. He is going to be the one that is going to be explaining this to us. So, I am going to get out of the way, once I bring this up.

Officer Repicky introduced himself as one of the School Resource Officers, and the last couple of months I have been putting together a program. It's going to be basically anything that has to do with cars and our teenagers. So, it is going to be any teenager driver, 16, 17, 18 or 19 that has

a valid driver's license can take this class. We are going to do about an hour and a half to two hours, depending on participation, how many people we get in the classroom. We are going to do some real-life exercises for an hour or two. So, it will be about three to four hours is what we are hoping for.

Mayor Kurtz asked what's real-life exercises?

Officer Repicky said these are the topics that we are going to cover for the classroom part. So, teenage driving, just reviewing the restrictions for 16 and 17 and 18 year olds again. Going over insurance and how important it is and why they need it. We are going to talk about distracted driving, eating, talking, texting while you are driving. We will go over the differences between an adult and juvenile or under age 21. We are getting into common driving and equipment violations to make sure they know you need brake lights, taillights, headlights and everything needs to be working. Some common driving things, tailgating and wearing ear plugs. Everybody has air pods now, and they don't know that you can't wear two of them in your ears while you are driving. So, we just want to make sure they know all that stuff and are safe.

Then we are going to get to what they do in certain driving situations, and one of the main ones is an accident. Everybody probably calls their parent or guardian before they call the Police when they get in an accident; and so we are going to go over with the teenagers how to report an accident and what they need to do, funeral possessions, school busses. What to do when you get pulled over. How to safely do it. We are going to get into road rage, and that's a big thing these days. Everybody is always in a hurry, and unfortunately in the world we live in now, we are going to talk about car jackings and car break-ins because it is something that has happened here, and our kids are always out in these other cities. So, what to do in case of those situations, and what do you do if your car does get broken into. Then we are going to go on to how to change a tire and how to jump a battery. So, that's the stuff we are going to do in the classroom.

Our activities we are going to do outside. We are going to do mock traffic stops. So, we are going to pull the kids over and show them how to safely set up and what to say to us when we get out and approach them and how to act inside the car.

We are going to run through some field sobriety tests, and then we are going to teach them how to change a tire and how to jump a battery.

We are going to do it at one of the schools, and Ben Hegedish said he's going to help us with classroom parking lots, whatever is available on the day we choose. I talked to Joe from Hilltop, and he said as soon we lock in a date, he can find us a car and help us demonstrate to the kids how to do all the stuff for them.

So, the goal is sometime in the spring, April, early May, three or four hours on a Saturday, 9:00 a.m. to 1:00 p.m. This one we are going to cap at 30 kids and see what kind of participation we get. If we had to add more classes, we can do one in the fall or maybe even in the summer when they are out of school we can do one some day or something. We can try and get as many kids as we can through this, and if it's successful, in talking with Ben Hegedish, he said that maybe

we can institute it during the school day to even get some more kids and not make them come in on a Saturday. We know they like to sleep in.

Finance Director Blaze said that might help Kevin because I don't know when baseball plays their games and girls softball, but I know that track usually has track meets every Saturday April and May.

Officer Repicky said I know the more we get into May, the less these kids are going to want to come in.

Police Chief Butler said we will make it work for the best time possible, but this is just a round about time, we haven't locked anything in yet. Time and dates can change, but that's the general gist of what we are shooting for.

Officer Repicky said if you guys have any input or suggestions to throw in this class, feel free to email or whatever.

Chairperson Narduzzi said I think it's a great idea. I don't now who came up with it, but I think it's a great idea. Second of all, I would like to see if we could get it through the school, even if we broke it apart into two separate days or something. I think you will get a ton more participation, and I would like to see it mandatory if you are going to drive your car to school. So, if the kids are going to drive their car and park them at the school parking lot, I think it should be a mandatory thing you have to do. If you don't take the class, you can't drive your car to school.

Officer Repicky said I think it's something we can incorporate into summer. If you want a parking pass, you have to attend this class.

Police Chief Butler said for this first one, so you are all aware, we are allowing people up to the age of 19. So some of these are not high school students. This would be any resident that has a teenage child that wants to come. So, let's say your kid's in college right now, and they missed out on doing this; we would allow them, as long as you are a resident, to send their kid to this class. So, we have already gotten people that work for the school, who work for City Hall, and they are like my niece needs this; and she is 18 years old. She is at Ohio State. She has no idea what to do in these circumstances. So, this is the first shot at this, and then we are going to try to continue to take this to the next level afterwards, once we get our bearings.

Councilperson Trakas said thank you so much. What a great innovative program. Have you thought about working with Mayor's court on remedial education for kids who may not qualify for the State intervention program but might need a little reminder.

Officer Repicky said no, I haven't looked into that yet, but this is just the start. We have time to put that in there if we need to.

Councilperson Trakas replied okay.

Police Chief Butler said thank you Kevin. I appreciate it. You have done a lot of work on this. Just again reiterating, this is just one of the many programs we plan on doing in 2023. We are not done with community outreach. It's going to be one of the pillars of our department.

So, we are going to continue morning announcements, video game tournaments. Self-defense class, so we recently held one for joggers; it was a female jogger self-defense class. The outpour of interest was overwhelming. So, next year we plan on taking this to the next level, offering it to seniors. Offering a self-defense class for teenagers before they go to college. We are working with getting some people through instructor self-defense courses through OPTA which is the State. We want to offer these for free for our residents, so they have more opportunities to learn.

A Good Citizen class; again what happens if you are a victim of a crime. Somebody breaks into your car because you left your car unlocked overnight. Teaching people not to touch things. When to call the Police, when not to call the Police. What is suspicious? How to report things? I think these are things that people feel two days later, hey I should have called the Police. Or, hey I am going to report this on social media first before I call the Police. These are the things that we want to be different as a community. We want to teach people that open lines of communication with the Police in Independence because Independence Police care is more important than these other things.

Finally, VIPs, our volunteers, we are already, we have already rolled out training every month. We have an officer coming in. The last one was drunk driving. We had an officer come in and explain to them how we do tests. What we look for. The one before that, we had a SWAT team member come in and teach them how we clear buildings. It's more interactive. They are learning more. It's almost like a citizens' police academy to a certain extent. It's very hands-on. They get to ask a lot of questions. Our volunteers have a really well-rounded picture of our Police Department and what we have to offer. So, we want to work collaboratively as a team. They help us in the parking lots. They help us at Home Days. They help us in so many events that we want to encourage people to become VIPs. You get this extra level of communication from your Police Department.

Does anybody have any questions on outreach or anything else of that nature before I move on to the Ohio Collaborative? There were no questions.

So, I have a member of the State here today that would like to talk to us about the Ohio Collaborative. I don't want to muddy the waters and try to explain.

Mr. Arborgast said I will do my best. First of all, I have worked with (inaudible). I know he is sort of a newbie. I want to commend him for the job. I worked with your last Chief on the Executive Order, and to be honest with you the big reason that he wanted to do that was tied into Federal money. If you don't have it, you don't get money. So, that's always an incentive. I don't offer these incentives, it's always something that's a good thing to do, but we were overseeing. If anybody wants a card.

So, the Ohio Collaborative, I will just give you sort of a brief overview, and where we are at within the Police Department. The Ohio Collaborative started in January of 2015. It was introduced with two standards. One was use of force, and one was recruitment and hiring. If you look back from the timeframe, if you remember history, most of the stuff is because of Cleveland, Columbus, and Cincinnati. All of these standards, you can almost put in an incident. This incident, if you remember, and it looks like most of you have been around long enough, the 137 rounds that were shot in East Cleveland. The chase started at City Hall at the Police Department. That sort of started us. So, John Kasich had an Executive Order, and since then we now have eleven standards. We started with two, and now there are eleven standards.

I will just briefly go through the different standards – use of force, recruitment and hiring. That was specifically named in the Executive Order. Give me any engagement, and I will tell you right now you will never have a problem hitting those standards. What you are doing with some of the programs is outstanding. Body worn cameras, cross our fingers, hopefully you will get a grant. You have applied for the grant for body worn cameras. There are standards, once you get the camera, you can't comply to a standard if you don't have the camera because it's two things. It's the policy itself, and then are you compliant to that policy? You can have all the great policies in the world, and if nobody follows it. Every once in a while when we are out and about, we do find agencies, especially on vehicle pursuits. They have no policy, and it's like nobody is going to run from me. I don't care what the policy says until somebody gets killed, crashes and what have you.

Communication, you don't do that so that's waivable. (Inaudible) policing, investigation of employee misconduct, vehicular pursuits, and that was added in 2020. The two newer standards are responding to mass gatherings and also agency wellness. Agency wellness, first we would have liked to have seen that sooner because if you look at, Police Officers are human; and I think a lot of people sort of forget that aspect of it. We have the same issues and problems, and we are not finally recognizing that we need a wellness standard departmental wise to assist not only the officers and families. I spent 43 years in law enforcement. My first Chief's job was right down the street in Richfield Township when that building stood in the vacant field the Coliseum. I opened the Coliseum with Frank Sinatra, and I closed the Coliseum. I had the luxury of escorting Muhammed Ali and (inaudible) out of the ring during that short fight that year. I have been around a long time. I ended my career in January of 2019 as Chief of Medina Township Police Department.

Agency wellness, I hate to say, I lost track of how many fatalities I handled in the 43 years. It's something you never forget, and we need to address this with our officers when they experience this type of stuff and offer them services. It's no longer suck it up, you can handle it. We are human, and now we are starting to recognize it 43 years later. The current one, you have the board that oversees. They push things out, and there are people that actually put the programs together, accept formal policies and standards.

The last one that was approved was policing and positive interaction with youths. I don't think you are going to have a problem with those standards. I saw the presentation already, so you are well on your way.

Actually I am employed by the Ohio Chiefs' Association. We are contracted with the State of Ohio, the Office of Criminal Justice Services. We provide career to career services as well as the assessment. My current job right here was to do the assessment under the three standards that he has completed, use of force, recruitment and community engagement. When you get the body worn cameras, I also serve as a peer. The other good thing that you will really enjoy is that all of our services are free. You pay your taxes, it doesn't come right out of the City's budget.

So, the Ohio Chiefs' Association oversees all close to 1,000 Police agencies in the State of Ohio, and there are about 22 of us that travel the State. I have been with the Collaborative since it started. Now since I have retired, I can go anywhere anytime so it's a nice job.

So, the process allows people beyond and including your last Chief. He was a wonderful person, and I knew him fairly well. You adopt standards. You demonstrate compliance. You are enhancing accountability. You are reducing your risk of liability. I am not going to stand up here and say you are going to eliminate liability, but you have standards. When something does go wrong, this business can change overnight. You just never know what's going to happen, but when you get into lawsuits, what did you do beforehand? What type of training? What type of policies? Right now, and I hope you never have an officer involved shooting, and I hope if you do you are going to call BCI and sort of push it off to them. They are experts on it. Right now the first thing they want to have is any body worn cameras, dashcams, and the second thing they are asking for now is your policy on use of force. So, if that ever happens, hopefully you have never have that opportunity to do that.

So, it also reduces liability, and the most important thing; and I see them all the time (inaudible). Here's who we are, here's what we are doing, and the collaborative part of this which also then increases public trust. Some communities have better trust than others. I know some communities, I won't name them. You could probably look in the newspapers, they wouldn't show up every day. You could figure those out. People do not trust us, and it overflows into other areas. It overflows into Independence. You could have the greatest Police Department in the world, but there is somebody out there, just because somebody else that wears a badge screws up, you are all bad. That is just the way life is today.

So, in a very short period of time, a couple of things that are coming up, there's a new standard that is under consideration, and it's crisis intervention which is a standard where actually there is a meeting on Wednesday, and then standards on evidence room management. They always look at where can you get into trouble. I will tell you right now, there are more Chiefs that got into trouble because they didn't have a good management program of their evidence room, and all of a sudden boom what happened to it. I have been to departments where nothing was cataloged. They just throw it in a room, and we have a lot of small agencies in the State of Ohio. I think 75% of them have 20 officers or less.

We are actually becoming more receptive hopefully next year. We are going to be out in the community, and working with agencies more in the next year. We are going to do more on site visits so we don't wait five years down the road to come back and re-certify you. The certification is actually good for three years, and the fourth year we come back and do an on-site.

Every year, and we will work with them, and we will add stuff every year to make sure they are in compliance. So, we are going to watch them a little more closely.

What I would like to do now is present to the Chief and whoever else, the Safety Director, the certification. I am happy to announce it was close because it was dated today. I hope you put this on your community pages, but on behalf of the Ohio Collaborative and the State of Ohio, you have been awarded the certification for use of force and recruitment and hiring. That's what we call Group One, and then your final certification for community engagement, and like I said the renewal for that stuff is annual. For what you are doing for 2023, (inaudible), you probably met the standards.

Police Chief Butler said and this is the first time we have gotten it, and I really appreciate it.

Mayor Kurtz said thanks for your service.

Mr. Arborgast said it was a good run, and I spent 43 years. I don't golf, and even if I could, no one would want to golf with me.

Police Chief Butler said we look forward to getting through more of the groups and showing our commitment to it.

Mr. Arborgast asked can we get a picture?

A picture was then taken of the Mayor, the Police Chief and Mr. Arborgast.

Several people began speaking at once again.

Mr. Arborgast said that's how you gain trust and build a community that includes your Police Department.

Police Chief Butler said thank you Dave. We take it very seriously and appreciate it.

Mr. Arborgast said if you have any questions or anything.

Police Chief Butler said we have your card. Thank you sir.

Mayor Kurtz said you are more than welcome to stay around if you like.

Mr. Arborgast said I retired from law, and I was down the street in Richfield. Like the certifications, I will probably spend two or three hours reading all the documentation. Everything is computerized now. When I first started, I would literally walk into an agency and sit there and read all the stuff while probably the Chiefs twiddled their thumbs or just left me. Now it's all computerized. I have a nice office in my basement, and when I walk in I know what I need to look for already. So, it reduces the time with the Chiefs. I probably spend an hour or hour and a

half with the three standards reading all the documentation before I get here. I think we spent like three hours together here. I am going right down the street tomorrow morning.

If you have any questions, and like I said, so far he's doing a good job.

Police Chief Butler said thanks, I appreciate that. We are honored to be accepted into the Ohio Collaborative. This took a lot of work. We have to show all the records, every one of our officers have to take a test in these different subject matters. I want to thank the Mayor, and I want to thank City Council for partnering with me on Lexipol. That got our standards up to 2022. It got us to this point of elite standards and policies. That helps with community engagement, community trust and prepares our officers for the worst situations possible. So, with Lexipol they also have to train every month in different policies. Those test questions are already going out every single month. They are randomized. They have 20 to 30 questions per month that they have to answer, and then we have to show all the documentation that we are doing it. That the policy meets what the State expects from us, and just to highlight, this is the first time that Independence has received any group status and have been entered into the Collaborative. This is a great honor. There are six groups, and we plan to join many of them.

So, I want to go over a couple of statistics for your guys real quick. Statistics for 2020, 2021 and 2022. So, robberies we did have one increased robbery in 2022 from 2021, but a significant drop from 2020. Assaults are significantly down for the year. Stolen autos, we are one less than last year, and you can see a decrease in that. For the most part, what I attribute this to is not only our officers that care so much about this community and work very hard for our citizens, many of which are our citizens that live in this community, but there is an increase in traffic stops. The reason why this is 10, 20 and 30 is because I couldn't do this in thousands without making a whole other bar graph, and I just didn't feel like doing so. So, we are at 3,080 traffic stops just in 2022. Let me reiterate, this is not about getting tickets. This is not how many speeders are we issuing a ticket to again and again. It's stopping unsafe driving behavior, and either educating. Some people might deserve a citation based on what they are doing, but that are putting our community at risk. You can see a significant increase. We didn't even break the 2,000 the last two years. So, we are over 3,000 already for this year. This is because our officers are pro-active. They know what the mission is, and they want to keep our community safe.

So, when you see those blue lights, for me, that was a big thing when I started here and told our guys, light them up. Light up this area. You are going to see a reduction in certain crimes that are usually more public. So, stolen autos, it could be attributed that. I can't say for 100% certainty, but you could see a correlation as you see more Police lights, you see more boots on the ground, you are going to see a decrease in certain types of crime. You are going to see an increase in others, OVIs. Why are we seeing an increase? We are arresting drunk drivers. We are stopping cars. So, that's a good increase.

Again, I am so proud of our officers that work so hard every single day. We are honored to receive an award next week from AAA, our own hometown AAA. They called me today. They are so excited to be presenting us with an award and want our Chaplain to give grace for the luncheon. Other departments are receiving as well. I don't know which one we got. There's

bronze, silver, gold and platinum. So, to show our efforts for traffic and accidents and everything like that, we are getting an award next week. I will make sure you guys are aware of that. It will be on our Facebook and LinkedIn. We are excited.

I want to start with a little bit about feasibility. This is just a quick little touch on this. I am not getting too much into this here. One of the reasons why we are looking to do a feasibility and blue print study is we are at the seams. We have done everything we can with the space that we have. In 1982, this was built in 1981, but I have something from Dar in about 1982 in this building. We had 17 Police Officers in 1982. So, when they constructed this building, we had 17 officers. We had 26 in 1990. It has been growing. In 2022 we have 37, and that's what we are looking for. A building that was built for 17 officers compared to 37 is different. We are already improvising, trying to buy some lockers, shoving them in areas that they typically do not go. I think everyone in this room knows the community has changed since 1982. Traffic has changed. Businesses have changed. The look of Rockside Road is different. What we need to keep up with that has changed, technology and everything else of that nature. Now this is one of those things that we will eventually have a bigger conversation in the future. I invite every City Councilperson in this room, similar to what Jim Trakas, what John did. Stop by the station, but I almost feel it would be better if anybody sees an officer, they want to speak to one of our officers. Find out why this is something we have been talking about for a few years now. What helps them do their job more. What can we add to a station that makes it easier for them to be able to do their jobs? I think that's really what this comes down to is empowering our officers to continue to do the best job.

An officer is always going to make anything work for the most part. We can put a bandaid on something, a 2' x 4'. We are going to go out there and work, but I think even Dave hit the nail on the head. There's a part of wellness support that we want to show our officers, and this is kind of the crux to why we are pushing in this direction. Talking about feasibility, does this space work? Can it work in any capacity? Will another space work? Will another location work? We need to at least begin the conversation so we can have the information in front of us.

So, this is just one of the charts that I wanted to show you. One of the reasons why I have been pushing towards this, why I talked about it during the State of City during the Mayor's address. That ends the Power Point because I know you guys also wanted to speak about golf carts.

Mayor Kurtz said I think Mr. Chairperson, members of the Safety Committee, and Council as a whole, I think the Chief articulated the history of where we are at. We just need to figure out a strategy to go forward with the Police Department. We can build new, and when you build new you have to go through the exercise what we want, why we want it, what we are trying to accomplish; and then the last thing is location and funding. So, at some point I would like to hear from Council, figure out if anybody has a fixed position or they want us to put something together and then discuss and debate it, we can do that. I don't want to be presumptuous. I don't want to assume we are doing something, but I think the Chief is making his case, and the rest of the department in terms of developing a strategy to move forward so that we can be prepared for the next 40 years.

We have already talked to other communities who have gone through this process, and we are trying to develop an outline; but certainly this is a team effort, and ultimately you have to make the decision in terms of funding. So, is there anyone that has a fixed position in terms of how you want us to go forward, or do you want us to frame something up for discussion?

Vice Mayor Grendel said I think Mayor I mentioned to you before, even to Council, when we have our Strategic Planning meeting in January, that would be one of the excellent topics to discuss. I think you are talking about do we renovate what we have existing in this building? Do you have a brand new facility? A separate structure? Or do you have a hybrid. We have talked about a satellite station and renovating this too. So, something combined of the two. We need to know too, at least the dollars and cents of what we are talking about and especially from Chief yours and your forces what you think would be the most productive, especially looking forward. You are looking forward 20, 30, 40 years in advance and not looking back; but looking what we need down the road. What the City is going to look like. If there are going to be additional construction out there on Rockside and the Cloverleaf and that too. We need to be comprehensive. This isn't one of those things that you say oh yeah we need a brand new building, and we will be all set. Or let's put money into this building, and we don't need anything else.

I just need to hear from the expert. Hear from yourself and the fellows that have been on the force and everything and maybe see what other communities, what is going on. I think we can take all of the input and make an educated decision. Like I say, it all comes down to funding too and how we are going to fund it and that. We could have a Strategic Planning meeting just on that issue alone, but we have others. We have a Service Department that needs to be looked at and land acquisition. A park that might need to be expanded and everything too. So, we have a comprehensive, not just one Strategic meeting. I think it's going to take a number of meetings to try to get some kind of framework looking forward down the road. Again, it all comes down to dollars and cents. We know the schools will be looking. They are looking too to go to the taxpayers, but we all have to cognizant. What can we do to convince our residents that this is what we need to make this a first-rate community.

I think it all starts maybe with that meeting in January, or maybe a series of meetings if we can do that next year. At least I would be open. I would only have one more year to go, but I will contribute as much as I can.

Mayor Kurtz said it's not going to be built right now. Invest some monies in planning and feasibility and quality in terms of our overall goals are for the department. Things have changed over the last 40 years when we built City Hall, and then 30 years for the Civic Center. So, now is a chance to look at what we really need to have for the next 20 or 30 years.

Police Chief Butler said the support from you to get the capital to at least begin proper discussion to have other experts come in and look at our facility and judge it. So, I have already met with the people that did Brecksville when they redesigned their Police station because they saw value in investing in that. I have already did Cleveland. I already did Middleburg Heights. I am talking to the architects. They are coming in. They are doing walk throughs of our buildings. So,

eventually these are the people that will have solid information to give to us, like hey this is for you to decide; but it's going to take monies to get to that point to at least have that discussion and have them brought in.

Similar I am sure to when the Fire Department got their new Fire station in Independence. There was a point, and they needed funds to do that as well. The Police Department is looking for a chance to, as the Mayor said, what's in 40 years? You have seen a growth in the department. We are at, we are busting at the seams where we are at right now. So, in 20 years, us still being at 37 is probably not rational based on how the growth has been of the department over the years. The City itself population-wise has increased from 7,000 to about 7,600. Independence businesses, Rockside Road, so it's just something for you to consider that the facility needs to be able to expand and have growth for the future. Technology has changed. Remember in 1982 these guys were hand writing all their Police reports, and now we are wall-to-wall trying to put computers in. We are trying to put monitors in here. These things were not in the discussion in the 1980s. There's some money to have the conversation.

Mayor Kurtz said actually we have more traffic going through our City every day; so the potential problems are going to be there, they are still there. If it's 160,000 going this way, 150,000 going that way. Those are all potential, I will say customers, one way or another. So, as you eluded to earlier, all we have, we can face that at any moment. So, it's a different dynamic than it was 40 years ago, and the equipment, technology, the training, the male/female officers today. So there is a lot to this, and so I don't hear anyone that's been opposed to this phase at least of our discussion. I think it's real. We have to do it for the Police Department. We have to do it for the Service Department, the Civic Center. There are some dynamics going on, and on this side, security. So, we are making some progress with the infrastructure of this building, but there is a lot more to do. The Chief said several times it's about money, and eventually the majority of Council will have to decide what direction you want us to take, but I think it's incumbent upon us to articulate our options and then we can prioritize and figure out how we want to go forward.

Vice Mayor Grendel said and we were talking about the budget and everything, and we need to make sure that we budget enough money to handle some of the preliminary experts and studies that we need to give us the information we need to make an educated decision.

Mayor Kurtz said well the Finance Director is back there.

Vice Mayor Grendel said looking to see what we will need on that because we could envision one thing, but without the experts knowing what the future looks like, we are not making the best decision for the City.

Mayor Kurtz said go ahead Jim.

Councilperson Trakas said I would just, I like where Dave is going with it what the Mayor articulated. I would just recommend like a task force or this committee have regularly scheduled meetings where you get to go over some of the data that is talked about. Have an agenda that

says this month we are going to talk about this, or this week we are going to talk about that. Modern policing, how does that relate. You have a severely disjointed organization there in terms of its physical structure. So, a flow. Flow is very important in any type of organization, but in the Police Department there's really not a flow that would be from a safety perspective that would be fair to the Police Officers and even to those who are brought in.

I would go through the physical structure. What are the needs? Do a little bit of a SWAT survey of what are our needs and how do we address them? Perhaps have the committee come up with some conclusions and options for the whole community, but I would have public hearings on it so that eventually something like this, we are going to have to ask for support from the community for. So, I would involve our citizenry up front, and have this to be a very public process and then come up with a conclusion that we could all advance at some point and time once all the data is up there. It's good to have studies, but I think having public testimony and being able to interact with the experts would be a very important part of it. I think it's important enough where you do have some type of a task force or this committee be utilized for that process so that we get broad participation.

Chairperson Narduzzi said thanks Jim.

Police Chief Butler said just in the interest of transparency, the ask on the capital is \$50,000 for the feasibility studies, the blue prints for them to analyze up to three different locations to see what could work, and then if we bring it to the voters, bring it to the task force, I will have something a little bit more concrete. Like I can tell you where the deficiencies lie, but having an expert, an architect or somebody say we can't go any further this way. We can't do this here. If somebody has an opinion, why don't you do this here? We can say, we had it looked at. That's why we did the feasibility study. So, we have something a little bit more concrete than me who is a cop. I don't have too much of an architect background.

Chairperson Narduzzi said I think it's inevitable that we are going to go in some type of direction, we have to do something; and as far as going to the residents for help, I think they would go along with it. You ask any resident what they want out of this town, the first thing is safety. That's their number one goal, they want to be safe in their community. Second of all is to pick up their garbage. They may have a lot of outstanding things that they want, but I think safety is number one.

We have been talking about doing something for years, either safety or a satellite office on Rockside Road. That came up four years ago, and I think people got behind that. To this day they ask me on the street hey when are we getting that satellite office on Rockside because anybody who lives on 21, down by me on Lafayette, you hear those sirens constantly. On the weekends it's five, six, seven times. It's crazy, and if you all wonder why they are going that way, why aren't we there? It kind of makes sense, but I agree with what Dave says. I think after the first of the year, we have our gathering, we speak, and this should be the first topic. We could speak on this for hours.

Vice Mayor Grendel said then like Jim mentioned, if we decide we are going to take it to committee, we can schedule monthly committee meetings, make some progress. That will be one of the staples of those meetings. Where are we progressing with it? Where we are, and then setting enough money aside for when we are ready for those expert reports and everything too to back up what your feelings are on certain things with concrete information on that.

I think Mayor besides the safety, we have to talk about Service, and then we get direction. We won't have a comprehensive plan to solve all of our problems in a three hour meeting, but at least get direction on which part if it's going to be done by department or by committee, different committee. Council will take ownership and push the envelope in that particular area, and then we will get back together and share our results and that.

Chairperson Narduzzi asked would Council consider putting a budget together for the Chief to go out and solicit some of these experts to give us some detailed drawings and scope out three or four different areas?

Police Chief Butler said and then they would also look at our building itself. They are looking at the walls. Can we move this wall? Can we do this? That is what this money is for in the capital is if this is even feasible to do something like this.

Finance Director Blaze said GPD already studied this building though.

Several people said yes.

Finance Director Blaze said so that part is done.

Councilperson Veverka said one of the things you said Chief and it was demonstrated by some of your graphs is the fact that we increased the staff. We promoted people. We have boots on the ground. That we decided in the beginning was the target we need to have first. We needed to have staffing. We needed to have the training. We got those things taken care of.

The thing that I am reluctant about, and obviously we are looking at the current Police station and possible options; but the biggest concern I have is when you split or divide your forces. I don't see, I have a great deal of difficulty as you described a satellite station or something that is off of the campus. It makes more sense to me as you examine the situation is to look at what you have. Redo what you have. If you need to push out of the building onto the side, we have an area there that could be appropriate, but the idea of a second station, satellite station. You are going to have another edifice that really doesn't play a role in taking care of safety other than there's a building. There is something, an additional area that we have to keep track of, that we have to maintain, that we have to clean, that we are going to be with; and it will not provide any additional arrests. No additional deterrents, I mean you drive by a building that really doesn't do what you have already accomplished with people on the ground. So, I am concerned that if we start getting too dramatically focused on we need another Police station or we need a satellite station or whatever because we have the jail here. We have a situation where as you said, we now have a jailer here. So, if you have a satellite station, does that mean it also has a jail? Does

that mean it will also have a jailer? Does that also increase dramatically the amount of staffing? Those things all come into play; and to me taking a long, hard serious look at what we can do on site in what we have or possibly pushing out, and developing what we need based on what we already have and adding to that ability there would be my target, my thoughts as I looked at it over the past.

Mayor Kurtz said it's a perspective.

Chairperson Narduzzi said and I have a different perspective, but neither of us are wrong. I think we need experts to tell us what is the best direction for the City. I am not a Policeman. I am not an architect. I am not an expert at all of this, but I will listen to an expert telling me what he thinks the best idea is.

So, that's what we are asking. We do a project on a road, we do anything, we have experts give us their two cents' worth. So, I guess that's all I'm asking for.

Vice Mayor Grendel said well the City owns enough land. Of course, Brecksville has a little bit different setup than we have. Their Police Department is across the street from the City Hall. Who knows, if we have enough land in town that maybe one of those would be a better position in the center of town or something like that too. We should keep all options on the table and see what makes the most sense so that then this way we thoroughly vetted everything.

Again, I am leaning to have one, but I could be sold on the pros of a satellite, given all the pros and cons too. It's exciting, and it's scary because you know it's going to cost a lot of money; but you also know that we need something. This has done well for us for over 40 years, but we need something for the next 40 or 50 years. Most of us won't be around too many of those, but we want to make sure that our kids, grandkids.

Chairperson Narduzzi said come on Dave.

Vice Mayor Grendel said look Pete Wisnieski, he was up there, but he had the foresight to lay a lot of the foundation. So, we need to again have that where we are not just looking at ourselves right now, but we are looking 10, 20, 30 years from now and hopefully our kids will be able to enjoy living in a community like we have.

I think everything should be on the table Mayor. We shouldn't have our mind closed, and it's kind of like Shark Tank, sell us on what's the best idea.

Mayor Kurtz said I don't have a fixed position. I am open to every perspective, and want to look and unify some thoughts and create something that's more functional.

Vice Mayor Grendel said and Jim's right about getting the community involved, invested, and keep them posted with Council and the Mayor and Administration, what we are thinking too. So, we get that input when we are ready. So, everybody in the community buys in that hey they really thought this out. This is what is best for Independence. I am sorry John.

Councilperson DiGeronimo said as far as looking at the feasibility, which I am on board with. Do we need to get some more clear instruction I guess Chief from your side? So, if we go forward, if you ask somebody to review, or we don't want a jail on site, that's different from a site and from a day-to-day operations. So, how do you go out with a feasibility site if there are questions like that? Do we need some more direction on the function side. What is it going to be.

Police Chief Butler said it's more looking at the site. It's communication between, as I have talked to the architect, and it's between me and the architect. What we currently have, what we hope to have and have a back-and-forth conversation on that. Are there certain things that Council does not want? I want this very much to be a partnership where we can have a discussion on things. If a Council Member says I don't want a jail in the City. I don't want the Police to have a jail in any capacity. I would think at the very most we could have a discussion so I could at least explain my point of view on that. I want this to be a partnership. I want this to be partnership like other cities have invested in their Police Departments.

When I spoke at the State of the City, I showed examples of other cities. I just actually attended Willoughby's where they are going into build a brand-new Police station as well. Their City Council and their Mayor have public hearing, and I sat in on that and just listened and learned who they are using for their architecture firm. The same situation, they built one in the 1970s which was designed as a bunker, and it's no longer feasible, and they are splitting at the seams. So, it's a lot of collaboratives. They are all on the same page. If you have an interest, you have an opinion on a satellite. You have an opinion, I want us to at least come together and at least have discussions and then speak to what is best for operations. We are looking at architects that design Police Departments. This is what they do. So, when we talk to these companies, they can also bring some of their own expertise into play.

So, when they built Brecksville, they had a model. They had to give direction to Chief Stan. This is the type of stuff we want to look for. This is what you might need in 40 years. This is where the jail should be in your station. This is where the parking lot should go. This is how many spots should be covered, should be gated. These are things that they come in and bring information to us; and this is what we are paying for is a Police design firm to help us with that.

Vice Mayor Grendel asked and Mayor do you know how Brecksville financed on that new building?

Mayor Kurtz said no I don't.

Vice Mayor Grendel said maybe Vern can find out how they did it.

Mayor Kurtz said I'm not sure what it cost or how they financed it.

Vice Mayor Grendel said I would be interested. If we decided, (inaudible) that had a different facility, then we have some extra space at City Hall and what can we best use that for. Would it be IT?

Mayor Kurtz said there's a lot of opportunities. I think that Strategic Planning session in January, we can go through the exercise.

Vice Mayor Grendel said I hope it will be in person and not on Zoom. It's kind of hard to concentrate on Zoom there for three hours and keep your train of thought. That's why the last couple of years, it worked good because we each had our own segment that we were given. That was compatible with Zoom, but it would be nice to have an actual in person meeting.

Chairperson Narduzzi said it's not the same on Zoom as in person especially when everybody is here, and I'm out of town. You are just not in the same conversation.

Mayor Kurtz said well the Chief really wanted to make sure that he put some things on the front burner so no one goes to sleep on them. It is a priority. So, we will continue to take baby steps until we get to a point where we need to get more people involved. We will just keep trying to determine the best overall, all the possibilities.

We have had some internal discussions, locations, size, features, all the different components that ultimately you will arrive at with a set of drawings. So, we are engaged, but obviously Council has to vet a project of this magnitude.

Chairperson Narduzzi said alright, we are going to move forward.

Councilperson Veverka said Tom, before we go on, just a comment related to not our Chief, but the other Chief. He was commenting about liability, other issues, and how well we have our people trained and so on; but the thing that comes to mind, and it has come to mind now, and also it has come to mind as we have talked about other situations in town, is are we at a point where it makes the most sense to get out of self-insurance and get into an actual insurance situation like we had in the past? I know we ran into an issue with the recent settlement, and I know as the other Chief indicated, he said it doesn't take much to push a community over the edge when it comes to being sued. So, I would suggest that as the safety perspective as well as the other reasons that we seriously explore when we are budgeting to look at getting some insurance back as we had in the past and get out of this self-insurance business.

Chairperson Narduzzi said that's another topic for Strategic Planning.

Councilperson Veverka said absolutely, but with the Safety Committee, I think it's appropriate that we talk about it.

Vice Mayor Grendel asked should we set money aside for insurance?

Finance Director Blaze said we were until this year.

Mayor Kurtz said really we couldn't do anything the last couple of years because of the exposure, and there wasn't going to be any insurance. So, our ability to get reasonable insurance.

Vice Mayor Grendel said we did have that company that made a presentation to us. I think we need to explore it.

Mayor Kurtz said we can resurrect that and ask them to refresh the proposal, and then quantify that and determine how we want to go forward. I don't believe, I think Vern I could be wrong, I think the handcuffs are off in terms of the cost; but I could be wrong.

Finance Director Blaze said I'm not sure how long you would be in handcuffs.

Mayor Kurtz said where it becomes cost-prohibitive.

Police Chief Butler said referring to handcuffs in the situation, that was good.

Several people began speaking at once again.

Vice Mayor Grendel said it's a topic we should explore for sure.

Mayor Kurtz said it absolutely warrants discussion, and so I think the first step is we should call and see how the timing now, how it affects us.

Vice Mayor Grendel said and who has a plan, and if it's affordable and everything to have it as part of our budget. So, maybe Vern if you want to get ahold of them and have them come with a presentation again.

Mayor Kurtz said well let's find out if in fact they would be willing to complete or at least expose to a dollar sign.

Vice Mayor Grendel said they might have a different perspective.

Mayor Kurtz said remember, keep in mind, the State changed the rules back in the 1980s or 1990s when we were able to be self-insured, and it was the cost back there. I think \$250,000 if my memory serves me correctly, and Mickey Zuber at the time was in the insurance business; and he was the one that basically suggested that we attempt to limit our exposure, but then take the money and put it into insurance. We were investing it in our own, our pocket than their pocket and taking some more risk. So, we had that until it was over \$3,000,000 at one time; and then we kind of forgot about that being a priority. Now we are in a position, and at minimum we have to replenish and possibly find a balance between putting money internally away in the fund and also paying for some type of additional support insurance.

Councilperson Veverka said I am thinking specifically about the recent settlement, and then relating that to the liability insurance that Sycamore has with the property owner, and that's going on in my head with the amount of, I think it's a couple of million dollars that they are required to have. Then I am thinking about well we spent well over a million dollars in that situation with the Police Officer. So, that keep eating away at me as we need to make a serious exploration in making sure that we have very ample coverage.

Mayor Kurtz said we depleted the self-insurance fund. We missed a couple of targets, and fortunately we were able to find a way through that; but none of us want to go through that again. I think that's pretty clear.

So, we want to see if we are, to an extent, what it's going to cost us for an extra layer of protection, and if we can get it. We can get it, but it has to be a reasonable cost; and then we can determine the strategy either to acquire that insurance, put money away or a combination of both.

Chairperson Narduzzi said we are going to keep moving forward. Thanks for bringing that up Dale.

So, Chief are you going to put legislation together to get some money so we can move forward?

Finance Director Blaze said well after we go through the budget process, and either put it in the Operating Budget.

Several people began speaking at once again.

Finance Director Blaze said it could be because it eventually gets rolled into your cost of construction, but the bottom line is if we are just going to have to budget if we are going to go down that path to fund that in 2023. I don't want to get ahead of ourselves Chairperson Narduzzi and put legislation on, and then we have to amend the budget at the last minute in December. I would rather just do it for 2023.

Mayor Kurtz said we will be in a better position then. So, the goal I think would be to position ourselves to have a robust discussion relative to existing, a new Police Department facilities and amenities associated with that and to have a discussion, a strategic planning discussion with Council as a whole and see if we can move the ball down the road after everybody weighs in. Maybe we could come up with a more clear strategy.

Vice Mayor Grendel said because there are a lot of moving parts too because we are talking about maybe a library and what we are going to do with the Civic Center and new Service Department, garage and everything. So, there is a lot. This is just one facet of our overall picture that the City will need, not immediately, but for the next 20, 30, 40 years.

Mayor Kurtz said location is one of the key components. Technology is another component. There are so many different facets of it that have to be interwoven into a strategy that would be acceptable to Council and then we can put a price tag on it.

Vice Mayor Grendel said and Mayor if we can, it would be nice to have a map when we have the Strategic Planning meeting having all the land that the City does own or control just to see. Do we own something off of Selig and Kathy Lynn there, that area back there?

Mayor Kurtz said we have two of four lots at the corner of Kathy Lynn and Selig.

Vice Mayor Grendel said so we have to look at all the different things.

Mayor Kurtz said there are going to be a variety of different opportunities to look at.

Vice Mayor Grendel said nothing should be off the table.

Police Chief Butler said I am completely receptive. I hope you know that. I am coming here to seek partnership. I just can state that we are at the seams here. I believe there's something that needs to be done from the next 40 years for progress to show a commitment to our Police Department, especially in this time, 2022 especially for policing in general. Showing a commitment to our Police Officers, and I just want to partner with you and find the best location that we all feel is acceptable and the best for the citizens of Independence.

Chairperson Narduzzi said okay, good discussion you guys.

So, let's keep moving forward. Sorry about keeping you guys waiting back there on the golf carts.

Several people began speaking at once again.

Chairperson Narduzzi said so the Chief gave us some handouts.

Several people began speaking at once again.

Police Chief Butler said the very first thing here was Cuyahoga Heights has an ordinance. I kind of piggybacked off of theirs of a lot of what they had and changed it to Independence. There are a few aspects of it that we would probably want to change, such as the certificate of title from the Clerk of Courts. We need to speak to Angie on that. Violation of a first degree misdemeanor for those who do not have insurance, a title or inspection. That might be one that we want to hold off and go down to a minor misdemeanor which is typical for traffic.

Inspection of golf carts, I would state this should be Independence residents only. We waive the \$20 fee for the Independence residents, and we keep it for, they have to show proof that they are an Independence resident. Myself, or the Police Department designee would be able to inspect these golf carts for residents. That way we don't have people coming in from out of town, riding through our City with a golf cart. It just keeps it with us.

Riding restrictions, this is something I believe we would have a little bit of a discussion on. This was modified. I have already modified this from what Cuyahoga Heights says. Cuyahoga Heights is more restrictive. I believe they are during the months of September through May. They do not allow golf carts to be operated through their city. Also, I switched the time, it was at 6:00 p.m. to 6:00 a.m. So, this would be a discussion as to what is best in your opinion to operate a golf cart, and I said basically November 1st through March 31st there would be no golf carts permitted. Typically, in Ohio, and it's a little weird right now, nobody look out the window; but typically the weather is starting to change, the leaves are falling, there's more of a distraction for

drivers. That would be a reason why I would support that type of a timeframe to not have the golf carts on the street during those times. Also, hours would be a discussion of overnight hours. Yes, they are equipped with a brake light. They are equipped with headlights, but again how our streets are, hills, other obstructions that might be, especially on main roads, it might be a little more complicated. It's however you want to do it. However, the discussion goes. If residential neighborhoods are different than other streets, it's up to you. That's the first page.

The second page is we state Ohio Revised Code for Motor Vehicles. They consider these like recreational vehicles, so therefore this is a motor vehicle. We know the drivers have to be licensed. They have to have certain parameters for their vehicles. The orange tab is the ORC. The pink tab is what they have to have. They have to have headlights, brake lights, taillights, turn signal, windshield, horn, rearview mirror, license plate lights. This was taken out of I think Geauga County, how they look at golf carts, what they require, or what the State would require, and it's a breakdown of why those things were required based on the second page of the pink tab, and that's the USV legal requirements the utility vehicle requirements. So, it does a complete breakdown such as 4513.21, must have an operating horn. It's in State law, so we are just reconfirming what the State law has.

I can't find the one that I made up, but the yellow tab is the Cuyahoga Heights golf cart inspection form. I already made one, and I think I believe I sent it to Councilperson Walchanowicz and Councilperson Narduzzi. That was for Independence residents, I just don't have it on me, so I apologize. I am giving you one that I created mine off of.

This would be the checklist that it looks like. The overall discussion, and I know we have public opinion. Golf carts do operate in the City of Independence. We do not have a law that prohibits them. We go by what the State ORC currently has. We don't stop residents. We have no tickets issued to residents on golf carts. They come up to the park. They go to the swimming pool. We see them quite often. The only thing that I would bring forth to you to at least have a discussion is if this is something that we want to put in, I would at least want you to consider stopping or stating that we do not want them on Rockside Road, potentially Pleasant Valley, and potentially a part of Brecksville Road closer to Rockside Road. This is just for discussion. This is my own opinion on this based on the speed the other drivers are going, the clutter of traffic that is already there, hills. For example, on Brecksville Road near Romito's, it drops off fairly suddenly. A car coming over, seeing a smaller car, seeing a golf cart that is a significantly smaller vehicle. I operate under safety, and I have not seen golf carts operate in those locations, but I feel if we all of a sudden start announcing and say hey everybody start bringing up these golf carts, and people start going to those places, I feel we will be back pedaling. If we look at it now, we can get ahead of something before something happens. That's just my two cents on that subject. If anybody has any questions from a law enforcement perspective, please ask.

Councilperson Veverka said let me ask one question. You said about the golf carts that are seen in the park. Okay, are we differentiating between the legally inspected golf carts, and are we talking to the people that have, ones that haven't been inspected and letting them know that they shouldn't be buzzing around on the streets.

Chairperson Narduzzi said we don't have any law that they have to be inspected yet. That is what this discussion is.

Councilperson Veverka said I understand, but I am saying, we have golf carts that are legally inspected, vehicles based on the State requirements that can be on the road; and we have other people with golf carts that are driving on the road that are not. So, I am just asking, do we differentiate or not? Do we have a conversation with people that say you are driving a golf cart on the road, and it's not a legal golf cart.

Police Chief Butler said if anything is recklessly operated, so when it comes to inspection where they have the right paperwork in a car, typically we will stop people who are committing an offense and say hey this is reckless, this is a problem. We just don't stop a golf cart, and say hey do you have your paperwork, and then they say they do, and we stopped them basically legally. They say oh I do, but my plate wasn't affixed properly, so we could be entering into violating their civil rights by just stopping every golf cart to see if they have their current paperwork.

Mayor Kurtz said but if you see one driving recklessly.

Police Chief Butler said 100%.

Mayor Kurtz said going across front lawns.

Police Chief Butler said even running a red light, doing something that a golf cart shouldn't be doing or driving recklessly, we are 100% going to stop those; but what I am saying that since I have been here, we have not had an incident that has risen to that, nor have we gotten any complaints except for I don't want to drive a golf cart out on the road. We have gotten that, but we haven't seen anything; if we do see that golf cart that would say that's a hazard at this point and we should be stopping this cart. We don't have anything in the ORC to go by.

Councilperson Veverka asked so if they don't have lights or they don't have brake lights?

Police Chief Butler said no, we would stop them. That is part of the ORC. They have to have them.

Councilperson Veverka said correct. I guess that was my question, but if someone is there that doesn't have headlights, doesn't have brake lights, that couldn't possibly have gotten to the park legally, we are not doing anything with them currently.

Police Chief Butler said if an officer observed that, they would have the conversation. I am not aware of a conversation that we have had.

Mayor Kurtz said but at this point we haven't done anything because it was never really an issue. Those golf carts that we see around the park, they are either employees or they are people. They haven't caused any inconvenience. The bigger issue is how do we go forward? The golf carts that we are talking about are expensive. They are as safe as they are going to be for four wheels,

and whether you are in a golf cart, or you are on a bicycle, what is more dangerous, going down 21 on a bicycle or a golf cart? I don't know. Think about it. Today especially with people riding bikes, it's open season. There is not much we can do other than if we see someone driving recklessly, then we stop the vehicle.

Police Chief Butler said or for a violation. So, no headlights would be a violation. We would have a probable cause to stop.

Councilperson Veverka said I'm not suggesting that you stop every vehicle.

Councilperson Walchanowicz asked on this page we don't have seat belts, but on the checklist for Cuyahoga Heights we have seat belts?

Mayor Kurtz said you have to have seat belts.

Councilperson Walchanowicz said you do.

Police Chief Butler said I didn't create these forms. So, this is a just a taste of what others have, but yes it does state in here about golf carts in the actual ordinance.

Councilperson Veverka said and one comment related to Pleasant Valley Road, I totally agree. Rockside we don't have residents on Rockside. What do you tell a resident that lives on Pleasant Valley?

Several people began speaking at once again.

Police Chief Butler said it's the same thing if I change the speed limit on a certain road, and hey why is the speed limit different on this road? Well, we have identified that people are coming off of the highway over here, and it's putting an undue risk, and they might not see you. It's a long straightaway. We do run a lot of radar on Pleasant Valley due to the fact that people are increasing their speed. It's 35, and we try to keep it at that as best that we can, but I can identify with that it's sometimes an issue.

Vice Mayor Grendel said and Brecksville hill, that's 30 and then going down, and nobody goes 30. I saw a car going 55 down there, and then I pulled up next to them at the light. They got stopped for the light anyway.

Councilperson Veverka said so you caught them.

Vice Mayor Grendel said I would not want to be on a golf cart riding down Brecksville Road hill with those cars coming right over the crest because they go too fast.

A resident asked well Chief, this is legislation that Cuyahoga Heights currently has?

Police Chief Butler said it's in their ordinances. So, if you go to Cuyahoga Heights. The City of Independence's ordinances would dictate all road vehicles is the 375 section of our ORD, which is ordinances. Their 450 Section is specific to golf carts. So, what we would most likely propose, if we do this, it would be an addition to the 375 ordinance section which is snow mobiles, off highway motorcycles and all-purpose vehicles which would be an addition to that ordinance.

To go to Brecksville, we have to run radar at the bottom of that hill as well, which the Mayor has seen us do. People will race down that hill.

A resident said I think this is a great parallel to the Ohio laws, and in some cases we have actually gone above and beyond to make them even safer, i.e. the months that are restrictive, when you can drive them at night and all this other stuff.

The only one that I want to bring attention to is the maximum occupancy of golf carts should be four persons. Do you know if that's going to be a discussion down the road or anything like that? There are four golf carts in Independence right now, families that have five or more members.

Several people began speaking at once again.

A resident said that they refer back to the Ohio Revised Code that requires the one seat belt per occupant, correct.

Councilperson Walchanowicz said there are six seaters.

Resident Tim Lesh said I have a question, like the children in the golf carts. Now I know in cars and stuff like that. Some children have to be in safety seats.

Chairperson Narduzzi said you have to be in a golf cart too.

Mr. Lesh asked you have to be in a golf cart too?

Chairperson Narduzzi replied yes.

Mr. Lesh said the second question. Can the City really make, and I can see that you are trying to do everything that you can to make it as safe as possible. Can the City like say in one of ordinances requires like flashing lights in the back. I know that a lot of bicycles have flashing lights, or anything to make them extremely more visible.

Chairperson Narduzzi said like a strobe light. It's a great idea.

Police Chief Butler said the City, Council chooses the laws and restrictions, it's a City ordinance. So, you have the right to add any restrictions on it. Actually in the ORC which I have printed out here about it, it states the City can make any restrictions or additions that they see fit to this. So, if you want to add six seats, if you want to add a flashing light, you do that; and then we just add

that to the form for inspection, and they would have to have that based on that law. So, I would also recommend that this is a minor misdemeanor.

Chairperson Narduzzi said I am going to be the bad guy here. First of all, I don't think Independence is a golf cart community. I mean people tell me I go down to Florida, and that's all the people do, they drive around on these things, and its great; but that little community is set up to have golf carts. We are not set up to have golf carts. If we want to eight foot sidewalks, and you could drive them on the sidewalks, that's all fine and good; but right now we are not there.

Another thing I have is, where do we park these when we go to the park? I was up at the little kids football game, and there are four or five of them parked on the grass. You drive right up there, your kid can get; but you know what, park in the parking lot like a car would. I can't drive my car in the park and drive next to it; and I am not saying it just because you are in a golf cart and I don't want you on the grass. It's just a safety thing. There's little kids running around up there all over the place. It's not a parking lot. Parents aren't watching their kid as they would in a parking lot. So, you know what, if you want to drive them on the street like a car, they should be a vehicle that stays in the parking lot. You don't go on the grass every time. You don't pull up next to the grandstands. It's just a lot of little things that I think we really have to consider to make it as safe as possible because I don't want to vote on something and somebody gets killed, and I look like a buffoon. That's why I am against this thing.

If Council wants to approve all this stuff, but I am telling you, I would like to see some really stringent laws to create this.

Then one more thing to throw in there. You have a lot of golf carts, and all these guys who have four-wheelers with lights and turn signals, and that's going to be the next thing that's on the road. Those can go 70 or 80 miles an hour, and what determines how fast this golf cart can go? Can you put a limit on how fast they can go? I have been on them, guys take the governors off of them, and these things do 50 or 60 miles an hour. So, is that a safe vehicle? That's not a safe vehicle if it's on the road or sidewalk.

Councilperson Walchanowicz said so the electric ones, like I have two electric ones, one for home and one for the campground, and I am topped out at 27 miles an hour. They won't go any faster, which is why I kind of lean towards keeping them off the road that are 35 miles an hour because you will never hit that speed, especially coming uphill.

Chairperson Narduzzi said the ones you guys have, they do 35.

Councilperson Walchanowicz said unless they have lithium ones? Do you guys have lithium ones?

The resident said ours still has a governor on it.

Councilperson Walchanowicz said see, mine are all electric, and I can't do it.

Chairperson Narduzzi said they take off the thing, and they go 40 or 50 miles an hour.

Councilperson Walchanowicz said the gas ones are quick.

Chairperson Narduzzi asked so how do you determine what you can have and what you can't have? Who's going to police it?

Mr. Lesh said one other suggestion, is it possible to maybe make minors of a certain age.

Chairperson Narduzzi said 16 years of age.

Several people began speaking at once again.

Mr. Lesh said what I am getting at, I see those golf carts on the street, and I see two little kids.

Chairperson Narduzzi said I hear you.

Mr. Lesh said I can't believe that people would subject their kids to that.

Resident Dan Brenner said thank you for letting us sit in and speak.

Finance Director Blaze said it's a public meeting.

Mr. Brenner said I will be here more often then. I reached out earlier today to see if we could get some statistics from the City of Independence on safety-related issues that occurred with golf carts as far back as they could search, and I was told that we don't have that level of granularity with our data. My background is I actually work for a company, and I do a lot of data work for the medical industry. So, I researched a bunch of stuff, and I brought copies, I don't have enough for everybody, but I do have some statistics from the CDC, Stamford Medicine and the National Center for Education Statistics along with all of the golf cart related injuries that have occurred over the past ten years for the entire country, and it's pretty staggering some of the statistics.

So, you are 54.8 times more likely to be seriously injured while riding a bicycle on the road than you are to be injured in golf cart. My children are 1,476 times more likely to be seriously injured while playing sports than they are while riding on the golf cart to get to the sporting event, 1,476 times. The number of incidents that occur across the country where golf carts are the cause or the person who gets hit, the person who gets rear-ended, is ridiculously low; and in fact, my wife is an ER nurse and has been for ten years at Parma UH. I asked her today, have you ever had anybody come in for a golf cart related injury, and she said no I have never seen one ever. The only one that she had seen ironically was in front of our house when we first moved to Independence, one of the residents was driving their golf cart with license plate, no seat belts, no nothing. It was just like basically fresh off the golf course if you could imagine. A young lady fell out of the golf cart and hit her head on the concrete, and my wife had to go out and help until an ambulance came. That incident is the only incident that we are aware of in the City of

Independence, and it came from a golf cart that wasn't street legal, it should not have been driving on the street to begin with.

Police Chief Butler said for statistics, just so we all know, for us when we take an accident report, there is no differential between vehicles. I can't just pull that. I would literally have to look through every accident report and do that. Per the Sunshine Laws, it would be an undue hardship to require because we don't have those statistics. We can't do that. We would have to create documentation that we don't keep. Therefore, when he asked that for today, which would have been out of the question anyway, at least on when you needed it, like four hours before this meeting. That's the only reason we can't produce that. So, just to give you the heads-up.

Chairperson Narduzzi said and my knowledge when it comes to golf carts, up until you guys appeared in our lives, we never had golf carts in Independence. We had one guy that drives it from Dora to Elmwood, and that's it. So, it's all new to us also, and those statistics, they are all great and your wife not having one golf cart injury. Like I said, this isn't a golf cart place. She works at Parma, and I am sure Parma doesn't have them, Seven Hills doesn't have them, Brecksville doesn't have them. So, I don't know. Like I said in the beginning, golf cart communities, they are safe. They have roads just for golf carts. The speed limit is probably 5 or 10 miles an hour. I think we are talking about apples and oranges. So, it's two different things. I just have a hard time with it. I truly do. I have nothing against golf carts. I would love to have one on myself. I think they are a lot of fun, but I am putting safety in front of fun I guess. So, if someone got hurt on my clock, I would feel terrible, but I think we are trying to use it for something that it shouldn't be used for.

Several people began speaking at once again.

Police Chief Butler said it is currently allowed, and that's the thing we are here to discuss, really oversee because we don't really have a law that's restricting it. They are allowed. So, right now if somebody is driving it, and we are not stopping it. So, this meeting is really about how an ordinance, we could put restrictions on it. Right now, they can do it. In the ORC, they are allowed to do it. So, I would state with the statistics, yeah I get it, but I am sure Kelley's Island has more examples about accidents involving them than in Independence because they are there. It's all how you look at a statistic.

So, all I am saying is this is here for you. I am willing to work in any which way, the Police Department will enforce as necessary. If we are having a problem with a golf cart on the grass, and you call the Police Department, it's a vehicle on the grass. We have a City ordinance against vehicles on the grass. So, we can do something about that, but again that has to do with (inaudible).

Mayor Kurtz said the City has golf carts to move around. We have more passengers. We have them parked by the park, but they are maintenance vehicles primarily, but we move people. All of our special events, they go up and down the road. So, I hear what you are saying, but I also recognize that I am not sure. I get the calls once in a while about somebody not stopping for a stop sign. Now the people with the street legal, they are not the ones.

Chairperson Narduzzi said I guarantee you that these two guys are the best ones in the City. I guarantee you that. You are not the issue.

Several people began speaking at once again.

The resident said going back to the golf carts at the football game. The golf carts being parked on the grass at a football game, I think you and I are speaking the same language because we tell them what are you doing. We don't like it just as much because it's the people in the community that don't have a license, and you and I talked about this at the last meeting; but it's the people that don't have a license that are creating the problems.

For instance, over the summer we did see a golf cart literally drive from the Kiwanis Pavilion through the playground to get to the tee ball field in the back, and we got lumped in with that. We don't do that.

Mayor Kurtz asked it wasn't one of the City's was it?

The resident replied no it was not because the City ones are either white, and they are those big white six seaters that are beautiful and make us jealous, or they are the ones that are branded on the side. So, I mean you could pick those out of nowhere. We saw that last summer, so I get it, but with the licensed one, we are trying to do things right. We are trying to have a good reputation.

Councilperson Veverka said and that circles back to my question related to golf carts in the park. Is it not appropriate for a Police Officer to let someone know that has a golf cart in the park that it is supposed to be licensed and there are requirements for it to be able to ride on the road to get there?

Police Chief Butler said we always have a conversation with people. If they are doing something, and we have time to talk to somebody, and we will have a conversation with them. There's no question on that.

Mayor Kurtz said vehicles are going through the park all the time.

Several people began speaking at once again.

Police Chief Butler said if they are driving on the sidewalk or they are doing something dangerous, they are going to get stopped.

Mayor Kurtz said we will explain what they are doing. Sometimes I think we educate them.

Councilperson Veverka said and that was my point. Are we making an effort to educate the people that have unlicensed, uninsured, not appropriate vehicles because they can't get to the park without being illegal. They can't get there can they?

Police Chief Butler said the effort is the same. So, we have guys on the foot. Are we specifically focused on that? No, we are focused on all traffic safety. All I can tell you is if we see it, or our guys are walking and see somebody doing something, we are going to have a conversation. If they need to be cited, yes; if not, then education is often the best way to stop it, especially most of these people are either residents, and they might not know. Honestly, probably if I wasn't a Policeman, I probably wouldn't know. I didn't know half of the stuff before I became a Policeman.

Councilperson Veverka said and that goes back to my point, simply to have a conversation with people that aren't following the rules to make them aware. It's a little something if I come up because Tom drove his golf cart into the park, and I am a Police Officer and I say you know this golf carts need to be licensed and insured, etc. if you are driving on the streets of the community. Not with the idea of citing them with a misdemeanor or whatever, but merely to communicate with the people that are not following the rules.

Councilperson DiGeronimo said I hope common sense prevails in most of these cases, and I am not afraid of getting overrun by golf carts or other vehicles. I think we can handle it, but I wouldn't be opposed to add some more requirements on this one, it's a larger sticker on both sides, and if you want to drive on the roads, you put a sticker on it. That could be for City vehicles as well, you could put a nice City logo on there just so people are aware that this vehicle has been through the process.

I hear what you are saying again on Rockside and Pleasant Valley. I don't know how to differentiate, but I think maybe we have a discussion like guys what are we doing here? I think we can get there, and speaking of the park, I wouldn't be opposed of some golf cart parking because when I was there in the summer it was all jammed up, and I'm like hey there's a golf cart, and could it just move forward so I can take the last spot here. I saw an older gentleman, here's a guy that's maybe having a hard time getting around, but with a golf cart it's mobility access. You can get closer. You can go down the line. Maybe without that he's staying home instead of being at the park.

Councilperson DiGeronimo said I think we can get there. I think it will take some steps, some commonsense to get there.

Councilperson Walchanowicz said that's the perfect example. My mom and dad couldn't watch the girls play ball unless they were able to drive the golf cart to the field because my mom just can't walk from the parking lot. They go way out in the outfield, and they watch.

Mayor Kurtz said you are going to see more of that. People are going to want to watch their kids or grandkids, and we haven't had a major problem. We have some discussion. I get the calls once in a while. There are cars and golf carts blowing through the stop sign at Filip. Well, okay, there's no traffic around. If you are on a bicycle it's illegal to do that. If a Policeman sees it, they are going to stop them, talk to them, educate them.

Tell me what your concern is.

Mr. Brenner said my concern is just in general and how we have been coming to the meetings and stuff like that, our community up on Eastview, we all have golf carts. We are not fighting it or anything, but it's just when there's possibilities of banning them altogether. It's something fun, and we spoke at the last Safety meeting. It's something fun for our kids. I hope my kids are going to be hey remember when we had that golf cart, we used to go to the pool. It's just something fun for them, and I would really hate to see it go because it's something that has brought our community together. It's something that has brought my family together, and something that the kids just flat out enjoy.

Mayor Kurtz said I don't think we can legally stop you.

Mr. Brenner said at this point, we are just here listening in.

The resident said if anything, we are advocates for putting proper legislation in place if there is any to put in place.

Mayor Kurtz said the last part is the important part.

The resident said my personal standpoint is if it aint' broke, don't fix it. There have been no safety concerns that were done by legal golf carts as far as I know in the past two years which is when we became, when we started doing this.

Mayor Kurtz said you pull out and go down the road two houses, technically that golf cart should have a license, and it's just not practical for most of the people in this City that have golf carts; and I am calling them golf carts, work carts. They are all the same to me, and I am not sure I want to get in that situation where you have side streets where's there very little traffic, and they are not going up and down 21 or not going up around the neighborhoods, or flying over front lawns. If that is the case, then call the Police, but if they are just going across the street or to see their grandmother or they are driving down the road two or three houses down the road. I for one don't, that's not the issue for me.

Mr. Brenner said when we bought our house, the real estate agent actually said this is a golf cart community.

Mayor Kurtz said you have to check the checker.

Mr. Brenner said maybe not yet.

Mayor Kurtz said I'm not saying it's not a golf cart community. I think there are certain elements that were brought up today, there are certain areas. I would never take a golf cart and go down Pleasant Valley or go down Rockside Road.

The resident said I don't think anyone is going to challenge you about the Rockside Road thing.

Mayor Kurtz said but there's a lot of bicycles that go down Brecksville Road, and that's as dangerous as anything to me.

Mr. Brenner said it absolutely is.

Mayor Kurtz said I appreciate everyone's opinion on this. I don't know if there's a right or wrong answer to it. Chief, thank you for doing a comprehensive review. Mr. Chairperson thanks for at least letting us have a robust discussion on it. Does anybody want to take any action on it tonight?

Finance Director Blaze said we are going into winter, and I don't think you need to consider a golf cart ordinance now.

Several people began speaking at once again.

Mayor Kurtz said if the Police hears something, sees something, we are going to have a discussion, but we are not going out of our way until someone can articulate a situation that we missed and we have to communicate better with. Whatever you want to do.

Chairperson Narduzzi said I think we are going to sit down and Chief we are going to put some restrictions on, safety-related, and see if Council approves it; and we will go from there. As far as right now, you guys can do what you want to do as long you obey the State laws.

Mr. Brenner said that's how we operate.

Mayor Kurtz said and these landscapers and these people with these vehicles that go up and down the road with the tanks to fertilize lawns, and do things of that nature, I personally am not for it. Why would I be for something, I don't know if we can. I don't want to see all these landscape trailers parked on the road too when they are cutting somebody's grass, but guess what, people want their grass cut and they are not illegal. Some of them put the cones out. So, I may not like it because I have to move over into the other lane, but you know what, they have their business too. So, we all have to be a little bit more accommodating, and when I see the golf carts or these work carts, I go down the road, especially if I see a family or something, I don't get all worked up. They aren't like flying around corners.

Although I did have a friend in another state. He was taking people from his company party, a big greenhouse operation, and he was a race car driver, he hit some black ice; and after he hit the black ice, boom rolled over and broke his neck and died.

Councilperson DiGeronimo said if we did have this in place 20 years, I would have had a lot more tours of the Police station compared to now.

Mr. Brenner said Chief, I do highly recommend going forward with your plan to do the actual inspections here in town. One of the barriers to entry for making your golf cart street legal is that I had to cart mine all the way to Kelley's Island. I paid \$300 for this fee to get the thing over

there on a box truck, and it was pretty damn painful to get it certified. I had an email correspondence with Chief Kilbane before he retired back in 2020, and I had printed it out. I am laughing at it now because we are talking about how the officers handle golf carts. Well I happen to know how they handle it today, or they handled it back then, they very cordially come up to you, your kids sitting on the back seat of the cart, and they are very nice. They say hey one of your neighbors called and complained about you going down the street; and to me I'm like why would you complain about a silent vehicle going down the residential street, and there are kids on the back of it. I don't understand why they were upset, but that's me. Everyone has their opinion, and it happened over and over again; and the Chief actually said if you would go and get your golf cart legal, get a license plate for it, then we can simply tell this resident that it is a legal golf cart and we can stop wasting taxpayer dollars for our Police Officers to go out and tell you this cart is not street legal. There was never a ticket issued. There was never a bad word said, nothing but good things to say about the Police force, even to this day.

Police Chief Butler said it sounds like he supports the feasibility study.

Several people began speaking at once again.

Mayor Kurtz said so it's your understanding that the Police Department could inspect these.

Mr. Brenner said it's a very simple checklist, depending on what city you go to and get it done, the checklist can get real simple.

Councilperson Walchanowicz said well from my understanding, Cuyahoga Heights is the only city in Cuyahoga County that will inspect golf carts.

Mr. Brenner said I have an entire packet that I put together for residents on how they could get their golf cart street legal, and there are three locations now where you can take your golf cart to get it inspected outside of, obviously you can't do it in Independence, and I have notes from each one of them as well and what they did and what they didn't do.

Kelley's Island for example, they didn't even ask me to take my golf cart off the truck. They just said turn the turn signals on, hit the horn, light work, you are good to go, get out of here. That was the whole inspection.

Mayor Kurtz asked what did they give you, a certificate or something?

Mr. Brenner said so to get your license plate, and by the way, for those that don't know in the room, everyone is talking about a sticker of some sort. It's an Ohio license plate. It's a giant license plate just like on the back of your car. What they give you when they get the inspection done, I actually have a copy of it right here Mr. Mayor if you would like to see it, it's actually pretty simple.

Mayor Kurtz asked so where are the three inspection sites?

The resident said Cuyahoga Heights, I am not 100% sure, but I do believe that they were one of the ones that only do residents.

Councilperson Walchanowicz said they do, only residents.

Mr. Brenner said you can just do residents.

Several people began speaking at once again.

Police Chief Butler said the State codes doesn't really break down all the elements.

Mayor Kurtz said all they really want to know is that you have turn signals, you have lights, you have features.

Several people began speaking at once again.

Mayor Kurtz said I guess my question is, if somebody wants to come to the Police Department with their golf cart, you don't have the authority to take this form and go through it and sign it.

Several people began speaking at once again.

Chairperson Narduzzi asked do you have to have some kind of legal document that says we can?

Several people began speaking at once again.

Police Chief Butler said I have to contact the Ohio Department of Transportation and say hey I'm going to send this to you.

Mayor Kurtz said that the vehicle has been the above vehicle has physically been inspected by the requirements of 4501.03.

Several people began speaking at once again.

Mayor Kurtz asked can we do it without legislation?

Vice Mayor Grendel said it should be legislated.

Mayor Kurtz said I was just asking a question.

Police Chief Butler said no, this has a specific section just for the inspection of the vehicle on the form.

Councilperson Walchanowicz said when I asked three or four months ago, I needed it because of the campgrounds.

Police Chief Butler said so you have to go to Geauga County.

Several people began speaking at once again.

Chairperson Narduzzi asked can you take them down the trail?

Mayor Kurtz said I took the Police vehicle down?

Vice Mayor Grendel asked do they do tours?

Several people began speaking at once again.

Councilperson DiGeronimo said in the electric bike industry, you have Class 1, 2 and 3.

Mayor Kurtz asked what's the difference?

Councilperson DiGeronimo said I can't remember if it's 3 or 1. I think 1 is pedal assist, no throttle. Level 2 you can just throttle, so you don't have to pedal while you are biking, but it caps you out. Maybe 18 to 20 miles per hour. After that, it's Class 3 I think.

Mayor Kurtz said so the first one is a Class 1 where you can.

Chairperson Narduzzi said you would have to be pedaling.

Police Chief Butler said so if somebody is going in a golf cart, like 5 or 10 miles an hour down the trail, that's one thing. Somebody is going 20 to 30 miles an hour, yeah we are going to stop them. It's reckless. It's not good for our trail. In the ORC it's considered a vehicle.

Several people began speaking at once again.

Police Chief Butler said if they have a license plate, it shouldn't be on the trail. I am just saying.

Mayor Kurtz said the Police Department's doesn't have a license plate, and they went on the trail.

Councilperson Walchanowicz said they might have to now if they pass this law. That is what Tommy is worried about.

Several people began speaking at once again.

Mayor Kurtz said ours are maintenance vehicles.

Councilperson Narduzzi said we will come up with our list and present it to Council.

Mayor Kurtz said whatever you want to do. So, then what you are basically doing is you are going to create legislation that will allow the Police Department to certify a vehicle for residents only. Is that what I am hearing you say?

Chairperson Narduzzi replied yes.

Mayor Kurtz asked then they could go get a license plate then?

Several people replied correct.

Mayor Kurtz said so if we had legislation to support it you would take this form, you would sign it.

Councilperson Walchanowicz said it will be an Independence form.

Police Chief Butler said and this would just say Independence. So, we would have to fill this out per the Ohio Revised Code, they sign.

Mayor Kurtz asked do you take it to the BMV?

The resident said Dan's got the packet. So, you take the inspection and then you take your registration application along with your bill of sale or your proof of origin to the BMV. They take those three forms and issue you the title. You have to have all three of those forms in your hand in one shot to get your title.

Mayor Kurtz said you don't have a title, you just have a bill of sale.

The resident said then the BMV retains your inspection, your application form, and your either bill of sale or certificate of origin, and all of that is put into a file at the BMV, and now your title says that you have an inspection. You have the bill of sale and all that stuff. So, it's all verified through the BMV.

Chairperson Narduzzi asked it's a one-time deal?

Mayor Kurtz said how much is it?

Mr. Brenner said I have a five year plate, and it's \$125.

The resident said it's \$10 to get the inspection done. The inspection form is a yes or no. Everything else at the BMV is free except when you go get your plates because then once you have that title, that's when you can go next door and get your plate. That is what costs you to get your plate and get your stickers every year.

Mayor Kurtz said it's just easier driving around illegally.

Police Chief Butler said we can add this to our teen drive class once we are all set.

Several people began speaking at once again.

Police Chief Butler said if this is something we are passionate about, we pass an ordinance, and we might even mention this as part of Safety Town, telling kids that if you are in a golf cart, think of this, make sure your seat belt is on, make sure you are in a seat. We can ensure that our residents and children have the knowledge.

Several people began speaking at once again.

Chairperson Narduzzi said you can buy them cheap.

Mayor Kurtz asked what's next.

Chairperson Narduzzi said nothing, that's it.

Councilperson Veverka said at the last Council meeting, I spent a long period of time talking with the President and some of the members of the Sycamore Club and spoke with Ray Kling and suggested to him that he contact the head of the Safety Committee because we indicated at that meeting that he wanted to talk to Council about how the gun range is run, etc. So, did he happen to contact you?

Chairperson Narduzzi replied no.

Police Chief Butler said I have spoken to someone at the gun range, and I have a walk through on Saturday.

Chairperson Narduzzi asked did they contact you?

Police Chief Butler said I contacted them, but he wants to walk the Police through and show us. After the City Council meeting, I have a meeting to come in and walk the grounds and have them explain things a little bit better to me because I am not an expert by any stretch of the imagination. Guns or gun ranges as they are operated under the ODNR, so he stated that we would meet Saturday. I am happy to come down and do it.

Resident Tim Lesh said I am glad that there is a discussion about the gun range that is operating. We just spent a lot time discussing the legalities and rules and regulations on golf carts, but the Sycamore Hills Rifle Club doesn't even appear to be in compliance with the ORC as far as safety and operations, and Chief, if it's possible, I would like to be there when you go through that range because I have seen that range, and there are a lot of issues about that range. If they were in compliance with the State law, you would never hear another word from me, but we discussed today for the last two hours that we are self-insured okay. We can't find insurance anywhere else so we have to be self-insured, and my point is first and foremost safety. I don't believe that range is safe.

Chairperson Narduzzi asked are you a member at that range?

Mr. Lesh said I am not. Back in March I went to find out where they were. I found out it was Rio Nero Drive at the end. So, one Sunday morning I went back there, and I see these guys getting out of their vehicles and taking AR-15s and M1 Gurands out of their cases, and I talked to them. I happened to be talking to Ray Kling, and he said that we practice for CMP matches. I said okay. I have shot CMP, and he said why don't you go home and grab one of your guns and come here to shoot. I went home to put on my hearing protection, and a topographical map that I presented to all of you from Police Chief Nicastro from Safety meetings years ago. It showed the line of fire, and I went down there and saw the operation. They are shooting along a creek bed that has a lot of rocks, and since I have shot CMP and also was involved in the construction of two high-powered rifle ranges, the operation of the range was extremely (inaudible). I helped with the construction of the two ranges, it was under the instruction of the NRA and the State of Ohio.

Now if they would come into compliance with the State law, I have no issues. I would have no issues at all, but I really don't believe that they can; and not only that, I think that it's important to know, and I can understand that they have been there a very long time, over 90 years. Now if you shoot an M1 Gurand, the average bullet weighs between 180 and 220 grains. They shoot in one match, one rifle will shoot 50 rounds, and that's without sighting rounds. That's without any sightings. That comes out to 1.25. Now multiply that by how many shooters they have that day, and multiply that by how many years they have been down there, and the creek bed they have there. If you look at the topographical map, you are looking to the east, and it's a downward slope right to the Cuyahoga River.

Any range that I have ever shot at, any range, is never, ever, ever been nothing like that. The opportunity for a ricochet in my opinion guaranteed. It's guaranteed that you are going to have a ricochet. The ground is basically, since it is a creek bed, it's basically made of a lot of rocks; and if you see any soil underneath the soil is rocks. There is no sand in the hill, you are just shooting into the hill. It's an accident waiting to happen. I don't want to see the City sued. I don't want to see anyone get injured. I think it is a very serious safety issue, and I think it's in the best interest that the City just tell the club to cease fire until they can come under compliance with the State.

Mayor Kurtz asked who says they are not in compliance?

Mr. Lesh said Mr. O'Brien said that there is no records of the City ever having any meetings with the State. The letter that I received from Ray Kling said they have no records that they have met with the State, and the State of Ohio, Division of Wildlife said they have no records. That's all three parties.

Chairperson Narduzzi asked is that our jurisdiction?

Mayor Kurtz said I don't know what's our jurisdiction.

Mr. Lesh said but the City has a no discharge of firearms as well. Why are they allowed to operate?

Mayor Kurtz said well you said earlier, they are 100 years old.

Mr. Lesh said but again, as I have explained, Hillside Road wasn't there 100 years ago. Those houses weren't there 100 years ago. The development on Twin Creeks wasn't there 100 years ago. We don't have hunters back in the woods like we did. There were no hunters back in the woods 100 years ago. The whole landscape of the area has changed, and it's an accident waiting to happen. It may not happen tomorrow, it may not happen next year. When it does happen, or if it does happen, I wouldn't want to have that on my conscious. That is the way that I feel.

Police Chief Butler said it is private property, so respectfully Tim I can't invite you to come with me on that day. They invited me as a guest to see it. I would again urge you to contact ODNR directly.

Mr. Lesh said I did contact them. You are right okay. That is fine Chief, but don't be fooled by the height of the sides or what the impact zone looks like. Look at other things okay. Look at the rocks. Look at what's underneath the soil. Look at tree branches that may be hanging over. Look at one basic, and as the State law states, and the language is very specific okay to ensure that we are not held criminally or civilly liable okay for prosecution. We have to be in compliance with State law, 1533.10 and there were two others that I mentioned. We have to be in compliance with the State law. They have to be in compliance with the State law. There are no records.

Mayor Kurtz said I think wildlife, it's a State issue, it is not a City of Independence issue.

Mr. Lesh said well sure it is. The City could close it in the blink of eye. Mayor you can call them up right now, and all you would have to say is you have to come into compliance with the State law.

Mayor Kurtz said it's not that easy.

Mr. Lesh asked why can't it be that easy?

Mayor Kurtz said because (inaudible).

Mr. Lesh said I just said Mr. O'Brien and the State. There are no records.

Mayor Kurtz said the Division of Wildlife should be the inspector, not us.

Mr. Lesh said they have no record. They never even heard of Sycamore Hills Rifle Club.

Mayor Kurtz said that means no one has ever complained is what you are saying.

Mr. Lesh said no, it means that they are not in compliance Mayor. I don't understand why you would defend.

Mayor Kurtz said those are your words.

Mr. Lesh said they are my words.

Mayor Kurtz said well your words are wrong. Defend what?

Mr. Lesh asked why are you allowing them to shoot into a residential area in the direction of homes 3,000 feet from the (inaudible).

Mayor Kurtz said no one ever said they are illegal. We can't do anything.

Vice Mayor Grendel asked are they supposed to be licensed by the State?

Mayor Kurtz said I don't know.

Mr. Lesh said yes.

Mayor Kurtz said it's 100 years old.

Several people began speaking at once again.

Mayor Kurtz said they should deal with it.

Mr. Lesh asked do you mean to tell me that the City is not going to deal with people that go back into the woods and shoot high-powered rifles? I can't do that.

Mayor Kurtz said that's different.

Mr. Lesh asked why.

Mayor Kurtz said call Wildlife.

Mr. Lesh said I'm asking the City why? Why is it different? I can't, or anyone else can't. I recently spoke to a resident that is new to that club, and the only reason that he gave me that likes to shoot there is because it's convenient. There's no reason at all, no reason, that they should be shooting there because there are other places for them to shoot, including public ranges within an hour, including another club that is certified by the State within an hour, that also conducts CPM matches. They would have more competition. So, there's no reason. There are just excuses. That is all that there is. Just because they have been there for 90 years, is an excuse, it's not a reason and at this point we should be doing everything that we can possibly do to protect the residents of the City, and no disrespect Chief okay; but according to the State law, I

can see nowhere where the Police Department is at all involved in the decision-making of a high-powered rifle range being operated in the State. That's what is in the State law, there is nowhere.

Chairperson Narduzzi said we can't do anything about it. You said that.

Mr. Lesh said no, what I am saying is it's up to the State. The club, the landowner, and the residents and the City have to. Look, there was an accident in Summit County just six months ago, and that was a high-powered rifle range where public money went into it. Millions of dollars went into this range, and they had to shut it down because they had a (inaudible) go through a room in a house that was nowhere near the range, but they did conclude that the shot came from the range. I have told you, those guns have a range of four and a half miles.

Mayor Kurtz asked did you say that they have insurance? Did you say during your discussion with them that they had insurance.

Mr. Lesh asked Sycamore Hills? I am not worried about Sycamore Hills Rifle Club and their insurance, I am more worried about the City.

Mayor Kurtz asked did they have insurance, did you say? Didn't you say they had \$2,000,000 of insurance.

Mr. Lesh said I didn't say it, but that is what they stated. I am worried about the City's liability.

Councilperson Veverka said that was me when I had that conversation with Ray and some of the members of the club, Ray indicated that the club is insured for \$2,000,000 and needs to demonstrate it to the property owner. So, that's what also keyed my well if they have \$2,000,000 of protection, and we are going on self-insured; and we have created a shortfall in our insurance fund because of previous situations that have taken place, the importance of researching being insured because that is along with what the other Chief said. If you have an officer involved in a shooting situation or anybody else, or anything like that, related to the Sycamore range, then we are kind of out there as a Mayor, as a Council. So, that's part of the reason.

Mayor Kurtz asked in what respect?

Councilperson Veverka said out there legally. If something happens, people sue, and they sue big. We know that.

Mr. Lesh said especially for something like that, an injury from a high-powered rifle. I mean that's a serious injury if not death.

Mayor Kurtz said it goes to the Sycamore Hills Rifle Club.

Mr. Lesh said no, they are going to involve the City.

Mayor Kurtz said the State, because they oversee it.

Mayor Kurtz said I don't know why the City of Independence wants to get in the middle of something.

Mr. Lesh said the City is the first step, okay.

Mayor Kurtz said I'm sorry, I thought you said that the Police Department couldn't be involved.

Mr. Lesh said not according to State law.

Mayor Kurtz said well then the State law supersedes our law.

Mr. Lesh said you are the ones that are allowing this club to operate.

Mayor Kurtz said that's your interpretation.

Mr. Lesh said it's not an interpretation, there is no reason for them to be there.

Mayor Kurtz said they have been there for 100 years.

Vice Mayor Grendel said I was Chairman of the Safety Committee when we went through that bow hunting and all that, and I worked closely with the ODNR, and John Nicaastro the Police Chief worked with me. We got the different legislation from the different communities, and we had one of the best laws on that. The person from the ODNR came to every one of our meetings, so I wouldn't mind having someone from ODNR come to our meetings and explain.

Mr. Lesh said but the ODNR is different from the Division of Wildlife.

Several people began speaking at once again.

Vice Mayor Grendel said let's get somebody from the State here to one of our meetings and find out right from the source. That eliminates all the guesswork.

Mr. Lesh stated that is up to the Chief of the Division of Wildlife.

Vice Mayor Grendel said whatever we need from the State, that person here to address Council and once and for all. If we are derelict of duty for not regulating this, then I would like to find out before somebody gets killed or hurt. There's a guy bow hunting in his backyard on Hillside and gets struck by a bullet. I would just like to find out for myself. I am not a gun enthusiast, but I do know the importance of them; and I would just like to find out for sure if we are doing everything we can and not just take somebody's word for it like we have done for 90 years. Until something happens, we will just keep going for another 90 years. I would like to find out from the State.

Mr. Lesh said Kendra Wecker, Chief of the Division of Wildlife, he is the one that is responsible. He is the one that's ultimately responsible.

Several people began speaking at once again.

Chairperson Narduzzi said I have to interrupt guys, the Chief is going to go ahead and contact the person. We have to wrap this up.

Vice Mayor Grendel said let's get it settled once for all. I have no knowledge one way or the other. I would like to find out for sure because if we are not doing something that we should be doing.

Mr. Lesh said Ray Kling is a nice guy. He invited me down there to shoot. I refuse to do it because of the safety issue, okay. I am concerned about the safety and what I saw.

Chairperson Narduzzi said thanks Tim for bringing that up today.

Moved by Grendel seconded by Veverka to adjourn the Safety Committee Meeting of November 7, 2022. Voice Vote: 3 yes/0 no; motion carried.

There being no further business to discuss, the Safety Committee Meeting was adjourned at 5:45 p.m.

Debra J. Beal, Clerk of Council
Minutes Unapproved at Time of Release 11/11/22
