

**NORTH RIDGEVILLE CITY COUNCIL
SAFETY COMMITTEE
MINUTES OF MEETINGS
May 31, 2022**

To Order:

Chairwoman Holly Swenk called the meeting to order at 6:00 p.m.

Pledge of Allegiance:

Led by Chairwoman Swenk.

Attendance:

In attendance were Committee members Bruce Abens, Martin DeVries, and Chairwoman Holly Swenk.

Also in attendance were Mayor Corcoran, Council President Jason Jacobs, Councilman Dennis Boose, Former Councilwoman Georgia Awig, Safety Service Director Jeff Armbruster, Police Chief Freeman, City's Prosecutor Sean Kelleher, Tammy Kaczmarek North Ridgeville City School District Transportation Supervisor, Roxann Ramsey-Caserio North Ridgeville City School District Superintendent, and Assistant Clerk of Council Fijabi Gallam.

Minutes:

Chairwoman Swenk asked if there were any corrections to the minutes from January 31, 2022. No discussion was offered. The meeting minutes stand approved as submitted.

Under Review:

{Clerk notes: There are certain parts in the meeting where the audio was not clear or heard due to technical issues with the mics or distance from the mics.}

Chairwoman Swenk asked if anyone from the public would like to speak. There was no discussion and the lobby session was closed.

T 84-2022 AN ORDINANCE AMENDING THE PENALTY SECTION OF N.R.C.O.
SECTION 432.30, STOPPING FOR SCHOOL BUS.

Chairwoman Swenk remarked that she introduced T 84-2022 and feels that this is a big issue with cars passing stopped school buses. She invited the School District to show videos of the incidents.

Chairwoman Swenk asked if anyone from the committee would like to speak.

Councilman Abens is concerned with the first-time violation fee of \$1,000. He noted that he did

speak to a judge, some lawyers, and police officers regarding this issue. They are concerned that when the fee is too large the police and the judge are apprehensive about enforcing the penalty. Mr. Abens suggested that the \$1,000 offense should be for a repeat offender and not for a first-time violation. He explained that \$500 could hurt a resident in North Ridgeville. He added that when most people break the law they are not thinking about the consequences. When the fine is \$1,000, there may be more people coming with an attorney to reduce the fee. Mr. Abens believed it is a serious offense, but the fee is too severe.

Chief Freeman agreed with Mr. Abens' statement.

Mayor Corcoran explained that this has been an issue for way too long. He explained that the City tried a marketing campaign in the past and had signs everywhere. Mayor Corcoran believed something needs to happen, but he believed the \$1,000 fine for first-time misdemeanors is excessive. The City would run into an issue of cases going to the County instead of being settled in North Ridgeville.

Councilman DeVries wanted to know how the City of North Ridgeville legislation compared to surrounding cities.

Chief Freeman explained that most cities follow the Ohio Revised Code. The videos on the buses help with the convictions. He added that they would want the opportunity to present evidence.

Mr. Kelleher explained that most of the time he does not see the video because the person is told they were on camera. He added the steps that Mayor's Court follows when determining a person's conviction.

Chief Freeman explained that some of the cases have the ability to dismiss and the Police Officer can't show the evidence.

Mayor Corcoran noted that the City does not have trials in Mayor's Court. A person either plea or the case is sent to Elyria's court.

Chief Freeman does not agree with raising the penalty.

Mr. Kelleher continued to illustrate a typical evening at Mayor's Court. He explained a person could get a maximum \$500 fine or license get suspended. He normally gives lesser fines.

Chief Freeman continued to explain that increasing the fees could stop someone from paying an electric bill, however, he likes the idea of doing a graduating offense. His concern is that the City is not using what is currently in the laws, so why increase the fine to \$1,000. Chief Freeman added that Sean does an excellent job in determining the fines.

Mr. Abens wanted to know what type of media is the videos on.

Chief Freeman explained that North Ridgeville City School District Transportation Supervisor,

Tammy Kaczmarek, sends over the video, and a case file is created for the prosecutor. Then an investigation is done. The person either pleads guilty or doesn't plea when the video is reviewed. There are no trials in the City.

Mr. Kelleher explained his process when talking to someone that receives a citation for passing the school bus. He added that he tries to keep the school bus citations in North Ridgeville Mayor's Court. Sometimes there are no videos on some buses.

Ms. Kaczmarek showed the videos that witness vehicles passing stopped busses that have their red lights on from the year 2020 to 2022. She explained that most of the kids are trained to wait before crossing the streets.

Chairwoman Swenk understood everyone's statement and wanted to solve this issue before a kid is killed.

Mr. DeVries wanted to know the steps that Chief Freeman recommends for the City to take.

Chief Freeman explained that there has been a discussion of doing a campaign again once school starts back – bringing awareness to the community.

Councilman DeVries wanted to know if there are any recommendations for the legislation.

Chief Freeman noted that he likes the idea that the legislation could make the fines mandatory.

Mayor Corcoran pointed out that the City of Avon Lake recently changed its mandatory fine to \$500, and received a lot of media attention at that time. The amount of bus citations has gone down. He explained that changing the mandatory minimum still provides the issue with cases being dismissed and transferred to Elyria.

Chief Freeman reiterated that the tiers of citations might be beneficial.

Mr. Kelleher explained that it would be better to create tiers for the violations. He usually negotiates the first offense.

Mr. DeVries explained that if they could pass the legislation before school starts, it could help with getting awareness out.

Chairwoman Swenk wanted to know Mr. Kelleher's minimum on a bus citation.

Mr. Kelleher explained that \$250 is a good minimum.

Mr. Abens wanted to know if this issue should also be directed to repeat offenders that had other traffic violations that are not a bus citation.

Chairwoman Swenk noted that she believed Mayor's Court takes into consideration of multiple

offenses. She added that she is okay with dropping the misdemeanor as a first-degree offense.

{Clerk notes: Certain parts of the meeting discussions ensued on the floor that was not in the mic.}

Moved by DeVries and seconded by Abens to strike the misdemeanor verbiage in T 84-2022.

Mayor Corcoran wanted clarification on the motion. He wanted to make sure there is clarification on making a change to do something.

Discussions continued to recap what was presented in the meeting.

{Clerk notes: Certain parts of the meeting discussions ensued on the floor that was not in the mic.}

Mr. Kelleher noted that he has access to drivers' status that was done in the past. There could be a question as to how far to look back for prior violations.

Chief Freeman wanted to know if a decision has to be made today.

{Clerk notes: Certain parts of the meeting discussions ensued on the floor that was not in the mic.}

Chairwoman Swenk explained that the discussion could be tabled.

Mr. DeVries noted that he would like to hear from the Law Director as well.

Moved by DeVries and seconded by Abens to table the discussion for T 84-2022 in order to get the Law Director's opinion.

A voice vote was taken and the motion carried.

Yes – 3 No – 0

Old Business:

Discussion to amend certain sections of N.R.C.O Chapter 476, Snowmobiles, Off-Highway Motorcycles and All-Purpose Vehicles.

Chairwoman Swenk explained that this legislation started with former Councilman Jim Maleski. Mrs. Swenk asked for any thoughts on this request.

Mr. DeVries added that there has been a number of meetings with the Law Director, and Chief Freeman on this issue. The consensus was that the last legislation was not enforceable. He expressed that he would like to start this process again because there are still issues. Mr. DeVries requested that they write legislation that makes sense and is enforceable for the police. He asked for some direction from Chief Freeman.

Chief Freeman explained that the legislation needs to be simple and enforceable. He added that it is still an issue.

Mr. DeVries expressed that the city has changed and progressed. It is time to update the city's laws to reflect the city's growth.

Moved by Swenk and seconded by DeVries to have the Law Department draft legislation with the requested changes, and for the Clerk to put new temporary numbers to be introduced at the next council meeting allowed.”


A voice vote was taken and the motion carried.

Yes – 3

No – 0

The meeting was adjourned at 7:02 p.m.

These minutes were approved on 11th day of July, 2022.



Fijabi Gallam
Assistant Clerk of Council