# Ravenna City Council Public Health and Safety Committee Meeting Minutes February 13, 2012

The Public Health and Safety Committee Meeting was called to order at 5:17 P.M. by Chairman, Bruce Ribelin. Present were: Sharon Spencer, Fred Berry, Jack Ferguson, Amy Michael and Fran Ricciardi. Also attending the meeting Mayor Bica; Service Director, Kelly Engelhart; City Engineer, Bob Finney; Health Board member, Lucy Ribelin; Donna Swigart of 528 East Riddle Avenue, Ravenna, Ohio and Marc Resnik of 1102 East Riddle Avenue, Ravenna, Ohio.

Mr. Ribelin said the first item on the agenda is the Portage Health Task Force update.

Mrs. Ribelin said the task force will be meeting on March 7. When they adjourned before the end of the year, they did not come to any conclusions but a report has been prepared, which is quite lengthy at about 125 pages. The executive summary was distributed. Mrs. Ribelin said the recommendations that came out of that task force so far is that the public health system should be strengthened; they should all be working toward the delivery of the ten essential services. It doesn't mean the health boards have to deliver those themselves but they can be done through outside organizations. That the local health departments can address the ten essential services by assuring the community partners understand the health needs of the community and implement a plan to address those needs. The consensus of the group is that they should all strive for accreditation. It's going to be a long process and they said this should be tried to be reached as soon as possible. Some of the recommendations and strategy includes that the three health departments remain at the table, talking, to determine how to meet the needs of the county together. Whether that is through consolidation, contracting or establishing academic health services, relationships with Kent State and NEOMed. Those hopefully will be addressed at the next meeting. The other recommendation is that the leadership of the three departments begin discussions on how to work this out together or separately in using some of the strategies to become accredited and also to meet the ten essential health services. That would be for the entire county whether it is done separately or individually as a city or the city with the county; or the city of Kent etc. The recommendation from the task force is that all three boards need some fixing to get on the right path to provide health services and it's probably going to be impossible to do it alone. The next step has to come from this task force which she is hoping is not going to close the door and say goodbye. They are hoping to meet in March and it's their desire to continue conversation and exploration with the public health school in Kent and all the parties involved; that they all stay at the table. Ms. Engelhart has reported to Ravenna health board that she has had meetings with the county health department and the city of Kent. The doors are still open. The talks still continue. At this point that is all she can report.

# Public Health & Safety Committee Meeting Minutes February 13, 2012 Page Two (2).

Mrs. Ribelin went on to say that on the local level, they have requested to change the requirements for the board of health. They are requesting the board be increased to eight members with the specification that they live in Portage County. They would like the terms to be three years as opposed to five years. They could be reappointed by the mayor. She thinks three years is probably barely time to figure out what's going on and to understand the system. They decided that to ask a commitment of five years from someone who is volunteering might be a little overwhelming even though it may take that long to figure out what's going on.

Ms. Michael asked if by going to eight they could go with four from Ravenna and four from within Portage County.

Mrs. Ribelin said they would prefer to keep it open ended at this time.

Ms. Michael asked why they wouldn't have at least four citizens who actually live in Rayenna.

Ms. Engelhart said currently there area five members who live in Ravenna. They would be adding three with the possibility of expanding at the end.

Ms. Michael said that she understands that but if they're going to change the ordinance, would they care if it was put into the ordinance that four of those eight people must live within the city.

Mrs. Ribelin said she doesn't know the answer to that. It was just a discussion their board had. At this time, they do have one recruit but they're not sure she has accepted the position yet but they want to make sure that the people who are on it because of the involvement with this consolidation and with the ten essential services and the accreditation. They want to make sure they get people who are more qualified to lead them in the right direction. Right now, the list is very limited of people who have the time and the understanding and background and the commitment to do this board. It seems a lot of boards she has been on in the past, you sit back and listen to everybody telling you what they've done and you say yes or no. It's pretty much a rubber stamp.

Ms. Michael asked if the board would become an executive board or would it still be an advisory board.

Mrs. Ribelin said it would still be an advisory board. What they would like to do is get the right people on there who can give them the right advice to get them in the right direction. It seems like at this time, all three boards of health are going nowhere. They aren't moving at a time and an opportunity step up and do a better job. Without really qualified people, it's really hard to make those directions happen. She doesn't know legislatively what they can do about the residency requirement but she thinks at this point they would like not to be boxed into how many and who, etc. Just an increased number would help at this time.

#### Public Health & Safety Committee Meeting Minutes February 13, 2012 Page Three (3).

- Ms. Engelhart said that it would need to go to Mr. Cimino for the appropriate language. If they would like 50% of the membership be city residents or live or work within the city, they can do that too. She doesn't know what their desire is.
- Ms. Michael said she thinks there should be at least some people who are residents of the city. It is, at this point, the City of Ravenna Health Department. Her personal feeling is that there should be a few dedicated chairs for the citizens of Ravenna, out of those eight chairs.
  - Mr. Ricciardi asked if it has to be a number as high as four.
- Ms. Michael said that it doesn't have to be. She just thinks there should be some seats, just to make sure because this is our health department.
- Mr. Ricciardi said he can appreciate what Ms. Michael is saying and also what Mrs. Ribelin is saying about trying to find the best qualified people who can bring something to the table. Sometimes you have a limited pool of people with the time and the desire and the expertise here in town so he can understand that. What do they think about leaving three seats for Ravenna citizens and if they go unfilled by Ravenna citizens should they then look outside of the city for someone to fill those seats as well.
- Ms. Michael said she has no problem with that. She just wants to make sure there is some city representation.
- Ms. Engelhart said there are three in addition to the mayor because the mayor or his designee is the board president.
- Mr. Ricciardi asked how many people, including the mayor would be on this board. Is it eight including the mayor or nine including the mayor as the chair?
- Ms. Engelhart there is currently five board members plus the mayor so there is six. They were proposing three additional members. That would make it eight board members and the mayor would be the additional person who doesn't necessarily have a vote.
- Mr. Ribelin said he agrees that three of the board members should be Ravenna residents and then if people can't fill it from that pool, then they need to get the best possible people on there that they can. He knows they have done a lot of searching and research trying to come up with some qualified people. It's not an easy job.

Mrs. Ribelin said that the other information she would like to pass on is that they have agreed to the job description. Ms. Engelhart is posting the description for a part-time interim health commissioner. They did approve the job description.

# Public Health & Safety Committee Meeting Minutes February 13, 2012 Page Four (4).

Ms. Engelhart said the job description is going to be posted up to 32 hours. They currently have \$47,000.00 allocated for that in the budget. It depends on what type of person, they are asking for qualified individuals who has either a master's degree in public health, a master's in public administration or a bachelor's degree in some kind of healthcare field. It could be a nurse, a veterinarian, a physician. NEOMed has a program where they provide the master's program there are a lot of doctors who get their master's in public health that are seeking positions like this. If that's the case, they wouldn't need a separate medical director. They could roll that medical director salary into the health commissioner salary as well. They're getting it out there in the medical community. It has been posted at NEOMed. They'll see what they get.

Mayor Bica said that the position already exists. They're not going to fill it as a fulltime position. There is a fulltime position that still exists.

Mr. Ribelin said he got an email this week that PAFERS has been dissolved. There are recommendations they got from the two studies that were done and a lot of those things are in the process of being implemented. A lot of those are non-cost items.

Mayor Bica said they are SOPs and SOGs that go with each department, trying to make sure they are consistent amongst the PAFERS departments. Radio communications was one. There are probably a half dozen things that were worked on from recommendations that were not any burden from a cost perspective on the city or any of the other municipalities.

- Ms. Michael asked if there isn't still service hours owed by Preuer.
- Mr. Ribelin said he believes there are still somewhere around 12 hours owed.
- Ms. Michael asked if that means they'll just lose those hours. She's trying to understand how it works.
  - Mr. Berry said he would assume that it's just like a business and it's gone.
  - Mr. Ribelin said a lot of people got cold feet and it got real territorial.
- Mr. Ricciardi said the problem with these things is they really can't make any decisions without the information and that means studies and that means spending the money on the studies. When they sort of fall apart later, it's a bit disappointing and it's money that, isn't necessarily gone, but certainly doesn't have the value they hoped it would have initially.
  - Mr. Ribelin said there was a lot of time and effort put into this by a lot of people.

Ms. Engelhart said that it does tell them a little bit about, when you compare the PAFERS study to the consolidation study for the health departments that they just did; you get what you pay for. Kent State provided that study for free. It was primarily done by students and led by one of the faculty but not really a lot of strong recommendations came out of that report. If they wanted to actually figure out how they would all integrate, they will probably have to spend some money to have a consultant put an implementation plan together.

#### Public Health & Safety Committee Meeting Minutes February 13, 2012 Page Five (5).

Mr. Ribelin said they have spent a maximum amount of time on that and he hopes it comes to fruition.

Mr. Ribelin said the next item on the agenda is the Ohio EMS training and equipment grant. He received a request from Chief Cleveland who is asking permission to apply for this grant. The Fire Department has been very aggressive in seeking grants. There are no matching funds required.

There being no questions or comments, it was decided by those present that a tracking sheet would be submitted for Finance Committee approval.

Mr. Ribelin said the next item for discussion is the restriction on dogs. Mr. Finney has provided some information which every one should have received via email. These are some of the ordinances already on the books dealing with things like nuisance conditions being prohibited, removal of feces, which they've talked about on numerous occasions, there's animal related business and permitted number of domestic animals (which they discussed previously in committee meetings and tried to come up with a number of dogs that are to be permitted within the city limits) and sheltering and fostering domestic animals. They probably also got an email and a picture from Mr. Finney of the one situation in town which looks, in his opinion, pretty deplorable. He wouldn't want to live next to it.

Mr. Finney said at the last meeting, they discussed the issue of how many animals is prudent. He threw a number out. It was his sense from the committee that they wanted to be a little looser with that number. He went ahead and targeting dogs since the dogs are a little more of a nuisance than cats and other domestic animals such as birds, etc. They discussed many things. One of those is the odor from the animals. One of them is the dog related business. One of them is removal of the feces. One of them is the nuisance. He just added to those. This is to try to address the issues and put more teeth into the ordinance by allowing them to target these items through the chronic nuisance ordinance. As one picture shows, that was forwarded on to him through two other people, it's a legitimate issue in this town. There is a definition of a kennel. Some would think that a kennel is a steel cage that a dog is kept in. That's not truly a legal term. A kennel can be a place, obviously, where dogs are kept. It could be used as a business as far as holding animals for a weekend when somebody goes out of town. That could be the definition of a kennel. The dog warden licenses dogs and they will sell kennel licenses also. That's if you want to have so many dogs for business, pleasure, etc. It does not necessarily mean that it has to be a business oriented permit.

Mr. Ribelin asked if the Portage County Dog Warden issues the permits.

# Public Health & Safety Committee Meeting Minutes February 13, 2012 Page Six (6).

Mr. Finney responded in the affirmative stating he is at least in control of the permits. They are sold in various locations. As far as who is going to monitor that dog tag with that number, it's that department. They have one case where one person, although they claim not to be in the dog business, but they're purchasing a kennel license because it's cheaper than licensing every dog they have. Rather than getting into that. He wanted to keep it simple and simply state how many dogs are allowed in a household to be housed in a dwelling, not over the age of 12 weeks. The 12 weeks is an issue. It is addressed in the Ohio Revised Code. However, if somebody's animal has puppies, whether it's on accident or whatever, if they're doing it for business, it's not legal, period, unless they have permission. There are mistakes made and a dog could have puppies. There is another issue in August where he and Ms. Engelhart had the great opportunity to enter into this person's house with full hazmat suits on. This man was sheltering animals; dogs and cats. At one point, he had 12 dogs in his basement. He claimed to have 18 or 22 cats, he didn't remember. They only found 12. It was an awful mess. This man felt, in his mind, that he was doing a good thing by taking these animals in his house, leaving them in his house. The reason he got rid of the dogs is the previous property maintenance supervisor leaned on him to get rid of the dogs because of the noise and odor. He had been getting rid of the dogs. He had one left. When the APL took that animal out of the house, it was in terrible shape. It was nearly dead. That's where the sheltering and fostering issue comes in. In his research, the two words could be utilized kind of the same so he wanted to make sure; in some ways they are actually different; sheltering and fostering. That's what he's defined and as it states should not be permitted in a residential district, period. That will alleviate somebody from taking in an animal here or there before you know it they have five animals because they can't get rid of them although they all agree that these people who do this serve a beneficial function to society. It doesn't belong next to you. It doesn't belong as your neighbor.

Mr. Ribelin said he knows all the members of this committee have had an opportunity to come up with a number of dogs that would be permitted. They kicked around several different numbers and came up with four. That seemed to be the general consensus at this time.

Mr. Ricciardi asked how they handle this is the auditor issues these kennel permits and they have issued some in the city of Ravenna.

Mr. Finney said he talked to Dave McIntyre about it. He understands his position. He's not able to police it for the city. He just does his part and that is to go out and investigate on a bi-yearly basis, whoever pulls these permits. He makes sure they meet the Ohio Revised Code as he enforces it.

Mr. Ricciardi said presumably that may be in conflict with the ordinances if the kennel permit allows them to have a certain number.

Mr. Finney said that it's always been his understanding that being a charter city, our code supersedes the Ohio Revised Code.

Mr. Ricciardi said he understands that. He spoke with Mr. McIntyre as well and pretty much told him that if they issue that kennel permit and it's not in compliance with the ordinances they will then start citing people under the ordinances, even if they believe that kennel permit gives them the ability to do whatever it is they do.

#### Public Health & Safety Committee Meeting Minutes February 13, 2012 Page Seven (7).

Mr. Finney said that is a complete zoning violation, too. Dave doesn't address the zoning issues.

Ms. Michael asked how it is that the pictures they saw; how are those situations permitted to continue to go on and on. What is the hold up? Is it going to take this ordinance restricting the number of dogs to resolve these issues. She knows this and the one on Diamond Street have been ongoing and ongoing. The neighbors have suffered for some time now. They don't see anything getting done or resolved.

Mr. Finney said that it's his understanding in years past, they did try to address the situation. It was never brought out of committee or just got stalled.

Ms. Michael said it's been over a year since they got calls about Diamond Street and there is nothing getting done.

Mr. Ribelin said he does think that when there are nuisance calls to those properties, there is the chronic nuisance ordinance that does cover that. One of the questions he asked today was how they were coming along with the software implementation so that all of the different departments have calls can coordinate so they can add them up and know how many calls an individual has had. The answer was, part of it is implemented.

Ms. Engelhart said it's being beta tested right now. The bugs are being worked out of the software currently. The chronic nuisance ordinance, they are issuing letters for that. She just finally worked with Mr. Cimino to get the language in the letter to make sure it meets what is in the ordinance. They are issuing those letters if they are notified by the other departments that there is an issue. Because she and Mr. Finney work closely together, these kinds of issues, they are communicating back and forth. Because she is the interim health commissioner, she gets the health department reports as well. Between property maintenance, the service department and the health department, they have that coordination. She does have one being issued for chronic calls to the police department, which is a misuse of the 911 system. They are starting to address those. The Diamond Street issue has not been brought to them since she's been here.

Mr. Ribelin said that those calls usually come in during the summer because of the smell and the noise. Some of those might have been before they put that nuisance ordinance in place.

- Ms. Michael said that it seems like it is an ongoing thing.
- Mr. Ricciardi asked if the noise is being addressed in one of these.
- Mr. Finney said that it's in the code already.
- Mr. Ricciardi said then that might resolve the problem.

Ms. Michael asked when the one they have pictures of is going to get cleaned up and taken care of.

Public Health & Safety Committee Meeting Minutes February 13, 2012 Page Eight (8).

Ms. Engelhart said she is sending that chronic letter out now. They have 30 days from now to either abate the nuisance or remit a plan to her as to why they can't do it within 30 days or what their timeline and plan is to take care of it. That is what the ordinance says.

Mr. Ribelin said they are allegedly selling dogs out of their home.

Ms. Engelhart responded in the affirmative noting it is a zoning violation. But they don't have proof of that, which is another issue. They've been told they are selling dogs out of there but they haven't seen it.

Mr. Finney said allegedly they are advertising in the newspaper and use that address and phone number. They are mastiffs. It's been brought to their attention in the past. At one time, the story he was told was that it was an older woman who was counting on this for her income. They claimed she was getting through one more litter and then be done. To answer the question as to why anything hasn't been done on Diamond Street is because the complaints aren't continuous. They come and then they stop.

Ms. Michael said that it could be just that it comes in the summertime. She drives by there on a daily basis. She spoke with the neighbor a few weeks ago. He's very disgusted. It's a mess.

Mr. Finney said to give him the address and he'll make sure they address it. He's sure there will be an article in the newspaper regarding this. This is a good time to address these issues. People have to understand there is no grandfathering clause. No where in the code does it ever address a grandfather clause. That is a whole other issue but in this case there will be provisions made for these people to get out of this business so to speak. They're not going to say they must get rid of them today. They're going to be given maybe 60 days or 120, whatever it is; give them a chance to sell them or whatever it takes and hopefully get it done before summertime. Obviously, they are understaffed for somebody to be running around looking for piles of dog mess. The neighbors are the ones who call and tell them. There is an issue on Main Street. Again, it's an elderly woman. He believes people left her these dogs and she's stuck. It's a small fenced in area. They have problems with her and garbage, too. In looking at the map. One is a rental property. These issues with dogs often come along with rental properties. They go hand in hand.

There being no further questions or comments, it was decided by those present that a tracking sheet would be submitted for Finance Committee approval.

There being no further business for discussion, the meeting adjourned at 5:55 P.M.

ATTEST:	
Clerk of Council	Bruce Ribelin, Chairman
	Public Health and Safety Committee