

**Minutes for June 20, 2023 Safety Committee meeting**  
**Willowick City Hall**  
**6:30pm**

In attendance:

David Phares - Chairman  
Charlie Malta - Committee member  
Theresa Bisbee - Committee member  
Police Chief Turner  
Fire Chief Malovrh  
Law Director Landgraf  
Councilman Mahorcic  
Councilwoman Antosh  
Councilwoman Koudela  
Police Lt. Daubemire

Chairman Phares began by explaining that today's meeting is about discussing the penalties for the Section 521 of the Codified Ordinances of Willowick which is Health, Safety and Sanitation. At the previous Safety Committee meeting on April 5th, we had discussed adjusting the penalty for open burning but it was decided that we would look at the entire chapter instead of picking out one ordinance and making changes. This will prevent us from having to revisit this chapter in the future to make changes.

Mr. Phares stated that he did not see any changes that need to be made to the other ordinances. Councilwoman Bisbee mentioned that nothing in this chapter really states specific fines, just misdemeanor penalties. She would like to look at attaching scalable fines to some of these ordinances. This way, if someone violates one of these ordinances and the case goes before a judge, the fines are spelled out and the judge can't decide their own amount.

Chairman Phares asked Police Chief Turner if \$150 is the fine for a minor misdemeanor and Chief Turner replied that one of the problems we have had in the past is that when a fine is specified as "up to" a certain amount, then the judge can set the fine as low as they want. We would like to set a minimum fine for ordinances to avoid this.

Councilwoman Bisbee stated that she would support making scalable fines for the ordinances in this section. The one ordinance she did have a question about was ordinance 521.10 - Public Nuisances. The text states that a Mayor's hearing is part of the penalty. Chairman Phares stated that this ordinance is related to a lot of other ordinances and would be excluded from this discussion.

Councilman Malta agreed that it would be more uniform to set scalable fines to the ordinances in this chapter. Councilwoman Antosh asked what the fine scale would be. Chairman Phares stated that it would be the same as was set for open burning.

Councilwoman Antosh asked how far an open fire has to be from a house. After a brief discussion, Chief Zoning Inspector Sean Brennan stated that there are different distances based on the type of container etc. and the Fire Chief should be consulted about this.

Councilwoman Koudela stated that on the Fire Department's web page in 2022, it stated that 25' was the distance from a building. Mr. Brennan stated that it depends on the type of container and what the source of the fire is - wood or gas etc.

Fire Chief Malovrh entered the meeting at this time and Chairman Phares directed the open burning questions to him for clarity. Chief Malovrh stated that he will have Lt. O'Connell put together a list of rules and requirements for open burning.

Law Director Stephanie Landgraf entered the meeting at this time and Chairman Phares filled her in on the Committee's desire to attach scalable fines to the ordinances in Chapter 521.

A discussion ensued about whether to add text for each ordinance regarding the fines or add a penalty section at the end of the chapter that covers all the ordinances. The fact that some of the ordinances start with a first degree misdemeanor and some start with a third or second degree misdemeanor was also discussed - will these be included in the graduated fines? It was decided they would not be. Only the ordinances that started as a minor misdemeanor.

Councilwoman Antosh asked if ordinance 521.08 - Littering and Depositing of Garbage, Rubbish, Junk, etc. - would be included in the graduated fines since it starts as a minor misdemeanor but then jumps to a fourth degree misdemeanor. The Committee decided to include this ordinance in the graduated fines. Ordinance 521.14 - Incinerators Prohibited - will be included in the graduated fines also. Ordinance 521.16 - Abatement of swimming pool hazard will be excluded from the graduated fines because it pertains to unattended pools and the city has the authority to go in and abate the problem upon notification of the owner.

The next discussion was in regards to a complaint about the intersection of Lake Shore Blvd., E. 284th Street and Arlington Circle. A resident was concerned about drivers entering the intersection on the wrong side since there is an island in the middle and vehicles are supposed to enter and exit on certain sides. Councilman Malta stated that there has never been a problem with that intersection in the last 30 years so nothing really needs to be done there. There are two signs directing drivers. Councilwoman Antosh asked Chief Turner if he has ever heard of a problem there and Chief Turner stated that he has not. Mr. Brennan has never heard of a problem either.

Councilwoman Antosh inquired if the Safety Committee will be addressing the fines for other chapters. Chairman Phares stated that this will be the only one for now.

Meeting adjourned at 6:49 pm.

A handwritten signature in blue ink that reads "David Phares".