

PUBLIC SAFETY COMMITTEE MEETING MINUTES

MARCH 10, 2014

The meeting was called to order by Mr. Reams at 7:00 p.m.

MEMBERS PRESENT: Mark Reams, Dan Fogt, Tracy Richardson

OTHERS PRESENT: Floyd Golden, Tim Aslaner, Derek Hutchinson, Terry Emery

REPORTERS PRESENT: Ryan Horns-Journal Tribune, Amy Rogan-ThisWeek

AGENDA:

- Reorganization - Mr. Reams was nominated for Chairman by Mr. Fogt. Affirmative voice vote was unanimous.
- Winter Pedestrian Safety (snow removal from sidewalks)

Mr. Emery explained that this winter was probably one of the worst in 25-30 years, so it raised some questions in regard to pedestrian safety on sidewalks in various areas during the course of the season and the difficulty experienced in some areas. Mr. Emery said staff is also working on considerations of potentially creating streets to be designated as no parking during snow events. Recommendations will be forthcoming in the future.

Early on in the season, the Code Enforcement Officer was given the assignment of checking to see what other communities were doing, as well as how we were handling the process.

Mr. Hutchinson said in his research most communities have the same language in the code as Marysville. The code is from the Ohio Revised Code. Snow removal seems to be a problem in all communities.

One problem Mr. Hutchinson ran into in 2009 was enforcement. The city he worked for had 2-1/2 inspectors and didn't make it out of one neighborhood before the snow even started to melt.

He has been on the Board of Trustees for Code Enforcement Officials Association for nine years. A group of code enforcement officers from all over the state of Ohio have the same issues. Everyone has an ordinance and each year they try to figure out how to enforce it. A lot of codes throughout Ohio are split; a lot are enforced by the Police Department and there's a lot enforced by code enforcement. The Building

Departments are across the board on how these ordinances are written and who does the enforcement. The success he's had in the past is proactive education.

Marysville is not aware that there is an ordinance. The best way would be to start in the fall with communication via Facebook, website, newspapers, utility billing, etc. Do the same communication when a winter storm is predicted.

He handed out a suggested in-house procedure. (see below)

City of Marysville

Procedure / Snow Removal from Public Sidewalks

Pro-active awareness from the City

- Late fall season to start promoting the importance of snow removal from public sidewalks.
- Frequent postings on the City's Facebook page about snow removal from public sidewalks.
 - Prior to potential snow fall predictions, during snow fall and following snow falls with accumulations of 2 inches or more.
- Use of information monitors (TV's) within City Hall to post reminders of snow removal from public sidewalks.
- Utility billing statements with snow removal reminders.
- Local newspaper articles monthly during the snow season.
- Inform local Home Owner Associations to address in HOA monthly or quarterly meetings.

Mr. Emery suggested adding meeting with schools to make sure there are procedures to address their own sidewalks.

Mr. Emery said we also have to be sure that the city takes care of all the sidewalks that they have a responsibility for, and there are a lot of them. At the end of the day depending on snow levels, it could take the city almost a week to get to some of these locations, just based on the manpower that we are putting into the priorities.

Mrs. Richardson said that she noticed that the schools have been taking care of their snow removal; it's just the residents in and around the schools that aren't doing it.

There needs to be a procedure of when we would consider approaching someone to start shoveling their sidewalks.

Procedure when complaints are received from citizens regarding public sidewalks that have not been cleared of snow.

Step 1

- Complaint received about snow not removed from public sidewalk.
 - Must have property address or exact locations of snow covered sidewalk.
 - Must have 2 or more inches of snow on sidewalk.
 - Must be at least 48 hours after last snow fall.

Step 2

- Complaints will be verified within 1 business day.
 - City staff will perform site visits of suspected locations.

Step 3

- Once complaint is verified;
 - A door hanger notice will be left at the front entrance of property. The notice will contain the following;
 - Statement that the City has received a complaint about snow on the sidewalks.
 - Request that sidewalks be cleared of snow.
 - Importance of keeping public sidewalks clear of snow.
 - Tips or suggestions on removing the snow safely.
 - City contact information for questions, concerns or possible assistance.

Possible assistance for citizens

- Reach out to local community groups, churches or organizations to create volunteer groups to be placed on a list to contact to help citizens that are not physically able to remove the snow from their sidewalks.

Last week when we had a snow fall of about 2". Mr. Hutchinson asked a couple of people walking by the school how they felt about the hazards of the snowfall. One parent wasn't concerned. The other parent was worried about shoes getting wet, but didn't have a safety concern. Their feeling was 2" or more inches would be a safety concern, but less than 2", not a safety hazard.

Mrs. Richardson expressed a concern when there is less than 2" and it starts to melt, then freezes, then it is a safety concern. Mr. Reams agreed, but said you have to draw the line somewhere. Mrs. Richardson doesn't think 2" or less is that hard to clear for anyone.

Mr. Hutchinson is trying to find a balance.

The policy calls for clearing by 48 hours after the last snow fall. That could vary depending on the amount of snow.

Mr. Reams suggested 24 hours.

Mr. Emery said we have to take into account that we have snowbirds, elderly people who are unable to do it or a situation where someone may be ill. There are so many different scenarios that create an issue with the ability to make that determination.

Mrs. Richardson suggested 24 hours within a certain depth of snowfall. If it's deep, it would cause more a public nuisance.

Mr. Emery noted there are people who take week-long vacations or weekend getaways, so they are not there to shovel the walks.

Mr. Reams said if you know you are going to be away, make arrangements with neighbors or someone for them to shovel your walks while you are away.



Keep your sidewalks clear of snow and ice!

The City of Marysville would like you to remind you to do your part to **Keep Your Sidewalk Clear of Snow and Ice**. This is extremely important to help keep our children who walk to/from school and our residents who are visiting one of our local businesses, safe while traveling on our public sidewalks. Help do your part to

keep Marysville a year round walkable community and clear your sidewalks within 48 hours after a snowfall.

If you are able to, do a good deed and help a neighbor in need by shoveling a neighbors sidewalk as well or if you know of someone in our community that is in need of assistance and are able to help them, this is an easy way to help improve walking conditions during our snowy winters.

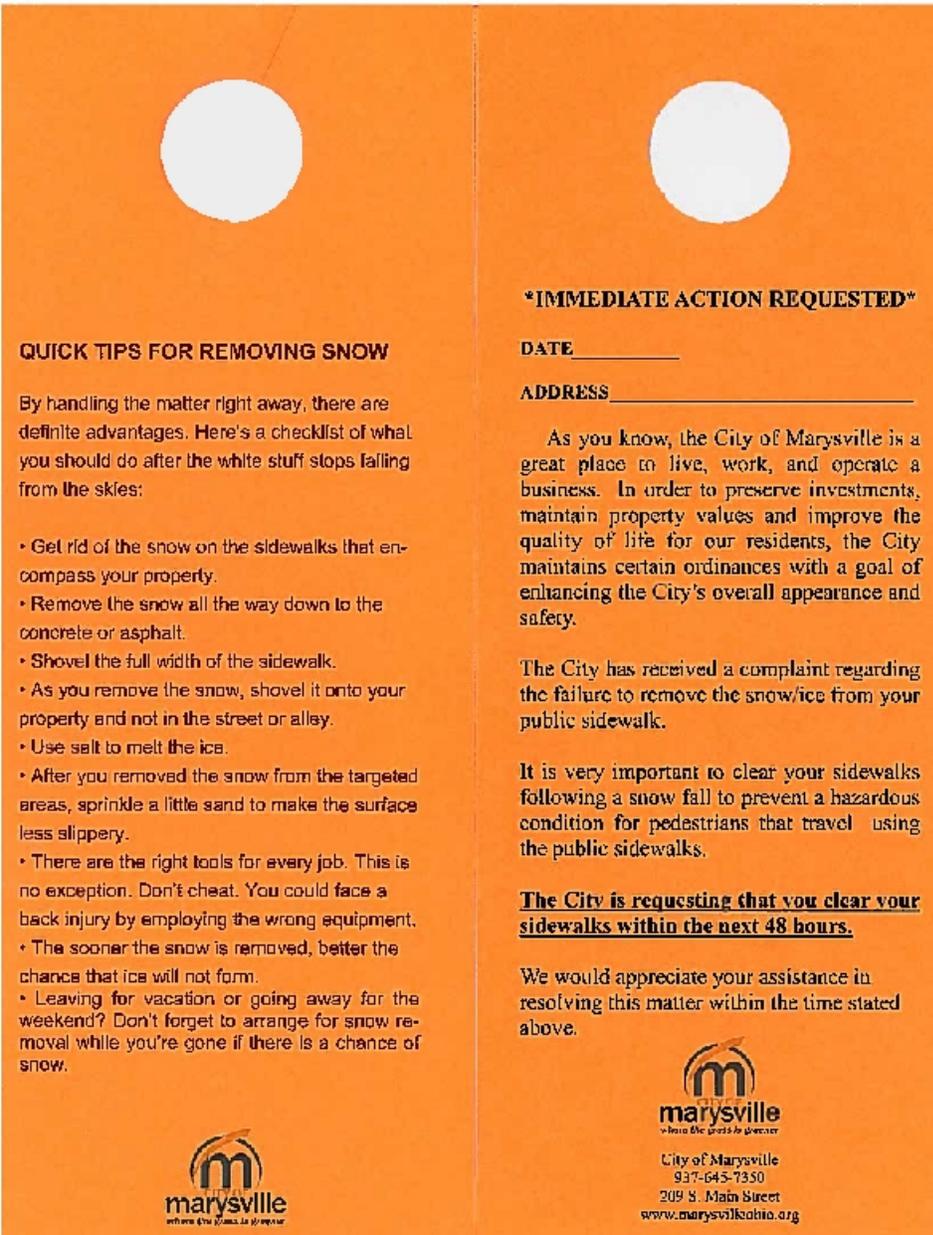
City crews will be out clearing the streets to keep it safe for our motorist traffic, do your part to help keep our pedestrian traffic safe. Keep your sidewalks clear of snow and ice!

For safety tips for shoveling snow, visit our website at www.marysvilleohio.org.

City of Marysville, 209 South Main Street, Marysville, Ohio 43040 – (937) 645-7350

521.06 DUTY TO KEEP SIDEWALKS IN REPAIR AND CLEAN.

- (a) No owner or occupant of abutting lands shall fail to keep the sidewalks, curbs or gutters in repair and free from snow, ice or any nuisance. (ORC 723.011)
- (b) Whoever violates this section is guilty of a minor misdemeanor.



Mr. Hutchinson suggested starting communication/education and not immediately start enforcement. Ease into it. From going to basically nothing to something that is going to affect so many people, he feels the approach as far as education is the best way to go.

This is at least a start. Best case/worse case, we get 50% compliance with this. It's so much better than what we had in the past. As of right now, there is no penalty or assessment. The next season, people will know their responsibility. If people don't comply, then look at penalty or assessment.

People will understand it's a high priority of the city, not just a one time thing.

Staff is looking into various considerations. Mr. Aslaner said staff has reviewed different types of enforcement and a promotional campaign. Everyone on staff seems to feel this is the way to go at first. In terms of actual enforcement, the code as it stands now makes it a minor misdemeanor. It also talks about curbs and gutters. Possibly snow removal should be made a part of the Exterior Property Maintenance Code. If we can't get compliance, we do it ourselves or hire a third party contractor to do it and then assess the property owner's taxes, as is done with mowing of grass.

Mr. Hutchinson talked to a lot of other code enforcement officers and they all have the same struggle. He hasn't found one community that has been successful. He attended a trustee meeting with 70 code enforcement officers. He asked how many people have an ordinance for snow removal- all but three did. He asked who does something proactively in the way of education/promotion-70% . Who enforces their code-under one dozen people do. Who actually does the penalties, citations and assessments-No one does. One of the reasons why communities don't follow through with the whole process is the volume. Marysville has 107.4 miles of sidewalk in the City and one code enforcement officer. Columbus has over 30 code enforcement officers. They send notices, but don't cite people.

Mr. Fogt asked if the major complaints are around schools. Mr. Reams noted bus stops are an issue. Mr. Fogt asked why can't we not plow the snow towards the bus stops. Why was the snow pushed in the crosswalk closest to Edgewood? Mr. Emery said if we know specific areas, we can alert the snow plowers of those bus stops. Mr. Hutchinson noted another problem is that in some areas, treelawns are smaller, which means the snow goes onto the sidewalk beyond the treelawn.

Mr. Reams asked what happens if a resident receives three notices and still doesn't comply.

Mr. Aslaner said there could be two or three different drafts, with the 2nd or 3rd notice being a little more threatening. The last notice would be to assess the bill to the resident.

Mr. Reams asked if there is a tracking system for when door hangers are hung. Mr. Hutchinson tracks every phone call, email, or notice, etc.

Mr. Hutchinson feels the complainer who files the complaint should actually be affecting that person.

Mr. Fogt feels the name of the complainant should be required and should be public record. Mr. Hutchinson feels in some ways, requiring the complainant's name is a deterrent.

Mr. Aslaner said in his years in municipal court, you see a lot of misdemeanors that are lodged between disputes between neighbors. If a homeowner thinks the neighbors are reporting them, it's like throwing gas on fire.

Mrs. Richardson feels there is a silent majority that wants things fixed, but they don't want to confront people. If there is someone breaking a code, we shouldn't worry about where the source is coming from.

Mr. Fogt noted that the sidewalks in front of the hospital, the county building and around the curve on S. Main (city-owned property) are the last three sidewalks to get cleared, so we shouldn't be throwing stones at the residents when we don't keep our walks cleared. Mr. Reams said we are not responsible for the county or hospital, but we need to take care of our sidewalks. Mr. Emery said we will ultimately get to it, but there are priorities.

Mr. Fogt doesn't think it's worth all this mess.

Mr. Reams said there are five kids without a mother in Bellefontaine because she was walking in the road because the sidewalk hadn't been shoveled. He does not want something like that to happen again.

Mr. Emery suggests presenting the concept proposed this evening and see the effectiveness of the proactive approach. The Public Safety Committee can then revisit the results.

Mr. Reams suggested talking to the schools, county and hospital to let them know of the City's plan.

Mrs. Richardson said a lot of thought has been put into this issue and thanked staff for that. She suggested partnering with the schools to get this information out.

Mr. Reams likes the idea of the tracking system, so halfway through the season we can analyze the data to see what's working or what's not working and act accordingly.

Mr. Reams said if we end up rewriting our code, he suggested we add in the code about maintaining multi-use paths within the sidewalks, trees overhanging, roots or broken paths.

Mr. Hutchinson said he has not received one snow complaint this year for public, but he has for private, such as apartment complexes.

The meeting adjourned at 7:51 p.m.