

**NORWALK CITY COUNCIL**  
**MINUTES**

January 31, 2017  
7:30 p.m.

Municipal Court  
Norwalk, Ohio

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**SAFETY COMMITTEE MEETING**

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Safety Committee Chair Samantha Wilhelm called the meeting to order. The following Council members were present: Samantha Wilhelm, Deb Lucal, Kelly Beck, Dave Wallace, Chris Mushett, Chris Castle, and Steve Schumm.

Item No. 17-010

AN ORDINANCE AMENDING SECTION 549.08 OF THE NORWALK CODIFIED ORDINANCES PERTAINING TO FIRING RANGES

Mrs. Wilhelm began the meeting by asking Law Director Stu O'Hara to explain what the Safety Committee was together to discuss. Mr. O'Hara said that *Item No. 17-011* is an ordinance to amend the zoning code to allow indoor or outdoor shooting ranges in the M-2 industrial districts. He said before there can be outdoor shooting ranges within the City, Section 509.08 of the Norwalk Codified Ordinances has to be addressed because it prevents the discharge of firearms within the City. He said the issue before the Safety Committee is whether Section 509.08 should be amended to allow for the discharge of firearms in outdoor shooting ranges that are both located in the appropriate zone and are constructed pursuant to the NRA Range Source Book.

Mr. Wallace said he drove around the zone in question. He said he talked to neighboring businesses and they were all in favor of an outdoor shooting range. The only issue he said he came across was the Foundation Church and their concerns with a shooting range being open Sunday mornings during church services. Mr. O'Hara said limits to the hours of operation would need to be set by Council or the Planning Commission. Otherwise, Section 1533.84 of the Ohio Revised Code allows for the operation of outdoor shooting ranges from 7am – 10pm.

Mrs. Wilhelm asked who would be responsible for inspection. Mr. O'Hara said the Zoning Inspector and Public Works Director would be responsible.

Mr. Mushett asked about setback requirements and noise concerns. Mr. O'Hara said the Ohio Revised Code refers to the NRA Range Source Book in reference to setbacks. As for noise concerns, Mr. O'Hara said there are two noise ordinances that don't apply to the discharge of a firearm. He said the Ohio Administrative Code says you cannot exceed 90 decibels for one hour out of any 24 hours or not exceed 85 decibels for eight hours out of any 24 hours. He said the Police Department is the only entity in the City who has sound measuring devices.

Mr. Beck asked if the Norwalk Police Department has received any complaints about the shooting range at the reservoir. Chief Light said he doesn't remember fielding any complaints. He said the range has been there since 2000.

Mr. Mushett said he has received many calls concerning constant noise from an outdoor shooting range. Mr. Wendt said his concern is that a range could currently operate outside of the City limits, but the City would then have no control over regulations and would not benefit from tax revenue.

Mr. Castle questioned if this legislation passes would every M-2 zone be a place where you could discharge a firearm. Mr. O'Hara said not within 1000 feet of a residential district. He added that if Council wanted to increase the distance they could.

Mrs. Wilhelm asked how many M-2 districts are eligible. Mr. Wendt presented maps to demonstrate the M-2 zones in the City. Mr. Castle said the closest residential area to the M-2 zone is located on Laylin Road 715-725 yards away.

Mr. Wallace asked if the legislation applies to a certain property or would be city-wide. Mr. O'Hara said city-wide. Mr. Beck pointed out that anyone interested in opening a shooting range would still have to apply to the City and be approved.

Mr. Mushett asked if the proximity to a roadway presents any safety issues. Mr. Wendt said the shooting range would not be approved for automatic weapons, only handguns which have a shorter range. He also said the Administration is in favor of the shooting range.

Jeremy Norris, 94 Eastwood Drive was present and wanted to address some of the concerns presented. He explained that the shooting range he is proposing would be a walled facility with ballistic concrete barriers surrounding the entire range. He said there would be a canopy style roof and the chance for stray bullets is not possible unless someone intentionally fired out of the facility. He added that he plans for the hours of operation to be 9am to 8pm and he is willing to work around church hours. Mr. Schumm pointed out that signs would be posted in the area to warn of the shooting range.

Mr. Castle asked Chief Light if he feels the facility Mr. Norris is proposing is a safety risk. Chief Light said Mr. Norris has proposed a facility that exceeds the NRA Range Source Book standards. He said he does not foresee any safety issues.

Mrs. Wilhelm questioned what the next step would be if both pieces of legislation were to pass. Mr. O'Hara said it would be up to the Board of Zoning Appeals to either approve or deny the conditional use permit. He added that it would be up to the BZA to impose any additional conditions.

Steve Risner, 65 Chapel Drive was present and questioned the zoning process concerning changes in the city limits. Mr. O'Hara explained the zoning process.

Mayor Duncan reiterated what Mr. Wendt said in reference to the Administration being in favor of the shooting range. He said his concern is the City losing control to regulate the shooting range project and missing out on revenue.

Randall Michaud, 61 Executive Drive was present and said he can hear the Norwalk High School band and Summit Raceway louder from his house than he can the Police Department shooting range.

Cynthia Keele, 26 Reed Street was present and said she currently goes to Oberlin to shoot her handguns. She said she would like to see Norwalk get a shooting range.

Matthew Dotson, 29 Benedict is the owner of a gun shop in Norwalk. He said he gets customers asking where the nearest shooting range is. He said he feels a shooting range in the City would draw out of town business.

There being no further business to discuss, the meeting was adjourned.

## WORK SESSION

Council President Pro Tempore Chris Mushett called the meeting to order. The following Council members were present: Chris Mushett, Chris Castle, Steve Schumm, Dave Wallace, Kelly Beck, Deb Lual, and Samantha Wilhelm. Steve Euton was absent.

Mayor Rob Duncan, Law Director Stu O'Hara, Finance Director Diane Eschen, Safety Service Director Dan Wendt, Fire Chief John Soisson, Police Chief Dave Light, Zoning Inspector Mitch Loughton, Parks and Recreation Superintendent Joe Lindenberger, and Public Works Director Josh Snyder were also in attendance.

### Item No. 17-012

A RESOLUTION AMENDING JOB CREATION GRANT AGREEMENT NO. 2016-001 TO CORRECT A CLERICAL ERROR

Mr. O'Hara explained this legislation is to correct a typographical error.

Council members agreed to place this item on the agenda.

### Item No. 17-013

AN ORDINANCE AMENDING AND SUPPLEMENTING THE 2017 ANNUAL BUDGET AND APPROPRIATION ORDINANCE NO. 2016-045 AND DECLARING AN EMERGENCY

Mrs. Eschen explained the various items in the supplemental.

Mr. Lindenberger was present and said that the Parks and Recreation department received a donation to purchase two new Octane elliptical machines. He said there will be some money left over to purchase a couple smaller exercise machines in addition. He also discussed the new batting cage net made possible by grant monies from the Ohio Department of Natural Resources.

Mr. Mushett asked how much revenue the batting cages generate. Mr. Lindenberger said they net around \$4,000 to \$5,000 annually.

Council members agreed to place this item on the agenda.

### Item No. 17-014

A RESOLUTION AUTHORIZING THE MAYOR AND FINANCE DIRECTOR TO TERMINATE THE EDA-RLF PROGRAM

Mrs. Eschen explained that the Economic Development Administration does not approve of the funds merely sitting in city accounts. She said they would like the funds returned. She added that if an eligible project presents itself in the future, the City can reapply for the funds.


Council members agreed to place this item on the agenda.

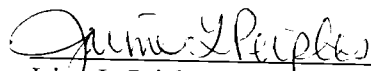
Chief Soisson presented the 2016 Fire Station year-end report.

Mrs. Eschen distributed her 2016 year-end report to Council and requested that any Council member with questions contact her.

## UNFINISHED BUSINESS

**ADJOURNMENT** There being no further business to discuss, the meeting was adjourned.

  
Stephen L. Euton, President Pro Tempore  
Christopher C. Mushett

  
Jaime L. Peiples, Clerk