

## MINUTES

### PUBLIC HEALTH & SAFETY COMMITTEE MEETING

SEPTEMBER 27, 2021

- I. The meeting was called to order at 5:30 PM by Chairperson Councilmember Tom DeCampi. Councilmember DeCampi noted that this meeting is the first outdoor meeting of the Public Health & Safety Committee.

- II. Roll Call

Councilmember Tom DeCampi, Ward IV, Chairperson, Councilmember Barbara McGuinness, Ward I, Councilmember Aaron Wahl, Ward II, Councilmember Michael Moore, Ward III, and Councilmember Mary Ann Mastorokas. Also, in attendance were Chief Ray Johnson, Captain Cheryl Funkhouser, Captain Dan Dunn, Mr. Kelly Reeves, and Mr. Dave Wrobel.

- III. Deer Hunting Issues

Chief Johnson addressed the Committee members and noted that during the last meeting of the Public Health & Safety Committee, there were recommendations to amend the current bow hunting ordinance: A proposed bow hunting ordinance was recommended to the Committee

Indemnity insurance was the first item discussed. The current ordinance stated that the property owner was responsible for the one million-dollar (\$1,000,000.00) insurance required. A proposed change would allow either the property owner, the hunter, or a combination of both to provide the insurance.

The Committee addressed the current minimum limit of one-half acre property and shots limited to 20 yards. The proposed ordinance would limit the property to a minimum of one acre and allow the maximum shot distance at 40 yards. After discussion, the Committee agreed to retain the limitation of property size to one-half acre and increase the shot distance to 30 yards.

Chief Johnson noted that the City had received two anonymous complaints regarding notification of hunting on contiguous properties. This issue had been addressed at a previous Public Health & Safety Committee meeting, however, since the complaints were anonymous, there was no one to contact regarding any actions taken. At this time, Mr. Kelly Reeves of the Suburban Bow Hunters reviewed their process for the notification of contiguous neighbors. He also noted that plans for the future will include electronic notification.

Councilmember DeCampi motioned and Councilmember McGuinness seconded to amend the ordinance to include:

Prior to any hunting activity on a property, the affected neighbors must be notified in writing. The hunter must be able to show the appropriate documentation of the notification of the approximate date and time period of

the hunt. In the event hunting is authorized by subdivision trustees within subdivision common ground, the trustees shall be responsible for notifying the appropriate property owners and retaining evidence thereof. For purposes of this sub-section, contiguous shall mean any property within a 200-yard radius from the planned hunting location, and any properties immediately abutting the hunters travel route from their vehicle to the planned location.

No hunting is authorized on tracts of land under one-half acre in area, except that adjacent property owners may combine their parcels to satisfy the property line discharge restrictions contained in Sections (f) and (h) herein. All other provisions of the Deer Control Policy shall apply to combined lots.

Prior to any hunting activity, the Police Department shall be provided a certificate of insurance or indemnity bond providing evidence of a policy of liability insurance and/or indemnity bond in an amount not less than \$1,000,000 per occurrence insuring or bonding the property owner and/or the designated hunter. The indemnity may be provided by the property owner, or the hunter, or the property owner and the hunter may provide shared indemnity to reach the minimum limits mandated by this subparagraph. Said liability insurance and/or indemnity bond shall provide insurance coverage and/or indemnity for all claims for damages resulting from any act of negligence of the designated hunter or by any agent, assign, employee, independent contractors, or licensee of the designated hunter.

All hunting shall be conducted from an elevated position that is at least ten (10) feet in height and faces the interior of the property. The elevated position (deer stand) shall be located in such a way as to direct arrows towards the interior of the property and to prevent any arrow from landing any closer than twenty-five (25) feet from any side or rear property line. No arrow shall be shot from a distance greater than thirty (30) yards.

The motion to adopt the proposed amended ordinance, as attached, carried 4-0. The proposed ordinance shall be forwarded to City Council with a recommendation to adopt.

#### V. Sweet Gum Trees

Councilmember McGuinness noted that sweet gum trees are no longer allowed to be planted in the City right-of-way. She then introduced Mr. Dave Wrobel who addressed the Committee members regarding a problem he is experiencing because a neighbor has two sweet gum trees that canopy his property. Large numbers of sweet gum balls fall into his yard each fall. Mr. Wrobel has offered to share the cost of removing the trees from his neighbor's property but the offer was refused. The past few fall seasons, Mr. Wrobel collected the sweet gum balls in his yard and then deposited them back into the neighbor's property. He was served with a "Cease & Desist" letter regarding this action. He now is requesting assistance from the City to exempt him from any prosecution from trespassing/dumping for returning the sweet gum balls to his neighbor's property. He also asked that the City possibly enact legislation to disallow the planting of sweet gum trees throughout the City.

Councilmember Wahl motioned and Councilmember McGuinness seconded to direct staff to contact the City Attorney to review the possibility of amending the City Nuisance Ordinance to add wording that would assign responsibility of debris from nuisance vegetation to the owner of that vegetation. The motion carried unanimously.

#### VI. Highway Traffic Enforcement

Chief Johnson noted that an unwritten policy of the City does not allow police officers to run stationary radar on the Interstate. At this time, a State grant is available for officers to do this on a limited basis. He asked the Committee to consider this action as it would fund the officers on their off-duty hours and would assist with speed enforcement on the interstate.

Councilmember Moore voiced his disagreement.

After discussion Councilmember Wahl motioned to take advantage of State Grant Funding for radar enforcement on the interstate on a limited basis. Councilmember McGuinness seconded. After further discussion, the vote on the motion was 2-2. This issue will be forwarded to City Council with no recommendation.

#### VII. Fireworks

The Committee discussed resident complaints regarding fireworks. Councilmember DeCampi noted that this past July 4<sup>th</sup>, it seems as though residents are discharging a large number of fireworks that are elaborate and possibly commercial grade fireworks.

Chief Johnson informed the Committee members that City Ordinance in place prohibits the discharging of fireworks but does not control possession of those fireworks. Therefore, police cannot confiscate fireworks.

Councilmember DeCampi motioned and Councilmember Wahl seconded to amend the current Ordinance to include the prohibition of Class C fireworks (including their possession) and to allow the confiscation of these items when in possession of, and readily accessible to the person. This prohibition would not include the storage of such fireworks. The motion carried unanimously 4-0 and will be forwarded to the full Council with recommendation for approval.

#### VIII. Quarterly Update – Crime Reduction/Prevention Strategy

As required by City Council, a Crime Reduction/Prevention Strategy Plan was implemented. Chief Johnson proceeded to report the current status of response to those strategies. He noted that all twelve of the strategies are currently in progress. He reported that custodial arrests have been enacted very successfully. He also reported that the vehicles that career shoplifters have utilized have been towed resulting in an expense to the perpetrators to retrieve. The work on each of the strategies will continue with additional quarterly updates.

No date was set for the next meeting of the Public Health & Safety Committee

Having no further business. The meeting adjourned at 7:20 PM.