

SAFETY COMMITTEE MINUTES JULY 21, 2015

The Safety Committee meeting was held on July 21, 2015, at North Royalton City Hall, 14600 State Road. The meeting was called to order at 6:01 p.m.

PRESENT: Committee Members: Chair Dan Langshaw, Gary Petrusky, Steve Muller; Council: Larry Antoskiewicz; Paul Marnecheck; Administration: Mayor Robert Stefanik, Police Chief John Elek, Fire Chief Robert Chegan, Safety Director Bruce Campbell; Other: Lou Krzepina, Lydia Bazarko, David Duane, Richard Turocy, Roman Smith, Nick Manila.

APPROVAL OF MINUTES

Moved by Mr. Petrusky, seconded by Mr. Muller to **approve the June 16, 2015 minutes** as received. Yeas: 3. Nays: 0. **Motion carried.**

UNFINISHED BUSINESS

1. **Oil and Gas Appeal Update**

Mayor Stefanik said that there is no update. Mr. Antoskiewicz asked if there is a timeframe in which this ruling has to be made. Mr. Kelly said no. We were given to understand that we were under a very strict time limit to submit our briefs and that the court would be ruling in short order. He said that we do not understand what is taking the court so long to make its ruling. Mr. Kelly said that in a sense, this works to our benefit because it is that much longer before Cutter Oil would be in a position to make another application for another drilling permit. Mr. Langshaw said that the environmental group Environment Ohio delivered to Governor Kasich a signed letter from over 100 elected officials throughout Ohio pushing for more local control and limiting or prohibiting fracking operations within their municipal borders. He thanked the Mayor, Mr. Antoskiewicz and Mr. Marnecheck who, along with himself, signed this letter. He asked that a copy of the Cleveland.com article and the letter be attached as a part of these minutes.

2. **Regional Deer Control**

Lydia Bazarko, 8400 Oak Knoll Court addressed Council on behalf of the residents in her neighborhood. She said that the increased deer population has resulted in car accidents, damaged property, the threat of disease and attacks on humans since the deer are no longer afraid of humans. She congratulated the city on taking an active stance to bring this situation under control.

Richard Turocy, 7555 Andover Lane, addressed Council. Also said that the deer are a problem due to destroyed property, accidents and the threat of disease and attacks on humans. He congratulated the Mayor for taking the initiative to get a ballot measure in place not only here but in the surrounding communities. However, he said that animal rights groups will come in and condemn any action that might be taken to control the problem and the city will be under pressure to protect the deer and not the tax payers' property. He cited several studies that have been done showing that sterilization has not been a successful solution. He said that the experts also site a figure of 5-10 deer per square mile as a target for control in a suburban area. He asked if we know what the deer population is in North Royalton and if the city has an ordinance prohibiting the feeding of deer.

Mr. Langshaw said that he shares the concerns of the speakers and Council has passed resolutions in an effort to work with the ODNR.

Mayor Stefanik said that the city as well as many surrounding cities have been working together on a solution. He said that they have assembled a lot of information on what other communities do, not only in north east Ohio but in southern Ohio as well. He said we are looking for both a short and long term solution. He said that the ODNR has a pilot program taking place near Cincinnati for deer sterilization. He said anything that has been tried before has not been cost effective but that doesn't mean that they can't come up with something for the future. These 7 cities are very committed to get something to their City Council's probably sometime in October. Our hope is that the cities will put this on the ballot for the

March 2016 primary election. He said that he knows that there will be opposition to this, but there will also be people in favor of this as well. He said that it has come to the point where we must take action and we are going to do so, but at the end of the day it will be the voters of North Royalton who decide how to proceed. He said that we hear more about the deer being a problem than not. He said that there is 10% of the population that are staunchly on one side or the other of this issue, but it is the other 90% silent majority that will make the decision in the long run. He said that all 7 communities will be putting the same issue and program on the ballot which will probably include some type of culling. Mayor Stefanik said that we do not have a ban on feeding wildlife, but we do have nuisance ordinances that address this. Mr. Kelly said that our code states that in the event that the feeding of any wildlife created a nuisance it would then be prohibited under this ordinance. It said it is a question of whether or not there is a repercussion from the experience. Mayor Stefanik said that we had a resident that was dumping loaves of bread in her yard and 20 deer would show up. He said we sent Animal Control out there prepared to cite the resident, but she has ceased doing this. He said that Animal Control and the Police Department understand that this something to be taken seriously. Mayor Stefanik said that he does not know the exact deer population in North Royalton but he knows it is too many and that we have a problem. Mr. Antoskiewicz said that he is not concerned about any pressure we may get from animal activists. He said that we work for the majority of the residents of North Royalton and if the residents want us to fix this problem then it is our job to figure out the best and safest way to do this, and we will do that.

Roman Smith, Boy Scout Troop 526, 8449 Windsor Way, addressed Council. He said that his sister almost approached a fawn but there was a buck nearby and she could have been hurt.

In summation, Mr. Langshaw urged residents to notify animal control if there is a feeding nuisance in their neighborhood and to come out and voice their opinion on this matter prior to the March vote.

3. **ODNR Oil Well Inspections**

Mayor Stefanik said that they have until the end of August to get everything done. Cutter Oil was the biggest violator. The safety violations were taken care of right away but there are a lot of aesthetic violations that still need to be taken care of. According to Ohio Revised Code, they had a certain amount of time to correct all of the violations, but we allowed for an informal extension with the thought being that we would rather get the work done instead of having to take them to court and have it stall there. We have given them a firm deadline of the end of August to have everything finished or we will take the next step. Mr. Petrusky said that a resident told him that he saw something that looked like oil on the ground at the well on Wallings Road right by St. Paul's Church. Mayor Stefanik said that they have had reports in the past of a similar nature and the inspectors said they did not think it was oil but they took samples to analyze. He said we should be getting a report on that shortly. He said that he has information on what the substance actually is and he will provide it to Council after the meeting.

NEW BUSINESS

1. **Ordinance 15-69 – Fire Department Locker Room Renovation**

Chief Chegan said that the station was built in 1980. In 2006 we did a renovation that included the bay area and the hose tower. The locker room area was not renovated at that time and it is in need of major repairs. It will be a complete renovation of the locker, shower and restroom area. Moved by Mr. Langshaw, seconded by Mr. Petrusky to **recommend approval of Ordinance 15-69 to Council**. Yeas: 3. Nays: 0. **Motion carried.**

MISCELLANEOUS

Mr. Muller said that a resident approached him about the curb area where W. 130th meets Drake Road as you make a right turn onto the portion of Drake Road on the North Royalton side. They were asking if we could mark that area with diagonal hashes similar to what Strongsville has done on the opposite side. He said that they are having a problem where motorists are turning off the curb and others are trying to make a simultaneous turn. Mayor Stefanik said that the street striping is starting shortly and they will look into this.

Mr. Petrusky said he has noticed when exiting the YMCA that the north bound traffic on State Road that people are driving off the road on the right side of the white line. He said that this could potentially lead to collisions and asked that someone look into this. Mayor Stefanik said they would.

ADJOURNMENT

Moved by Mr. Langshaw, seconded by Mr. Petrusky **to adjourn the July 21, 2015 meeting.** Yeas: 3. Nays: 0.
Motion carried.

Meeting adjourned at 6:30 p.m.

Community leaders join environmental group asking Kasich to support local anti-fracking efforts

James F. McCarty, The Plain Dealer By James F. McCarty, The Plain Dealer

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on July 08, 2015 at 12:55 PM, updated July 09, 2015 at 7:11 AM

COLUMBUS, Ohio – A citizen-based environmental advocacy group today delivered a letter signed by more than 100 elected officials calling on Gov. John Kasich to support the authority of local communities to limit and prohibit fracking operations within their borders.

The oil and gas drilling method known as hydraulic fracturing, or "fracking," such as at this well in Pennsylvania, is opposed by neighborhood groups who accuse the operations of polluting the air and drinking water, and causing earthquakes.

Associated Press file photo

"Our message is clear," Sarah Frost, outreach director for Environment Ohio, said in a conference call with reporters. "Fracking brings local harm, contaminating our drinking water, polluting our air and causing earthquakes. So it should be subject to local control."

The letter, signed by 74 elected officials from Northeast Ohio, reads, in part:

"As local elected officials, we are deeply concerned about the significant and growing threat hydraulic fracturing poses to our health and environment. We urge you to stand up for the right of all communities to determine whether, where, and how this dirty drilling is conducted within their own borders."

Kasich's spokesman said the letter-writers were taking the wrong approach.

"As you know, the governor cannot unilaterally repeal laws," said spokesman Rob Nichols. "They may wish to consider directing their attention to the Ohio General Assembly or the Ohio Supreme Court."

The Ohio Supreme Court, in a 4-3 decision in February, denied home rule power by cities and villages when it shot down a bid by Munroe Falls to use zoning to keep a fracking company from drilling an oil and gas well inside the city's limits.

The court majority cited a 2004 state law, signed by then-Gov. Bob Taft, that gave the state "sole and exclusive" power to regulate oil and gas production in Ohio.

One of the signers of the Environment Ohio letter, James O'Reilly, a law professor at the University of Cincinnati and a councilman in the Hamilton County city of Wyoming, said the Supreme Court decision showed the influence of the Statehouse oil and gas lobby in Columbus.

But O'Reilly said local communities are not powerless to make their own choices about whether to welcome or reject oil- and gas-drilling operations into their neighborhoods.

"Even if we're stuck with the court's decision, and the governor is going to side with the oil and gas industry, there are several steps we can take that are still valid," O'Reilly said.

He recommended using local ordinances to enforce road weight limits on fracking trucks in an effort to prevent the degradation of bridges, culverts and roads; enforcing local noise ordinances and curfews to limit drilling operations to daylight hours, and prevent drilling 24 hours a day, seven days a week; and to enforce air quality ordinances that restrict air emissions that could aggravate childhood asthma.

"It's important to look at all of the alternatives because it's unlikely any one solution will work," O'Reilly said. "We need to get back our authority to protect the public."

Last month, the U.S. Environmental Protection Agency released a draft report that concluded there was no evidence hydraulic fracturing has had a "widespread, systemic impact on drinking water."

Environmental groups scoffed at those conclusions, pointing out that the same report contained evidence of spills, leaking wells, improper disposal of fracking wastewater, and earthquakes caused by fracking, and noting that the petroleum industry declined to cooperate with the study.

In Northeast Ohio, Ben Lupo, the owner of a Youngstown-based oil- and gas-drilling company, is serving a two-year sentence in a federal prison for ordering the dumping of tens of thousands of gallons of fracking waste into a tributary of the Mahoning River in violation of the federal Clean Water Act.

Lupo, owner of Hardrock Excavating, ordered an employee to dump the polluted water into a drain on at least 20 occasions in 2012 and 2013. The waste contained a mixture of saltwater brine and a slurry of toxic oil-based drilling mud, containing benzene, toluene and other hazardous pollutants.

Frost cited the case of a home in Bainbridge Township exploding in 2007 due to high levels of methane gas from a fracking operation that had polluted a drinking water well as one local instance.

A panel assembled by ODNR found that a poorly constructed well casing allowed gas to migrate along the edge of the casing, up the pipe and into the home, where it caused the explosion.

In 2012, two Medina County couples sued an oil- and gas-drilling company, accusing the fracking operation of polluting their private drinking water wells in Granger Township. The case was resolved and dismissed in February.

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Dear Governor Kasich,

As local elected officials, we are deeply concerned about the significant and growing threat hydraulic fracturing poses to our health and environment. We urge you to stand up for the right of all communities to determine whether, where, and how this dirty drilling is conducted within their own borders.

Across our state, fracking operations have contaminated water, put residents' health at risk, and turned rural landscapes into industrial zones. Here in Ohio, state data shows that fracking operations produced 30 million gallons of toxic wastewater in 2012 alone, all of which is exempted from our nation's bedrock wastewater and drinking water laws. Moreover, a growing number of scientific studies are now linking toxic fracking pollution with a wide range of health risks including cancer.

Fracking also imposes particular burdens on local communities, from strained services to ruined roads. As with other extractive booms, the arrival and expansion of fracking operations has been correlated with a wide range of social problems, including increases in domestic violence, drug use, traffic accidents, and civil disturbances. Other local impacts— such as water and soil contamination and reduced property values— are likely to persist long after the boom is gone, and we will be the ones left to pick up the pieces.

In the face of these grave impacts, and despite the Ohio Supreme Court's recent ruling, communities continue to seek to halt or substantially limit fracking within their borders. The notion that our communities have the right to bar or limit activities which threaten public health or the quality of life of their residents has a long tradition in Ohio law. This principle is the basis of common health ordinances and local land use rules, including zoning, which often involve trade-offs with property rights and other interests. Yet the oil and gas industry has the audacity to insist that this basic principle of local control should not apply to its operations.

Across Ohio, fracking is expanding at a frenzied pace, into our backyards and farmlands, next door to our hospitals and schools, and into the pristine and wild acres that provide drinking water and recreational opportunities for Ohioans. In light of the foregoing, we believe that all communities in Ohio should have the right to reject fracking operations— including not only well pads but also waste pits, compressor stations, and all the infrastructure of dirty drilling— within their borders. We urge you to declare your clear support for this right of local control here in Ohio.

Sincerely,

The Honorable Paul Wiehl
Mayor, Athens

The Honorable Gregory Zilka
Mayor, Avon Lake

The Honorable Dennis Wilcox
Mayor, Cleveland Heights

The Honorable Michael Summers
Mayor, Lakewood

The Honorable Susan Renda
Mayor, Moreland Hills Village

The Honorable Trevor Elkins
Mayor, Newburgh Heights Village

The Honorable Robert Stefanik
Mayor, North Royalton

The Honorable David Mann
Vice Mayor, Cincinnati

The Honorable Constance Barsky
Vice Mayor, Granville

The Honorable Tom Sawyer
Ohio Senator, D-Akron

The Honorable Cecil Thomas
Ohio Senator, D-Cincinnati

The Honorable Charleta Tavares
Ohio Senator, D-Columbus

The Honorable Kenny Yuko
Ohio Senator, D-Richmond Heights

The Honorable Nickie Antonio
Ohio Representative, D-Lakewood

The Honorable Lori Kokoski
County Commission President, Lorain
County

The Honorable Charles Adkins
County Commissioner, Athens County

The Honorable Chris Chmiel
County Commissioner, Athens County

The Honorable Lenny Eliason
County Commissioner, Athens County

The Honorable Sunny Simon
County Council Member, Cuyahoga County

The Honorable Dale Miller
County Council Member, Cuyahoga County

The Honorable Lillian Moore
Council President, Highland Hills

The Honorable Steve Richman
Council President, Moreland Hills Village

The Honorable Larry Antoskiewicz
Council President, North Royalton

The Honorable Sean Brennan
Council President, Parma

The Honorable Eloise Henry
Council President, Richmond Heights

The Honorable Steven Herron
Council President, Vermilion

The Honorable Dennis Recker
Council President, Whitehouse

The Honorable Patricia DeBerry
Council President Pro Tem, Highland Hills

The Honorable Joseph Mercurio
Council President Pro Tem, Mayfield
Heights

The Honorable Rich Swirsky
Council Member, Akron

The Honorable Bob Hoch
Council Member, Akron

The Honorable Marilyn Keith
Council Member, Akron

The Honorable Suzanne Greif
Council Member, Amesville

The Honorable Marcia Burchby
Council Member, Amesville

The Honorable Joe Miller
Council Member, Amherst

The Honorable Christine Fahl
Council Member, Athens

The Honorable Christine Knisely
Council Member, Athens

The Honorable Jennifer Cochran
Council Member, Athens

The Honorable Jeffrey Risner
Council Member, Athens

The Honorable Kent Butler
Council Member, Athens

The Honorable Mike Canterbury
Council Member, Athens

The Honorable Michele Papai
Council Member, Athens

The Honorable Steve Patterson
Council Member, Athens

The Honorable Walter Genutis
Council Member, Bedford

The Honorable Nick Haschka
Council Member, Berea

The Honorable Daniel Gordon
Council Member, Bowling Green

The Honorable John Zanfardino
Council Member, Bowling Green

The Honorable George Stelmaschuk
Council Member, Broadview Heights

The Honorable Glenn Goodwin
Council Member, Broadview Heights

The Honorable Jennifer Mahnic
Council Member, Broadview Heights

The Honorable James Giomini
Council Member, Broadview Heights

The Honorable Brian Wolf
Council Member, Broadview Heights

The Honorable Brian Ousley
Council Member, Brunswick

The Honorable Patricia Hanek
Council Member, Brunswick

The Honorable Vincent Carl
Council Member, Brunswick

The Honorable Richard Hart
Council Member, Canton

The Honorable Frank Morris
Council Member, Canton

The Honorable Chris Seelbach
Council Member, Cincinnati

The Honorable P.G. Sittenfeld
Council Member, Cincinnati

The Honorable Wendell Young
Council Member, Cincinnati

The Honorable Yvette Simpson
Council Member, Cincinnati

The Honorable Brian Cummins
Council Member, Cleveland

The Honorable Martin Keane
Council Member, Cleveland

The Honorable Kenneth Johnson
Council Member, Cleveland

The Honorable Michael Polensek
Council Member, Cleveland

The Honorable Jeff Coryell
Council Member, Cleveland Heights

The Honorable Madeline Scarniench
Council Member, Euclid

The Honorable Michelle Lerner
Council Member, Granville

The Honorable Jeff Crabill
Council Member, Heath

The Honorable Barbara Spearman
Council Member, Highland Hills

The Honorable Jean Abernathy-Smith
Council Member, Highland Hills

The Honorable Nicole Young
Council Member, Highland Hills

The Honorable Rev. Leah Lewis
Council Member, Highland Hills

The Honorable Melissa Long
Council Member, Kent

The Honorable Sam O'Leary
Council Member, Lakewood

The Honorable Cindy Marx
Council Member, Lakewood

The Honorable Thomas Bullock
Council Member, Lakewood

The Honorable Frank DeTillio
Council Member, Lorain

The Honorable Joseph Koziura
Council Member, Lorain

The Honorable Eddie Edwards
Council Member, Lorain

The Honorable Ron Jackson
Council Member, Maple Heights

The Honorable Richard Trojanski
Council Member, Maple Heights

The Honorable Susan Sabetta
Council Member, Mayfield Heights

The Honorable Mark Kolesar
Council Member, Medina

The Honorable Raymond Jarrett
Council Member, Medina Township

The Honorable Ken DeMichael
Council Member, Medina Township

The Honorable Bill Ostmann
Council Member, Medina Township

The Honorable Daniel Fritz
Council Member, Moreland Hills Village

The Honorable Gary Sherck
Council Member, Moreland Hills Village

The Honorable Ted Buczek
Council Member, Moreland Hills Village

The Honorable Eddie Van Bibber
Council Member, Nelsonville

The Honorable Carol Floyd
Council Member, Newark

The Honorable Jeremy Blake
Council Member, Newark

The Honorable Phillip Beer
Council Member, Newton Falls

The Honorable Daniel Langshaw
Council Member, North Royalton

The Honorable Paul Marnecheck
Council Member, North Royalton