

**ORDINANCE REVIEW COMMITTEE  
MEETING MINUTES  
Mayfield Village  
March 14, 2017**

The Ordinance Review Committee met in regular session on Tues, March 14, 2017 at 7:30 p.m. at the Mayfield Village Civic Center Conference Room. Chairman Dr. Stephan Parker presided.

**ROLL CALL**

**Present:** Dr. Stephan Parker Chairman  
Mrs. Mary Ann Wervey  
Mr. Paul Fikaris  
Mr. David Hunter  
Mr. John Marrelli

**Also Present:** Gino Carcioppolo Fire Chief  
Ms. Deborah Garbo Secretary

**Absent:** Mayor Bodnar  
Mr. Mark Guidetti Asst. Law Director  
Mr. Tom Cappello Village Engineer

**CONSIDERATION OF MEETING MINUTES: Oct 11, 2016**

Mrs. Wervey, seconded by Mr. Marrelli made a motion to approve the minutes of Oct 11, 2016.

**ROLL CALL**

Ayes: All                      **Motion Carried**  
Nays: None                    **Minutes Approved As Written**

**ORGANIZATIONAL 2017**

- **Dr. Stephan Parker, Chairman**
- **Joseph Saponaro, Council Alternate**

As per Code Section 125.04 PURPOSE;

The Council President, or his/her designee, shall act as Chairman of the Committee.

**PROPOSAL**

1. Ordinance No. 2017-04 **(Fire Dept)**  
New Chapter 1505; Automated External Defibrillators Required  
New Title Part Fifteen; "Fire Prevention and Life Safety Code"

**OPEN PORTION**

Chairman Parker called the meeting to order, introducing himself in his role as the new 2017 Council Representative to the Ordinance Review Committee. I know most everyone here. If you could please, introduce yourselves.

### **Introduction to New Chapter by Chief Carcioppolo**

Chief Carcioppolo explains tonight's proposal. This is the Automated External Defibrillator Required which creates a new Chapter in Chapter Fifteen of the Fire Code, and it would be called the Fire Prevention and Life Safety Code because this deals with Life Safety and it's not really pertinent to Fire Suppression or Fire Protection Systems. This is in my opinion necessary in the establishments listed because those establishments have a higher propensity for a cardiac related emergency. With the new push for Nursing Homes and Assisted Living Facilities, I believe it's important to try to have something like this in place because there is currently no State Legislation that requires it.

For us, when we respond to a call, there's a lot of different factors that play into that, cellular calls to PSAP delay our dispatch center from getting a call for help. Someone calls from their cellphone, you have 1 ½ minute delay by the time our dispatch center receives the call. Then they have to acknowledge and understand what's going on. You're looking at potentially 2 to 2 ½ minutes before we even get notified that we have an emergency to go to. By the time we mobilize, our out the door time is anywhere from 1 to 2 minutes. You're starting to get to 4 minutes, and 4 minutes is where you're starting to kill brain tissue if you don't have a pulse. Early CPR and early defibrillation is the proven method, best way to respond to a cardiac event.

The facilities listed here i.e. nursing homes, assisted living facilities, rehabilitation facilities, they have trained medical staff. Over the years when we've responded to these places, we don't inquire as to why they're not doing the things that we do, we go treat the patient, take them to the hospital, come back to the station and write the reports. It was interesting to find out late last year that we didn't have any AED's. That didn't make sense that you'd be a care facility and not have to have these when you're employing people that are health care professionals. We looked through State Legislation, couldn't find anything, and that's when we brought up the concept of enforcing it locally. It does make a difference in people's lives.

Chief Carcioppolo concludes, the training we've been providing for free for years to different businesses and residents, we intend to continue doing. The only impact to the businesses would be to purchase and maintain the automated external defibrillator.

Chairman Parker opened up to any questions.

Mr. Marrelli asked, what if somebody goes into cardiac arrest and the people on duty are afraid to do anything with the AED, because what if they kill them?

Chief Carcioppolo replied, there's a good Samaritan Law, we're all protected, Fire, EMS and even civilians. The AED is designed for a non-medically trained person to operate. It gives you

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instructions from the time you turn it on. It'll tell you to connect the electrodes, place the patches on the person, and there's a picture of how to do that. It gives you prompts as the machine is analyzing.

Mrs. Wervey asked, what's the cost of one?

Chief Carcioppolo replied, they've come down, they're \$1500 and less. I've seen them for \$800 at Costco. When you look at the type of businesses that use them, rehab centers, nursing homes, they're billing Medicaid for medical care. I feel it's a standard of care that shouldn't be left behind.

Mrs. Wervey said, your list has physical fitness facilities, are you thinking the Racquet Club?

Chief Carcioppolo replied, the Racquet Club actually has one. They've been a part of our CPR program. In fact, one of their workers, a young kid that went through our CPR training actually saved someone there. We presented him with a Resolution at a Council meeting. They chose to have that on their own for years. The exercise facilities have a higher propensity for that because you're stressing your heart, you have exercise induced stress.

Mr. Hunter said, I've used the Progressive fitness center for about 15 years. They're open 7 days a week. There's a tremendous number of hours at which there's no staff. Sat & Sun, no staff. I'll go 8:30 am and there's no staff.

Chief Carcioppolo said, this is something you don't have to be trained to use. If you're anywhere and have a cardiac arrest or a lethal cardiac arrhythmia and you're alone, then there's really nothing that's going to help you. If there's other people exercising, then they call 911 and they receive emergency medical, EMD dispatching that gives them instructions as to what to do.

Mr. Hunter asked, do you know if the facility has an AED in a location where people would recognize it?

Chief Carcioppolo replied, they're typically mounted on the wall in a box that identifies it.

Chairman Parker said, that's a good point. Is it possible to include in there that facilities need to not only make their staff aware of the location, but if it's a public exercise facility, they need to acquaint all members with the AED. In other words, if I were to join that PRG facility, they may give me a tour of the place and say; here are your benefits and here is the AED. Is there any way to incorporate that into our ordinance?

Chief Carcioppolo replied, when we do fire prevention, we go out and do inspections and look at equipment like this. We have conversations with the staff.

Chairman Parker said, I don't know if the ordinance should address adequate training in terms of telling people where it is, is that part of the ordinance?

Chief Carcioppolo replied, it is not listed in there to mandate training.

Mr. Hunter said the problem with that is turnover in personnel.

Chief Carcioppolo said, the Fire Code requires emergency planning for each occupancy, how to do evacuation plans, training for the staff. This just kind of adds into that.

Chairman Parker said, I'm just trying to see in there's something in the ordinance that we need to improve/embellish upon that might require them to do certain things, don't know if that's even appropriate to have in there or not. Thought I'd mention it.

Mr. Hunter said, you go into some detail about maintaining the device. I think the personnel is a much bigger issue.

Chief Carcioppolo said, if you guys want to change the language, that's your prerogative. I don't think it's necessary. It kind of encompasses the fact that they shall train people and we'll be helping them with that.

Mr. Hunter said, but you're not training the people that are there.

Chief Carcioppolo said, we can't possibly train every person that's going to come in contact.

Mr. Hunter said, you should have back-up procedure.

Chief Carcioppolo replied, we are the back-up procedure. This is just to try to fill in the gap between us arriving on scene.

Mr. Hunter asked, if somebody's in the facility, do they know what to do?

Mr. Fikaris said, it's the same difference having knowledge and willing to execute your CPR when somebody goes down.

Chairman Parker said, I think we can legislate protocols & procedures for the business in terms of making staff aware of the AED location, and when people get exercise memberships, they should be made aware of the locations as well.

Mr. Fikaris said, I took the Mayfield Village CPR class a long time ago when I was in Scouts. We were exposed to the AED. I thought it was the greatest thing. I thought it was a shame it wasn't more wide spread. This is the first step to hopefully creating awareness about these devices and their locations. I notice them now. We bought one for our Church. These are definite life savers. I'm sure there's public literature available, maybe e-mail blasts to say hey, these things are out there. They're fairly self-explanatory, but same as if you're CPR trained, would you engage in helping somebody? I think with the first step of requiring them, that's a great first step.

- **Offering AED's for sale to the public**

Chairman Parker states, this isn't part of the ordinance, but have you looked into offering these for sale like the fire detectors?

Chief Carcioppolo replied, Law Director Diemert said it was o.k. to extend the State Bid pricing. That's specific to what we use on the ambulance, so it may be more expensive than what someone might want to buy for their business because we buy what actually integrates with our monitor, we buy one consistent patch that plugs in the same way. We don't have to buy multiple patches, we have one vendor we use.

Chairman Parker said, when we did the smoke detectors, it was very well received. Maybe if we talked to Phillips about buying them if they have a special program that they'd be available to businesses at a discount rate. It's a good public relations type of thing.

Chief Carcioppolo states, as far as the funding mechanism, I don't have any monies budgeted for subsidizing.

Chairman Parker said, Phillips might have a program where they might offer it to communities. It might be a benefit to the community and encourage more use of them.

Chief Carcioppolo said, I did look into pricing on my end. Because of so much on line pricing, there isn't really any huge discounts, even if we purchase quantities locally for Police & Fire, there's no discount because they're all so competitive on line.

- **No Certification Requirement**

Mr. Hunter asked, is there any certifications on these that meet certain standards?

Chief Carcioppolo replied, no. If it's an automated external defibrillator, it meets the guidelines for functioning as such.

Mr. Marrelli said, it's probably UL listed. It's got to have some kind of testing.

Mr. Fikaris asked, is there any insurance advantage?

Mr. Marrelli replied, insurance companies don't really care. We have requirements for fire alarms here, but most towns don't and when we get graded at the end of the year by the ISO, we bring it out and they say that's o.k. You would think we'd be getting a break. Everything in town is either sprinklered or has alarms and nobody's getting a break on their insurance.

Chairman Parker asked, any other questions?

- **Defining Physical Fitness Facilities; Section 1505.03**

**1505.03 APPLICATION.**

**The following facilities shall install and maintain automated external defibrillators (AED's): All Assembly Occupancies exceeding an occupant load of 200 persons, nursing homes, assisted living facilities, rehabilitation facilities, public and private K-12 schools, and all physical fitness facilities in the Village.**

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Mr. Marrelli said, under 1505.03, I'm not sure how you came up with Assembly Occupancies exceeding an occupant load of 200 persons. Was that an arbitrary number?

Chief Carcioppolo replied, we didn't want it to affect anything smaller i.e. a smaller restaurant. We wanted it to be more for a larger venue such as the Conference Center.

Mr. Marrelli said, physical fitness facilities is not defined. Does that mean the Yoga Studio, the kids Dance Studio? Are those considered physical fitness facilities?

Chief Carcioppolo replied, I believe they are. The Law Dept added that in.

Mr. Marrelli states, I think a clarification on what you consider physical fitness facility might be. If you get a good lawyer, he could say this is a gym and the Yoga Studio is not a gym, the Dance Studio is not a gym. Maybe Crooked River Crossfit would fit that definition.

Chief Carcioppolo replied, that's something the Law Dept will have to weigh in on.

- **Recommendation to Safety & Service Committee for consideration of AED devices @ Ballfields, Pool & The Grove**

Chairman Parker asked, do you have an AED at our ballfields?

Chief Carcioppolo replied, not outside.

Chairman Parker said, you should. What if somebody gets hit in the chest with a softball?

Chief Carcioppolo replied, we'd have to look into some type of weatherproof box or enclosure. It might be difficult because it has to be accessible.

Mr. Marrelli asked, how about hanging one outside on one of the bathroom walls?

Mr. Hunter said, I'd be concerned with somebody stealing it.

Chairman Parker said, there's a lot of activity there. Maybe that's more Safety & Service. Maybe we could recommend they consider whether we should have these devices in different locations.

Chief Carcioppolo said, I think they're easier to secure in a structure. If it opens, it activates an alarm.

Chairman Parker recommends Safety & Service look into the need for these devices at certain Village properties, i.e. softball fields, pool.

Mr. Fikaris asked, with the facilities as big as Progressive, do they have them in their offices as well?

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Chief Carcioppolo replied, both Progressive campuses have a Doctor's office in them. They have a medical response team with Nurses and Doctors.

Mr. Fikaris asked how many are in the Schools.

Chief Carcioppolo replied, the Schools have more than one, multiple ones because of their size.

- **Operation of the AED device**

Mr. Hunter, going back to the operation part of it. You go into some detail about the maintenance of the device, but there's not a word about the operation of it. I think we need a paragraph that develops a procedure according to the facility in what makes sense. There's nothing in here as far as operation at all.

Chief Carcioppolo said, we may have been remiss in that. It doesn't really take any training to use it, short of a CPR class.

Mr. Hunter asked, are you telling me if someone walks in a room and sees that box, they'll know how to operate it? If you're in a facility and somebody drops over, do you think someone's going to walk over and start reading the instructions?

Chief Carcioppolo replied, if they're prompted to and someone activates 911 and calls for help.

Mr. Marrelli asked, what would that facility do with the procedure they develop, hang it on the wall?

Mr. Hunter replied, it's up to them.

Mr. Marrelli said, here's my point. You can write anything you want in here, who is going to read it? If you want the public to know these things then you should mandate that a placard be put somewhere with dummy instructions.

Mrs. Wervey asked, what really started this? It started with the idea that the nursing homes, assisted living facilities and rehabs should have these. That's your goal here. The other places are a bonus.

Chairman Parker asked, isn't that like preaching to the choir? I'm sure those facilities have these things. I can't imagine Governors Village doesn't have them.

Chief Carcioppolo replied, they don't.

Chairman Parker said, that's hard to believe.

Chief Carcioppolo said, that's why we came up with this. You show up at these health care facilities and expect these things to be in place. When we're in the moment, we're not thinking about; why aren't you doing this, we're taking over and we're going to do our job.

Chairman Parker said, back to Dave's point, do we need a safe operating procedure manual?

Chief Carcioppolo replied, it's hard to dictate a complete document for every organization. If we say you have to develop policies and procedures pertaining to the use of this device, they could say "only trained people in CPR may use this" or they could come up with a bunch of rules because they're concerned about liability. We're more interested in having the device available for anyone to use. To put your mind at ease, right now if this happens at any of these places, there's no chance that you're going to get any of this care. Just by having it there, there's a potential that someone has the ability to do it. Trust me, the Fire Department is over the top into public training and getting everyone trained in the use of this. We would love to say we're going to train everyone in the community on how to use this, but that's not a feasible option. Some people don't want to and some people even with the training don't want to. That's why when we do have a good case of someone taking action like the 18 year old kid from the Racquet Club, we try to publicize what he did. You received the training, you acted and you saved this person's life. The event survivor came to the Council meeting. That's a win. We're looking for the ability to have these in places that are high risk and promote the ability to save a life when there's the potential to do that.

Mr. Fikaris asked, doesn't **Section 1505.05; Training** cover that?

Chief Carcioppolo replied yes, that talks about staff.

Mr. Hunter said, there's never staff on the weekends at Progressive. On the weekdays they open at 6:00 am and usually no staff until 8:00 am. In medical facilities, you're right, you have a lot of trained people, is that true with the schools or any gathering place?

Chief Carcioppolo replied, we do a pretty good amount of CPR training at the schools. They have the AED's. They're very concerned about safety.

Mr. Hunter said, I'd still like to see something comparable to what you have in paragraph **Section 1505; Maintenance**.

Chief Carcioppolo said, I could try and come up with something.

Mr. Fikaris asked about maintenance.

Chief Carcioppolo replied, these are pretty easy. There's a battery pack and it normally says o.k. and a little digital screen. That battery will last for potentially years. The only maintenance you really have to do is make sure the patches themselves are not expired because they lose their adhere ability and don't stick as well. I believe ours right now are almost 10 or 15 years old, the ones we have on our vehicles.

Mr. Fikaris asked, this maintenance section, would this be included in your routine safety check, are those annual?

Chief Carcioppolo replied, for us to check if they're doing that, yes that would be a part of our annual fire inspection. We do that already at the facilities that already have them. We open the

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packs and look at the expiration dates. We don't have any legal authority to say you have to do this, but if we find something that's not in place, we'll say you need to get these replaced because they're not going to work. We'll recommend they buy new patches.

Mr. Hunter asked, with this ordinance now, if you do an inspection and find that's it's not up to speed, through this, can you issue a notice?

Chief Carcioppolo replied, we wouldn't penalize them. We'd issue a Correction Notice along with any other fire code violation such as your exit light's not illuminated, your extinguisher needs to be serviced. In 30 days, we'd come back for re-inspection and check off that those things were corrected.

Mr. Marrelli said, I'm hung up on the **1505.03 Application** section; public and private K-12 schools. Would that also include home schooling?

Chief Carcioppolo replied, no. We don't know who does home schooling.

Mr. Marrelli said, that's true. Then my only hang up would be to get a definition on physical fitness.

Chief Carcioppolo said, that's a Law Dept thing. Do you think they should add Dance facilities?

Mrs. Wervey replied, I think that's too much. If you have a little Yoga Studio, you expect them to spend \$1500.00?

Mr. Marrelli said, there's a Yoga Studio across the street that turns the temperature up 100 degrees.

Mrs. Wervey said, you're targeting a 200 person occupancy load, a Nursing Home, Assisted Living, these are big facilities and they should have that stuff. Now you're talking about a 10 person Yoga Studio, that doesn't seem right to me.

Mrs. Wervey asked, don't gyms have occupancy loads? Can't you do physical fitness facilities that exceed a certain load?

Chief Carcioppolo said, you mentioned the Dance Studio. When Lakeshore Dance does their party every year, they have over 300 people in there. I'll speak to the Law Dept. Do you guys want to wait another month to go back over the revised language or are you good with this going to Council for final approval after it's defined.

Mrs. Wervey replied, my opinion is I think you have to define that.

Mr. Marrelli agreed. You might want to re-word it to designate it as strenuous physical activity versus physical fitness. If there's high intensity exercising or training going on, that kind of facility should have something in place if somebody goes down.

Chief Carcioppolo said, I would say gymnastics is physical fitness. What's Lakeshore permit for?

Mr. Marrelli replied, for training.

Mr. Fikaris suggested changing fitness to exertion.

Chief Carcioppolo states, I don't want to push this out another month and then another. I want to get this done. If we could come up with language that this Board agrees is appropriate, that I could give to the Law Director and he's o.k. with it, then we could move it forward.

Mr. Hunter replied, no. I don't think you're close. I don't think a month makes any difference. The application as people have pointed out is very vague.

Chief Carcioppolo said, I can argue that it isn't. Whether you're doing yoga in a studio that has 10 people and it's hot yoga and you're physically exerting yourself, you have the same potential as someone working out at Crooked River Crossfit doing high intensity. You have the same potential for having a lethal cardiac arrhythmia. The only way you could really change that is to put a limit on the occupant load or if it exceeds an occupant load, require it, and I don't know what that number would be. I didn't want it to affect places like the Backyard Nature Store or Spirit of Clay.

Mr. Marrelli said, there's no physical exertion in those stores. That's the key.

Mr. Fikaris asked, the building on Wilson Mills that houses the Barber Shop, that has x number of people, however its owned or leased. It would make more sense to require that building to have one. The building, not the separate occupancies.

Chief Carcioppolo said, the issue with that is the separate entrances. You can't access it all from one common place.

Mr. Marrelli added, it's not an Assembly Occupancy either.

Chief Carcioppolo said, there have been in years past, more young people having cardiac arrests at football games and sporting facilities.

Mr. Marrelli asked if anybody wanted to take a stab at rewriting the last sentence in **Section 1505.03**.

Suggestions:

- **Facilities intended for physical activity.**
- **Facilities intended for moderate or greater physical activity.**
- **Strenuous physical activity.**
- **All facilities in the Village whose occupants engage in activities that are of moderate or higher level of physical exertion.**

Mr. Hunter asked, an occupancy load of 200 that stands by its own-

Mr. Marrelli said, that's Assembly Occupancies, i.e. a Dance Hall.

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Chief Carcioppolo said, Assembly Occupancies are defined in the Building Code.

Mr. Marrelli said, most of the people that are in the construction business know what an Assembly Occupancy is versus a Business Occupancy.

Chief Carcioppolo said, not that I expect you to understand, because this is a form of code language-

Mr. Hunter said, I understand, I've worked construction. I understand what the term Assembly Occupancy means, but the way it's written here, I don't know if that also applies to the size of nursing homes, it's not clear.

Mr. Marrelli said, nursing homes is separate, assisted living facilities is separate, rehab facilities is separate.

Mr. Hunter states, I'd like to see something about procedure.

Chief Carcioppolo said, I don't think I'd advise making a procedure for how to operate it.

Mr. Hunter said, I'm not saying to write a procedure. I'm saying to ask the entity to write a procedure.

Chief Carcioppolo said, I would say that under **1505.05 Training**, after the last sentence that says program offered by the Mayfield Village Fire Department, you could add a sentence that says each occupancy shall develop an informational bulletin to issue to its patrons or occupants advising them of the location.

Chairman Parker states, there's a difference between someone who walks into a facility and someone who walks into a facility with the intention to utilize that facility. Someone who is either working at the facility or paying to use the facility, like a physical fitness center, they should be required to make employees and those individuals that utilize the facility aware of the presence of and the location of such devices. Example, here's your locker, here's your key, here's the AED.

Chief Carcioppolo added:

**“Each occupancy shall attempt to make notification to occupants of the availability and location of such devices”.**

## **DECISION**

Mr. Marrelli, seconded by Mr. Hunter made a motion to forward this to Council for passage with the two areas 1505.03 and 1505.05 discussed and the language discussed for change without further discussion by the Ordinance Review Committee upon review and approval by the Law Department for such changes.

## **ROLL CALL**

Ayes: Dr. Parker, Mrs. Wervey, Mr. Fikaris, Mr. Hunter, Mr. Marrelli

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Nays: None

**Motion Carried.**

**Recommendation to Council upon review and approval of changes by Law Department.**

## **ADJOURNMENT**

Mrs. Wervey, seconded by Mr. Marrelli made a motion for adjournment.

## **ROLL CALL**

Ayes: All

**Motion Carried.**

Nays: None

**Meeting adjourned at 8:40 p.m.**

Respectfully Submitted,

Deborah Garbo

Executive Assistant

Building Department