

PUBLIC HEALTH & SAFETY COMMITTEE MEETING

MARCH 22, 2023

MINUTES

1. The meeting was called to order at 5:30 PM by Chairman, Councilmember Aaron Wahl.
2. Roll Call

Councilmember Aaron Wahl, Ward II (Chairman), Councilmember Mary Monachella, Ward I, Councilmember Dan Hurt, Ward III, Councilmember Merrell Hansen, Ward IV, Councilmember Gary Budoor, Ward IV, City Administrator Mike Geisel, Nathan Bruns from the City Attorney's Office, Captain Cheryl Funkhouser, and Chief Ray Johnson. Several citizens also attended this meeting

3. Minutes –January 30, 2023

Councilmember Wahl motioned and Councilmember Hansen seconded to approve the minutes of the December 7, 2022 meeting. The minutes were approved 3-0 (Councilmember Monachella abstained as she was absent from the December 7th meeting).

The Committee agreed to adjust the order of the agenda to allow for Nathan Bruns to address the Committee on the proposed ordinance regarding golf carts and LSV's.

6. Golf Carts

City Administrator Geisel gave a brief history of the proposed ordinance. He noted that the City Staff has reviewed the possible options to allow golf carts and low speed vehicles (LSV) on City streets. He reminded the committee that Staff had originally recommended against allowing the use of golf carts on public streets, and that State law already provides for the legal use of low speed vehicles. Subsequently, Staff recommended that regardless of whether the City accepted, or rejected the use of golf carts on public streets, that it be done universally, not on a geographic basis. However, the Public Health and Safety Committee had directed staff to create a proposed bill allowing for an "opt in" process. Accordingly, the meeting packet includes a draft bill which mirrors the City's current policy for voluntary traffic controls. Mr. Geisel explained that the configuration of subdivisions and intersecting streets throughout the City make the logistics of enforcing any voluntary or

discretionary “opt in” difficult to enforce. He advised that, if the proposed ordinance is approved by this Committee, persons who live adjacent to public streets may either “opt in” or “opt out” to allow golf carts and/or LSV’s on specific City streets.

The Committee then reviewed the proposed ordinance section by section. Committee members were advised that many of the regulations are set by State Law. There was discussion regarding the safety mandates that would be required on each vehicle and were reminded that LSV’s are State licensed and already follow State safety requirements and are allowed on streets throughout the City. Discussion followed about audible warning signals, windshield composition, lights and directional signals, insurance on the vehicle, and the requirement of seat belts. Chief Johnson noted that any vehicle that would be licensed must follow all traffic regulations and every driver must be licensed by the State.

The Committee then discussed how the subdivision “opt in” or “opt out” would work. Trustees in the subdivisions would follow their indentures to have residents of each subdivision vote on the issue. The trustees would then submit their request to participate if approved by the residents of each subdivision. Heavy discussion continued with members agreeing this would be very cumbersome and not reasonable. The issue of contiguous subdivisions continued and the possibility of allowing the vehicles only for those subdivisions which can be “isolated” from adjacent subdivisions (e.g. those with only one way in and one way out and not connecting to another subdivision without any arterial or collector roads).

Councilmember Hurt voiced that the character of neighborhoods must be maintained and that the home owners associations should play a role in determining whether or not golf carts would be allowed or not..

Councilmember Monachella motioned to not allow golf carts on public streets. The motion failed for a lack of a second.

Discussion continued noting that the proposed ordinance does not satisfactorily handle all options and does not develop a standard for the City. Therefore, the Committee suggested that additional work be done by staff to provide an ordinance that would provide more information on an “opt in” or “opt out” program, based on the “isolated community” concept.

Councilmember Hansen motioned to direct staff to revise the proposed ordinance to incorporate the “isolated community” concept with an “opt in” or “opt out” clause. Councilmember Hurt Seconded. Discussion followed and Councilmember Wahl motioned to amend the motion to also

include the fiscal impact to the City if this proposed ordinance is approved. Councilmember Hansen seconded the motion to amend the motion. The motion to amend passed 4-0. Therefore, the motion would be to request City staff to attempt to draft a revised ordinance to allow “isolated communities” to opt in or out and provide the financial impact to the City. This motion failed 2 - 2.

Additional discussion ensued regarding a revised proposed ordinance. At this time, Councilmember Wahl motioned to amend to previous motion to direct staff to draft revisions to the proposed ordinance to either approve, or disapprove golf carts on public streets universally throughout the City. This motion failed for the lack of a second.

At this time, there will be no further discussion of this issue and the Committee will no longer discuss a change to the proposed ordinance.

The Committee then directed that Mr. Geisel prepare a statement for the City’s social media accounts so that citizens are made aware that golf carts are not legal on any City streets.

The Committee then returned to original order of the agenda.

4. Chief Johnson informed the Committee members that the current City Policy that was approved in 2013 prohibited all forms of smoking and tobacco products and e-cigarettes on City owned property. Chief Johnson provided a proposed policy which would amend the policy to include marijuana since it is now legal. Councilmember Wahl motioned and Councilmember Hansen seconded to approve this new policy. The motion carried 4-0.
5. Chief Johnson noted that the current City Ordinance prohibits the sale of cigarette papers which was intended to limit the illegal use of marijuana. Since recreational marijuana is now legal, this ordinance is no longer useful. Councilmember Wahl motioned and Councilmember Monachella seconded to repeal Chapter 210 Offenses, Article XII Offenses Concerning Tobacco, Alternative Nicotine Products Or Vapor Products, Section 210.2180. The motion carried 4-0
7. Chief Johnson updated the Committee on acquiring bids for the installation of a safety barrier at the City Hall front desk. He noted that a contractor has been contacted but has not yet come to City Hall to survey the area in order to make a bid for this project.
8. There were no other items to discuss

9. There is no date set for a future meeting.
10. The meeting adjourned at 7:30 PM