

REGULAR MEETING

in Council Chambers @ 7:00 p.m.

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- 1. **CALL TO ORDER.** President of Council Kilway called the Regular Council meeting of Thursday, January 23, 2020 to order at 7:00 p.m.
- 2. **PRAYER:** Rev. David Brumbaugh, Congregational Church, Tallmadge.
- PLEDGE OF ALLEGIANCE.**
- 3. **ROLL CALL:** Mrs. Allman, Mr. Bollas, Mr. Carano, Mrs. Kilway, Mr. Loughry, Mr. Sisak – present. Also present were Mayor Kline, Dir. of Admin. Cooper, Dir. of Pub. Service Rorar, Dir. of Law Raber, Dir. of Finance Gilbride and Clerk of Council Burton. Mr. Donovan was excused.
- 4. **MINUTES:** 1-9-20 Organizational Meeting Minutes
1-9-20 Regular Council Meeting Minutes
(To be provided)
- 5. **FINANCIAL REPORTS:**

- **Consolidated Investment Portfolio for the period ending 12-31-19 to Council on 1-21-20.**

Mr. Sisak moved to accept the financial reports. Seconded Mr. Carano. Voice vote 6-0. **The Financial Reports submitted by Dir. of Finance Gilbride were accepted by a vote of 6-0.**

- 6. **PUBLIC HEARINGS:** None.
- 7. **COMMUNITY INPUT:**

- Audley McGill – Mobile Meals of Northeast Ohio

Pres. of Council: We were supposed to have Audley McGill from Mobile Meals was supposed to be here. She might show up a little late and so we will see if we can put her in when she does come. At this time, is there anybody else that would like to come and discuss anything for public input? Per our Rules of Council, just about 3 minutes; OK? If you could state your name and address again.

Robert McWhirter, 842 Treat Blvd, Tallmadge.

I would really like to stop meeting like this, but here we are. This is the third time I have been at a meeting and the questions that I had from the first meeting, second and third meeting are still there. Why did the City get involved; how did the City get involved; why was there no public discourse related to this litigation; why did Council only discuss it in Executive Session; why was it all done in secret and hidden from the public and the press; and how much taxpayer’s monies have been spent? These questions still remain and have not been answered.

So, I guess what I would like to do, and I don’t know if any of you have kids that are into MC Universe and all this kind of stuff, so I would like to go to an alternate time. So, it is 2021; House Bill 228 has been defeated and it has been determined that the cities can pass their own gun laws. So, before us tonight is Ord. 2-2021; it has had its three readings; it is now before Council for approval; all debate has taken place and it is time to vote yeah or nay. Ordinance 2-2021 reads as follows: “A well-regulated militia being necessary for the security of a free State the right of the people to keep and bear arms shall not be infringed.” How do you vote; yeah or nay and I would like to ask the question of Councilman Loughry; how would you vote?

Dir. of Law: Point of order; this is a public comment section; it is not a Q&A section.

Mr. McWhirter: So, again, we don’t get any answers. It is not an uncommon question. The question could be asked; say coming up on an election.

Dir. of Law: You are welcome to speak to the Council people individually and I do actually have a statement prepared because I knew that you would be here tonight. So, if you are ready, I would be happy to talk to you if you want to go ahead and have a seat or if you have anything else to say, please go ahead . . .

Mr. McWhirter: Yeah, I do have one other thing that you know is the basis for this lawsuit and what took place in . . . I don’t know; I’m not an attorney, but the representative from the State of Ohio noted that there are no . . . let’s see; what were the exact words, “claims that all the local ordinances currently in effect do not run afoul with State or Federal law and therefore would not be effected by the law.” That was the . . . but yet, I guess we are still involved with this maybe; hopefully not. So, thank you.

Dir. of Law: Thank you. I do want to take this opportunity to address the concerns raised by Mr. McWhirter about the City’s involvement in the declaratory judgement action regarding House Bill 228. First, it is standard practice for us to refrain from commenting on pending litigation, however, due to the misunderstanding about the nature of the litigation I will issue this limited statement.

The City has joined in with five other municipalities to seek a declaratory judgement from the Summit County Court of Common Pleas. The other municipalities include Cuyahoga Falls, Akron, Barberton, Norton and Cleveland. There is similar litigation in Franklin and Hamilton Counties.

To be clear, I am not speaking on behalf of any other municipality. The issue in our case is whether the State improperly preempted the Home Rule Authority of

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Dir. of Law (Cont'd.) municipalities. The municipalities are not challenging the State's right to adopt general laws governing firearms and ammunition. Rather, the municipalities are challenging the manner and extent of the attempted preemption of the local law found in House Bill 228. Under existing Supreme Court precedent, a municipality may not adopt local regulations that conflict with the State's Firearm Regulations. House Bill 228 appears, however, to violate the Home Rule Amendment because it appears to preempt all local firearm ordinances even if they do not conflict with State Law.

It is the municipality's position that such an attempt to preempt local laws is unconstitutional and a violation of Home Rule. In this regard, House Bill 228 is poorly written and has created great confusion throughout the State about its applicability to local firearm ordinances. The cities are therefore seeking declaratory relief about the purpose and scope of House Bill 228. It is important that a court issue an opinion on this matter, and again it needs to be the court's opinion, not the opinion of the opposing side.

This litigation was initiated in accordance with the authority granted in the City's Charter and General Law. State Law allows for discussion of litigation in Executive Session to preserve the attorney/client privilege and permit public bodies to formulate legal strategies. Participation with other municipalities keeps the cost of litigation low.

In conclusion, the City is being proactive in trying to determine the applicability or lack thereof of the subject sections of House Bill 228 to its existing ordinances. The purpose of the City in engaging in this litigation is not to pursue any new ordinances relating to firearms. This litigation is an effort to preserve Home Rule and the status quo. I encourage parties to refer to the filings related to this litigation which are available at the Summit County Clerk of Courts website. Since this matter does involve pending litigation, no further statement will be issued. Thank you.

Pres. of Council: Thank you very much Mrs. Raber. Mr. McWhirter, if you would like to speak to me afterwards, I will gladly give you my opinion on your questions, OK? Thank you.

Mr. Loughry: I have a comment. I was going to do it later, but we may as well do it now. So, when I was at . . . this is going to take a minute if you want to hit the stopwatch. When I was at the Primetimers' Christmas lunch, a table of seniors asked me to come over and they asked me to sit down for a minute, you know, and we were all talking. They said, you know Dennis, the thing we appreciate about you is that you are very transparent and I said, yes to a fault, and that doesn't always serve me well, and they said you are also very discerning.

So, you know, in general, that makes you feel good and I thought those were two nice compliments, but then last week laying on the beach and looking at the flamingos; don't feel bad for me, my wife and I had a lot of time to talk about a lot of things and so I told her about the comment and I said, but you know, I said, the more I think about it, the last two years on Council compared to when I served on Council a long time ago, I said that I have not been as discerning and I have not been as transparent as I used to be. And so, she said; what do you mean? I said well, it used to be because I didn't know everyone as well and I hadn't worked in the City yet that if I had a question on a piece of legislation, I would wait and ask that question on Council floor so that it would be reflected in the minutes and it would be totally transparent. I said in the last couple years because we all get along and like each other so much you have conversations in between meetings with the Administration or different people and you resolve things and get questions answered but what happens often times doesn't get reflected to the rest of your Council members or it doesn't get transcribed in the minutes. It only reflects on maybe if something gets changed in the ordinance or the way you cast your vote. So that was that.

So, going forward, I am going to be much more transparent and if I have a question on a piece of legislation that question will get asked on Council floor. We all know each other, and everyone knows how I think; I know how they think; they know questions that I am probably going to ask before the legislation is prepared anyway, but I think that is much more transparent.

In terms of discernment, I would never ever second guess the authority of the Law Director or the reasons why we are allowed to go into Executive Session. But, having said that, there were two cases last year where I thought I probably should have gotten up and left or not went in to begin with. So, the first one was . . . we were in Executive Session probably for a half hour or 45 minutes discussing possible land acquisition and an economic development plan and that is all I will say about that. In my opinion, within

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Mr. Loughry (Cont'd.) that Executive Session maybe only 5 or 10 minutes should have been in Executive Session and I thought that the rest of the conversation should have been held in open Council. Again, that is just my opinion. It is just my opinion and I think sometimes the unintended . . . I'm sure unintended resolve is that transparency gets lost and residents feel that we are doing things behind closed doors. The other time was in the case . . . the time that Mr. McWhirter is referencing, and I didn't know . . . I could never remember of going into Executive Session to hear something that I ultimately was not going to have to vote on. That was the first time I could recollect that. Now, there probably were others, but that is the only time I can ever remember doing that. So, in terms of being discerning, again, because I think the unintended consequence is that I cannot be transparent to my constituents and so if someone asks you a question and I say, I can't tell you; it was in Executive Session and so people ask; what is the economic development plan? Well, it is a proposal. Well, what did you talk about? Well, I can't tell you. Why? Well, I was in Executive Session. Do you agree with the plan? Well, I can't tell you.

So that was . . . then we have the same thing here. Literally, Mr. McWhirter is one representative here tonight, but I will tell you especially since I went back on what some of you guys would call the "dark side" I will tell you that there are 2,500 to 3,000 people living in the City of Tallmadge that believe exactly like he believes. They believe it in that instance and they also believe that we should not have voted to change the Constitution of the United States. So that being said, before I go into Executive Session in the future, not to be mean or . . . I am just going to say, will I need to vote on this going forward? And if I am not going to vote on it, I don't know if I will go in. So that is my comment.

Pres. of Council: OK.

Mayor: Madame Chair, with all due respect Dennis, I disagree with 90% of what you said. It is . . . our office is open to anybody who comes in; the public, there is nothing that I don't talk about to any Councilperson that I do not talk the Primetimers about or I don't talk to the public. If we go into Executive Session, you know Megan is not going to let us talk about something . . . we don't talk about an economic development plan; we talk about land acquisition. So, your statement that we are talking about a plan that should be public, that is not correct. It is land acquisition. So, what you said was totally wrong.

Mr. Loughry: Well, it was just my opinion that when we were in Executive Session, a short period of that . . .

Mayor: We talked about land acquisition.

Mr. Loughry: A short period of that . . . a short part of that discussion was about land acquisition and then, just in my opinion, then it drifted to other items.

Mayor: Well, she would not let us stay in . . .

Mr. Loughry: I got that; I told you, I told you I will always respect . . .

Mayor: Well, that is not respecting her because she is doing her job by telling you we cannot go into Executive Session unless it is warranted and we were in the for this pending litigation for what was going to go down and you will have to vote on it eventually or not. It depends on the outcome. So . . . and I encourage Council to do your homework not on the floor but come in. If you want to repeat the questions on the floor; have at it, but don't . . . I will instruct my Administration not to answer the question if they don't get a pre-knowing of what the question might be. If we know it; we will tell you. But, just flying off the cuff like we used to do back in 95 you would do that and then leave the Administration blindsided not to know what . . .

Mr. Loughry: It is not to throw anyone under the bus; it is just to ask the question to where it gets transcribed in the minutes. I . . .

Mayor: They are all recorded. Every minute is recorded.

Mr. Loughry: I know whose are, but if we meet, if we meet in a side meeting and things get resolved . . .

Mayor: In Executive Session . . .

Mr. Loughry: No, just a meeting . . .

Mayor: Oh.

Mr. Loughry: Those what . . . those meetings; there are not minutes or notes of those meetings often and those do not become part of the record. That is all I'm saying.

Mayor: Alright.

Mr. Sisak: Madame Chair, Dennis actually kind of brought up an interesting point and something that I was hoping that our new agenda and the combination would allow us an opportunity for each Chairperson from each Committee to actually provide a report essentially to Council and I think that is kind of what I picked up from what Dennis was

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Mr. Sisak (Cont'd.) talking about a little bit in his first comment, so as the Finance Chair, I should be giving some type of report in addition to Mollie's as far as hey, Mollie and I we had a sit-down and even say it is on Personnel; I don't think I am on Personnel this year, hey I had a concern about X, Y & Z; are we going to hire somebody. I should run that up through the committee Chairperson so that way, if we did have our side meeting, I would keep the committee Chairperson in the loop and then they could report on it and say that Mr. Sisak met with you know, the Director of the Service Department and they are planning on not hiring any more laborers for the year and then it would get reported out onto the floor and so I think that is an opportunity for us, as a Council, to do a better job; a) communication, b) getting it on the record, c) kind of owning our chairs and reporting out to the community. So, when the press does come then they can maybe report on it to the community.

Mayor: They call me on Friday morning.

Mr. Sisak: OK. So, you give them the Reader's Digest version. But sometimes, and it is kind of weird because I think a lot of times you know Administration talks about stuff and then sometimes it will be covered again in our Committee meeting or does the Committee meeting have questions that they just ask during the Administration's reports so then it doesn't really reflect what we are doing within the Committee meeting and so I think there is some opportunity here I guess, the long and short of the story; I am taking after Dennis, to do a better job communicating and I will be honest, I will be the first one to say hey, I don't like to ask questions and put people on the spot, but I think sometimes it happens and I think you don't do it with malice or bad intent. You know, I was . . . last year in 2019 I think everyone was aware that I was concerned about the amount of money that was spent for negotiations. I did ask some questions on the record and I did ask some questions off the record, and so I just think that is how you go about it you know. But I think we can do a better job just reporting out of our committees; I think that would be a great start.

Pres. of Council: Yes, and Mr. Sisak, I agree with you on having a report for each of your committees and that can be done under Section 12 when you open up your committee. You can do a report at that point in time and I think that would be a fantastic idea and kind of like a Segway to all of this too is, I'm not sure if you guys were aware or not, but we were able to clean out the room in between the office and the mailroom and we will in the next month have a conference table there with some chairs and a regular suitable meeting room so you can get together with your committees if you need to sit down and talk about things. So, that will be a great way for us to get together and meet in our committees and so forth.

8. **ANNOUNCEMENTS:** We will have a Board of Control meeting later on this evening.
9. **AGENDA ADDITIONS:** None.
10. **REFERRALS OF FIRST READING ORDINANCES AND RESOLUTIONS:**
 - a. The following shall be referred to the **Finance Committee:**
 - Ord. 13-2020
 - Ord. 14-2020
 - Ord. 17-2020
 - Ord. 18-2020
 - b. The following shall be referred to the **Planning & Zoning Committee:**
Ord. 20-2020
 - c. The following shall be referred to the **Personnel Committee:**
Ord. 5-2020
 - d. The following shall be referred to the **Community Issues Committee:** None.
 - e. The following shall be referred to the **Safety Committee:** None.
 - f. The following shall be referred to the **Public Service Committee:**
 - Ord. 6-2020
 - Ord. 7-2020
 - Ord. 8-2020
 - Ord. 9-2020
 - Ord. 10-2020
 - Ord. 11-2020
 - Ord. 12-2020
 - Ord. 15-2020
 - Ord. 16-2020
 - Ord. 19-2020

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11. **REPORTS OF ADMINISTRATIVE OFFICERS: MAYOR, DIR. OF PUBLIC SERVICE, DIR. OF ADMINISTRATION, DIR. OF ECONOMIC DEV., DIR. OF FINANCE AND DIR. OF LAW.**

Mayor: Thank you Madame Chair. As most of Council knows, we had the honor to **swear in three part-time Firefighters** before Council tonight. So that was pretty exciting to get those guys on board.

We do have an Executive Session tonight after the end of the agenda.

Great Lakes Expressions: that is beside Jimmy John's will be having a ribbon cutting on February 14th at noon. You get your smile and get it fixed up.

Tonight, was the **Family and Friends at Starbuck's** and so I did make it out there tonight in between everything else that was going on and also stopped by **Jersey Mike's who opened yesterday**. They don't plan on doing a ribbon cutting at this time, but they are open.

I **met with the DeHoff Group** this week on the **Ripley Farm**. We finalized some of those plans. They will be at Planning & Zoning at the next meeting to finalize their site development plan and then they are trying to work out a few details; they are working on the different phasing of the project and so that seems to be going very well.

Also, the Zoning Department and the Building Department received an application for a **group to go into the Testa building** to go from where the Ship-It center is all the way to the front door. It is a **fitness type . . . internet fitness**. They will have supplies that you can buy for working out and internet workout stuff. Still working on the details of it.

Mr. Sisak: Like virtual workouts?

Mayor: Yeah.

Mr. Sisak: Right up my alley.

Mayor: Also, this week we had the **Living Tree unveiling**. Thank you to the Gene Stalnaker Foundation and Becky Allman. It was very nice to see Mrs. Stalnaker up there and to unveil that tree. It is in the lobby at the Rec Center and so the leaves on that tree represent; it is a brass leaf that you can get engraved and I think most of you have seen it. It is probably on Facebook, and then you get a tree in one of the parks designated by the Service Director and so hats off to Mike Rorar who actually came up with this idea and worked with the Allman family and the Stalnaker family to get that tree put up there and we are pretty excited about that.

Ordinances that are; there are a lot of **housekeeping ordinances** and as they come up you will know which ones, but the personnel ordinance, **Ord. 96-2019 is ready to go tonight**. It is at 3rd Reading and it has been at 3rd Reading. We amended it multiple times and at the last Council meeting I had it up and went over all the changes and asked anybody to come in and did not receive any other comments. So, I am ready for it. End of report. Any questions?

Mr. Bollas: I saw a sign for the UPS store; can you speak on that?

Mayor: Yes, the Ship It Center.

Dir. of Pub. Service: Good evening. There is no report tonight.

Dir. of Administration: Good evening. Just one quick thing; the Mayor has been working hard on his **State of the City address** and as a reminder it is on the **19th of February at noon** and hopefully you will all be able to make it. End of report.

Dir. of Econ. Development:

Pres. of Council: Since we don't have a Dir. of Economic Development . . .

Mayor: No, I think I gave you the highlights of Economic Development. We have been real busy. We went to **Portage County Development Board today** and was with Brimfield quite a bit today and Councilman Loughry was out there today giving his card; they thought you were Economic Development and so I don't know what . . . so they called me and they didn't quite understand that but . . . so anyways we have a great working relationship with our partners in Brimfield and things are going very well with the development of that.

Pres. of Council: Any development with the new **Economic Development Director?**

Mayor: We are working on applications. The problem that I am really facing is that there are four different places; Streetsboro just replaced their Economic Development at \$93,000 and Summit County is looking for one; City of Stow is looking for one; and the Townships are paying more for Economic Development than I make as the Mayor of the City of Tallmadge and so we are not going to settle for the bottom of the line, but our price structure is way below. We have advertised and the publications and the Planning & Zoning people . . . I was just at the Portage County Development Board today and there are a couple of people that are sending stuff my way. Jobs Ohio has a website that I can post on and so we are looking at it.

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Mr. Loughry: Can I just follow up on that a little bit. So, what the Mayor said is true; Streetsboro hired at 93K and that is about the going rate. And again, I support the Mayor 100% so make sure the Express knows that. We agree on about 95% of everything in our lives. But, where we did disagree and I left with no hard feelings, but I believed that the job evolved into a part-time job in my opinion. In my opinion, the Mayor believed that it was still and needs to be a full-time job. So, we just disagreed on that one point and so that being said, a couple of things.

Aurora is part-time and so things that I think that could be discussed; making our position part-time or full-time; again, it is the Mayor’s position. Aurora, who I respect a lot . . . so people want to know; they say Dennis, what communities do you follow, and you think that they operate pretty well? Invariably I always look at Aurora and Hudson and Green and I try to take an aggregate of the way those three communities do things. That is what I have always done, even when I worked here that is what I did.

We could partner with Brimfield. If you look at our JEDD agreement, if you read our JEDD agreement, unless it has been changed since I left, and it could have been, but when I was here what we provide to the JEDD is economic development. Brimfield, since I left, has hired a top-notch Economic Developer. The guy has been all over and he transformed Macedonia and he is doing great things in Brimfield along with running their Planning & Zoning Department. Very well respected, but Ravenna and Ravenna Township have recently hired a joint economic developer and those two communities in the past have not had as nice a working relationship as we have had with Brimfield. So, I think it would be good to just have a conversation; is that feasible or no, it is not feasible.

We could outsource like Summit County is doing some. Jason Dodson left the County and went to work for a law firm and subsequently Summit County is outsourcing part of its economic development to that firm and I don’t think that is necessarily a bad thing. I respect Mr. Dodson a lot. He is . . . I think he is brilliant.

Or, and this is the last thing and this is for next year and I have always felt this as well that through the Charter review process that we could create a Director of Development; a Development Director that would be a direct report to the Mayor that would oversee Economic Development, Community Development and Planning & Zoning but that requires a Charter change. All I am saying is that we don’t have a position right now and it is going to cost a lot more than we are used to spending to fill it with a quality person and those things snowball. You pay one person \$93, 95, 100K; It is not too long down the road before you are paying other directors the same amount of money and I am not saying that maybe it is not time to do that as well. You know, I tried to give you three guys a raise . . . but all I am saying is that when you have a vacancy and you have a Mayor that is very able to fill it on a short-term basis, then it lends itself to an opportunity for discussion. That’s all.

Mayor: Just one comment and I don’t want to go into detail with it though, but I did talk to Jason Dodson and so far in 6 months Summit County has paid \$180,000 for his service and they have a full team of economic development. I don’t really want to go into, but I would love . . . that is why I talked to him and he wants to come work for Tallmadge contractually. That might not be a bad thing, but not . . .

Dir. of Finance: Thank you. I have no report this evening.

Dir. of Law: Thank you. I have no report this evening.

Pres. of Council: Before we go on to the Reports of Standing Committees, I would be remiss if I did not announce that yes, we do have an Executive Session prior to the adjournment of the Regular meeting today regarding property acquisition and pending litigation.

12. **REPORTS OF STANDING COMMITTEES OF COUNCIL OF THE WHOLE:**

a. **FINANCE**

Craig Sisak, Chair

James Donovan, Vice Chair

Michael Carano

- **Ord. 4-2020 (2nd Reading)** – Authorizing the Mayor to purchase online subscription services with Microsoft Corporation which are special in nature and not requiring a competitive bid and providing for immediate enactment.

Mr. Sisak: Thank you. Mr. Carano and myself are present tonight. I guess I will start with, since it was my idea, a little bit of a report. I talked to Mrs. Gilbride last week about what her projected end of the year General Fund Balance would be, and she has projected it; the end of 2020 to be \$5.178 million; is that the number you provided?

Dir. of Finance: That was the number through the budget, but that was also based on what we would project the beginning balance . . .

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Mr. Sisak: So that is the beginning of 2020?

Dir. of Finance: Let me pull up what I sent you.

Mayor: What did you say?

Mr. Sisak: \$5.178 million.

Dir. of Finance: No, that would have been at the end of 2020, but that projection was from the budget and I wasn't basing that on what the actual ending Fund Balance . . . the actual beginning balance was. So that . . . what I sent you was the ending Fund Balance for 2019 to the actual number, but the projected Fund Balance for 2020 was just the budgetary figure; I did not redo that. I thought you were just wanting the difference between , , , I just thought you were wanting to see what we actually ended 2019 with versus the actual, so I can update that and get that back to you.

Mr. Sisak: OK. Yeah, I just want to see what we are projecting.

Dir. of Finance: That \$5.1 million was based on my estimate of where we would end 2019 so that just comes straight from the budget that we passed as an estimate and so I can reupdate that.

Mr. Sisak: Yeah if you can.

Dir. of Finance: I will send that to you based on what our actual beginning Fund Balance was and come up with that. I apologize; I misunderstood.

Mr. Sisak: That's fine; that's fine. So, yes, I am just looking to see you know what our projected balance is going to be at the end of the year because I know that we do have some expenses coming up throughout the year and then plus we have got the money coming in from the ¼% income tax and I didn't know how that would reflect in that either; it is probably not in there yet.

Dir. of Finance: Remember, I am also going to be working on adding an additional pay period to the budget also so there is kind of a lot of massaging that needs to be done in the next couple months. My intention is to kind of have all of that to Council by March so that we can have a good period of time to make decisions. I have just been . . . this month trying to get W-2's and all of that kind of stuff. They are going in the mail tomorrow.

Mr. Sisak: I hear you.

Dir. of Finance: So, definitely my intention to update some of that because I know most years it is pretty standard, but this year is kind of going to be crazy because we didn't put the income tax in the budget; we are going to . . . I realized closer to the end that we are going to have a 27th pay period and so I will work on getting that, but I will update that number. I can update that number right away, but also understand that is just based on what we budgeted and then we have additional monies . . .

Mr. Sisak: Monies in hand.

Dir. of Finance: Monies that need . . . yes that we need to look at.

Mr. Sisak: So, other than that, I don't have anything else to report. So, it can be as easy as that guys.

We do have Ord. 4-2020 at 2nd Reading and it is authorizing the Mayor to purchase on-line subscription services with Microsoft Corporation not requiring a competitive bid and providing for immediate enactment. Mr. Carano?

Mr. Carano: Yeah.

Mr. Sisak: It is pretty standard. I think it is housekeeping stuff. So, would you recommend to adopt?

Mr. Carano: Yes.

Mr. Sisak: So, we will recommend to adopt Ord. 4-2020 by a vote of 2-0 at 2nd Reading.

- **Ord. 13-2020 (1st Reading)** – Expressing intent to sell unneeded, obsolete, or unfit municipal personal property by internet auction in calendar year 2020 and providing for immediate enactment.

Mr. Sisak: We have Ord. 13-2020 at 1st Reading. Expressing intent to sell unneeded obsolete or unfit personal property by internet auction in calendar year 2020 and providing for immediate enactment. I did not see a list of those items. Do we have a list or this is just kind of . . .

Dir. of Pub. Service: A list will come once we get those items.

Mr. Sisak: So, again, housekeeping I would imagine?

Dir. of Pub. Service: Correct.

Mr. Sisak: Mr. Carano?

Mr. Carano: Yes.

Mr. Sisak: We will recommend adoption at 1st Reading of Ord. 13-2020. by a vote of 2-0.

- **Ord. 14-2020 (1st Reading)** – Expressing intent to sell unneeded, obsolete, or unfit motor vehicles and equipment by auto auction in calendar year 2020 and providing for immediate enactment.

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Mr. Sisak: Ord. 14-2020 is expressing intent to sell unneeded, obsolete, or unfit motor vehicles and equipment by auto auction in calendar year 2020 and providing for immediate enactment. Again, I would imagine those items will be forthcoming. Mr. Carano?

Mr. Carano: I recommend adoption.

Mr. Sisak: OK. We will recommend adoption of Ord. 14-2020 by a vote of 2-0 at 1st Reading.

- **Ord. 17-2020 (1st Reading)** – Authorizing the Director of Public Service to negotiate and the Mayor to contract for various policies of insurance for the City and providing for immediate enactment.

Mr. Sisak: Ord. 17-2020 is authorizing the Director of Public Service to negotiate and the Mayor to contract for various policies of insurance for the City and providing for immediate enactment. I looked at that and that was a lot of housekeeping stuff for a number of different things. It was kind of fascinating. Do you recommend?

Mr. Carano: I recommend.

Mr. Sisak: OK. So, we will recommend adoption of Ord. 17-2020 at 1st Reading.

- **Ord. 18-2020 (1st Reading)** – Authorizing participation on the National Association of State Procurement Officials (NASPO) and NASPO ValuePoint for the purpose of contracting with Verizon Wireless for telephone and internet services and providing for immediate enactment.

Mr. Sisak: Ord. 18-2020 is authorizing participation in the NASPO and NASPO ValuePoint for the purpose of contracting with Verizon Wireless for telephone and internet services and providing for immediate enactment. Has this been our provider of choice, Verizon? We plan to continue with them obviously. OK.

Mr. Carano: Is it a one-year contract?

Mayor: No. It is a three-year contract.

Mr. Carano: The reason I ask is if we would move ahead in the future with internet; fiberoptic or anything; will we be tied into the contract?

Mr. Sisak: Do we have an out clause?

Dir. of Finance: Let me verify, but I believe we can cancel service at any time. There is no . . .

Dir. of Administration: Our internet service provider is not Verizon. That is for cellular service. So, they are not the same.

Mr. Carano: Thank you. I appreciate it.

Mr. Sisak: So, do we need to update the piece of legislation?

Dir. of Finance: The reason we are doing this too is because the cost has come to exceed the \$50,000 . . . so the cost of the contract with all the cellular and whatnot, so that is why this is kind of a new item coming before Council is because that contract is getting close to that \$50,000 mark and so we are using the State Purchasing Program and we are getting the State prices, but we still need Council's authorization to continue with the use.

Mr. Sisak: OK. Let's give it a 1st Reading and get some of these questions answered.

Dir. of Administration: One additional point about if it needs revised; the reason it says telephone and internet services is that we can, through our telephones, to a limited extent, get internet access is why that language remains appropriate.

Mr. Sisak: So, we are not going back to flip phones?

Mr. Carano: Is . . . what are the number of providers that we can choose from? Has it shrunk to a small number? I'm just wondering about the consolidation . . .

Mr. Sisak: There are a big couple of cellular companies and everyone else then subleases the lines like Spectrum, I think subleases lines and I don't think there are many; two or three. So, we will give that a 1st Reading. Are there any questions for Finance from Council? No. OK, seeing none; I will close committee. Thank you.

b. **PLANNING & ZONING**
James Donovan, Chair
Craig Sisak, Vice Chair
Dennis Loughry

- **Ord. 101-2019 (3rd Reading)** – Approving, supplementing and amending Ord. 85-2018 granting a conditional zoning certificate for special non-residential development to applicant/owner The Shepherd's Pasture to modify the use from religious place of worship to personal services for 7,400 square feet at 361 Northeast Avenue.

Mr. Sisak: Thank you. I have no report tonight for Planning & Zoning. I am excited to hear that Ripley Farms is coming in though for their final approval and get that project underway. Mr. Loughry is present and myself and Mr.

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Mr. Sisak (Cont'd.): Donovan is excused. We currently have Ord. 101-2019 at 3rd Reading and it is approving and supplementing and amending Ord. 85-2018 granting a conditional zoning certificate for special non-residential to applicant/owner The Shepherd's Pasture to modify the use from religious place of worship to personal services for 7,400 square feet at 361 Northeast Avenue. I know they had kind of held over . . .

Mayor: This is still to be held at 3rd Reading. It will be in front of Planning & Zoning; this one and the next one on February 6th for their consideration and it will most likely will get amended.

Mr. Sisak: Mr. Loughry; any comments on this?

Mr. Loughry: No, I agree.

- **Ord. 20-2020 (1st Reading)** – Granting a conditional zoning certificate to applicant, The Breakfast Place, Inc., Owner, Ward Holdings LLC, to operate a dining establishment serving alcoholic beverages at 137 East Avenue, Suite 30.

Mr. Sisak: We also have Ord. 20-2020 and it is at 1st Reading and it is granting a conditional zoning certificate The Breakfast Place, Inc., Owner, Ward Holdings LLC, to operate a dining establishment serving alcoholic beverages at 137 East Avenue, Suite 30.

Mayor: Same thing. This is February 6th for Planning & Zoning.

Mr. Sisak: Mr. Loughry; any comments?

Mr. Loughry: Agree; I agree with the Mayor.

Mr. Sisak: Is there anything else to come before Planning & Zoning this evening? No one responded. Seeing none; I will go ahead and close committee. Thank you.

C. PERSONNEL

Michael Carano, Chair

Rebecca Allman, Vice Chair

Jonathon Bollas

- **Ord. 96-2019 (Tracked/Amended/Amended Tracked – 3rd Reading)** – Establishing the number of employees by department and position pursuant to R.C. 731.08 and providing for immediate enactment.

Mr. Carano: I call the Personnel Committee to order; myself, Rebecca Allman and Jonathon Bollas are present. We have before us Ord. 96-2019 at 3rd Reading and it is establishing the number of employees by department and position pursuant to R.C. 731.08 and providing for immediate enactment.

Mayor: Mr. Carano, Civil Service did meet on it and they did make . . . they made recommendations that they were fine with it. This is a document that is actually a working document. It is just . . . we bring it up to Council every now and then and we tweak it and change it and as you can see; we tracked it; we amended it and then we amended it again and I think we listened to what Council's concerns were and we did tweak it again and I think it is at 3rd Reading and I think it is ready to go on behalf of us.

Mr. Carano: If no one else has any problems, I would recommend adoption.

Mr. Loughry: So, when we appointed the Clerk and Deputy Clerk at our Organizational meeting, I asked the question whether Council had the latitude, since it was a new appointment, to move them on the grid if we wanted to and I never got an answer to that.

So, I got an answer, but I didn't get like a legal; I didn't get a legal opinion. So, having said that, Mr. . . . Dr. Cooper's response to me on the side at the end of that meeting lead me to make this request. That is that I would like to create two new job positions on the grid. One would be called the Senior Clerk of Council and the other would be called the Senior Deputy Clerk of Council. Senior Clerk of Council would have to have the Certified Municipal Clerk certificate plus also mandatory to have been appointed by three consecutive Councils and would stay in a Pay Band 4.

The Senior Deputy Clerk of Council could have either a Certified Municipal Clerk certificate or have been appointed by three consecutive Councils.

So, that is the request.

Pres. of Council: And that is something that you want to add onto the grid at this point in time?

Mr. Loughry: Correct.

Mayor: Madame . . .

Mr. Carano: Would we have to again have a referral from Civil Service?

Mayor: Well, this . . . I mean that can always be done; you could amend this or do independent legislation specific to that so we can do a job study or if Council wants a job study on that position. You can amend the grid now; adopt the grid the way it is so we don't hold up the other positions . . .

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Mr. Loughry: So, let me ask this; so, we are not; we are not going back to the first of the year or to the date this legislation was first submitted in paying people back pay? They won't start receiving the rate until this gets approved; correct?

Mayor: Correct.

Mr. Loughry: So then, what I would be open to is adopting this ordinance the way it stands tonight and . . .

Mayor: Sponsor legislation . . .

Mr. Loughry: Then sponsor legislation for the other two positions.

Mr. Sisak: Mr. Carano, and I don't know why I didn't share this; it was . . . I did ask for the 2020; the compensation schedule for each Band; it kind of gives you an idea and I guess the question is for the Administration; we have targets on the bands . . . we have 2019 targets and we have 2020 targets and then we have minimums and maximums. Where do we stand with the individuals on the grid . . . are most of the people at the target for 2019 or are they going to be at the target for 2020 because we are moving people from bands, but if we just hit the target; would that just be more prudent than to actually change someone out of a band because we want them to potentially have a higher earning because they are supervising or whatever. I am kind of just trying to wrap my head around you know; are we at the targets?

Dir. of Finance: Do you want me to explain how we put people in the pay bands?

Mr. Sisak: Yeah.

Dir. of Finance: So, the way . . . we added actually a 6th Pay Band a few years back and we classified the different positions based on job responsibilities into the six pay bands.

Mr. Sisak: Got it.

Dir. of Finance: The way our ordinance reads is that when we hire a new employee the appointing authority has the authority to place that new person between the minimum and the target within the pay band. So that part of the pay band is that the appointing authority's discretion with . . . through Human Resources where they want to place that employee in that pay band.

If the appointing authority wants to place a new employee above the target in the pay band, that has to go to the Compensation Board and the Compensation Board has to approve the employee being above the target rate. Annually all of those figures are increased so they are all increased by the exact dollar amount.

Mr. Sisak: Sure.

Dir. of Finance: So, the employee gets the same 10¢ that we increase the pay band by just to give an example.

Mr. Sisak: Right.

Dir. of Finance: So, the way that's structured, once that employee is placed in the pay band, the only way to move above the target in that pay band is to receive a raise through the approval of the Compensation Board.

Mr. Sisak: So, it is difficult to hit the target potentially?

Dir. of Finance: You are either hired in at the target or above it. Once you are on the band, you don't exceed the target because your pay rate and the target rate increase by the same dollar amount and so there is always the same difference.

Mr. Sisak: So, it is a moving target if you will?

Dir. of Finance: Correct. Every year that target increases based on what the average is of the union contracts.

Mr. Sisak: So, you look at it and say government employees; Federal government employees; they have bands and then they have steps based on years of service. That might make more sense based on years of service and it would help the Compensation Board to say, hey look, this is an easy decision because this person has 10 years of service and they should be at Step 10 across, but in the same band because they are still performing the same job duties. So, you know, I looked at this long and hard and I'm thinking you know we could . . . if you are looking for an Economic Developer; the revised maximum is \$60,047. That is \$125,000 a year. We could pay an Economic Developer \$125,000.

Mayor: I could if I go to the Comp Board. I can only go up to target.

Mr. Sisak: So, are your hands tied though? You can go to the target; the target for 2020 is \$35.00.

Mayor: My hands are tied because of internal equity. If I pay a new Economic Developer more than the Service Director of more than . . . I don't care about me . . .

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Mr. Sisak: No, no; it is not about the Service Director; it is about years of service and experience, education . . . you know it's like where can we bring them in at you know . . . so, I don't know; so I send it to you guys and if you want to look at the band compensation.

Pres. of Council: We were all on that e-mail I believe with the bands.

Mr. Carano: Did you say that they could go above the bands in the hiring process?

Mr. Sisak: So, we can move them from band to band by eluding this compensation schedule so we can bump someone up in pay by moving them a whole band, but is that worthy of changing the person's job description . . .

Dir. of Finance: But they can . . .

Mr. Sisak: . . . because of bands and not just giving them . . .

Dir. of Finance: We are doing that because they actually have greater job . . . the job is different than what we hired them at. It is not just being done because we want to give someone a raise. If we want to give someone a raise; we have a Compensation Board . . .

Mr. Sisak: I understand that.

Dir. of Finance: We have a Compensation Board hearing and present that.

Mr. Sisak: I get that, but it's like . . . it seems like we are just changing the rules to fit a few instead of just using what we have or making better use of what we have.

Dir. of Finance: I guess that is what it seems, but we legitimately evaluated that job and it is . . . so for the Zoning; it is no longer a Clerk position; we have changed the makeup of that department and that person is doing administrative assistant duties and we need to change the job title and we need to appropriately . . . and then because Administrative Assistants are in Band 3; that job needs to be moved into Band 3. We are trying to create equity based on what the employees are doing.

Mr. Sisak: I guess it is hard to kind of correct what we have . . . you know five or ten years worth of bad . . .

Mayor: We used to have steps. We used to have 25 steps and the only . . . and every five years regardless of who you are or what you did; you got your raise. It was a step increase every . . .

Mr. Sisak: Sure. And a lot of times that is in addition to . . .

Mayor: And then we went to performance evaluations.

Mr. Sisak: That is in addition to the COLA raises that we would potentially give out every year.

Mayor: Right, and that is what we . . .

Mr. Sisak: But I mean, you know, I am just kind of stuck on this Planning & Zoning; I mean it is . . . there are four people in her . . . three people in her department besides herself and we are going to pay her at a Band 5?

Mayor: And 18,000 people who come in and talk to her every day and have to handle that and . . .

Mr. Sisak: Yeah, but we have 18,000 people at Band 1 that go into the Rec Center that interact with the public, so you know, to me it is like; what is your responsibility you know . . . if she is going to be Planning & Zoning and Development Director; yeah let's make her a Band 6. OK, but I am just having a hard time with manipulating in my mind some of these bands. You know; are they really doing more?

Mayor: Absolutely.

Dir. of Pub. Service: Councilman; there is no manipulation there with the bands. She actually . . . she reports to me and that definition fits the Band 5 and also, she has four or five people under her, but she also has the committees that she has to report: the Zoning and all of that. So, you have to look at that whole thing. The big thing is the definition she is in actually fits better in Band 5. So, that is . . .

Mr. Sisak: So, I guess shame on us for hiring her in at a Band 4.

Mayor: Correct. It used to be Roger Lyons position. She is doing what Roger Lyons . . .

Mr. Sisak: Yeah, Roger was an engineer and never stamped a print; I know.

Mayor: She is doing what Roger did.

Mr. Sisak: Yeah, and I get it and Roger performed at a Band 4 for how many years?

Mayor: Well, Band 4 was the highest at that time.

Mr. Sisak: I know; so, I mean, it just . . . I don't know, I guess we are trying to correct past mistakes and you know it kind of brings all of this kind of to a head for me. Again, an opportunity to really look at this closer and you know; are we doing it the best way, I guess. So that's all I have; I'm sorry.

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Mr. Loughry: When I was looking at this, and again, I had tunnel vision; Carol your two employees; here is what I saw. I saw that Mrs. Burton has been reappointed 10 times; 20 years, ten different times by unanimous votes. Never a split vote and when you look at employees that get evaluated as our personnel book says we will endeavor to do if we choose to do it; truly, the two of them get evaluated every two years. It has been a unanimous vote and I think Mrs. Burton has worked for like 8 different Council Presidents; not one of them has ever taken them to the Comp Board; taken her to the Comp Board. Not one; not one in 20 years and when we were doing performance evaluations, and instituted merit pay; things got skewed for a period of years because some departments were giving big raises and our Council Presidents were very conservative with Mrs. Burton and so the spread got broader and all I am saying is I think, and again, she is not my employee; she is your employee; I think she . . . we have an opportunity to bring about some equity here; that's all.

Pres. of Council: Well, I will just say . . .

Mr. Carano: Are you saying to make it a permanent position rather than . . .

Mr. Loughry: No, no, what I am saying . . .

Mayor: You are requesting her to go to the Comp Board; is that what you are saying?

Pres. of Council: Right.

Mr. Loughry: No, what I am saying is no one has taken them to the Comp Board and then if you really think that they are doing more than what their present job descriptions say they are doing, then you create a new job description like we have for a lot of people.

Pres. of Council: Mr. Loughry . . .

Mr. Loughry: And that is the way they get a raise.

Pres. of Council: Mr. Loughry, and when I did . . . two years ago when I became Council President; I did review both of their job descriptions and both of their wages and compared them to what other people were making doing the same things, and I felt at that time that they were within where they needed to be. I'm just letting you know that I did; they do a great service to us; they work for us very well . . .

Mr. Loughry: I'm just saying when I read their job descriptions; the way they are written and when I look at what they told me that they do there are more things that they do that are not in that job description and so I believe that it is . . . and then with their years of service, I didn't want to go so far as steps as Mr. Sisak alluded to . . . believe me, I was on the School Board for eleven years and I am very familiar with steps. But, having said that, I thought if they are really doing more then we create a description that shows what they are really doing and then we have an opportunity to say yes; that is where they belong. That's all.

Pres. of Council: Mr. Carano, do you want to finish your committee with your recommendations? I think we have discussed this quite a bit, so . . .

Mr. Carano: Yeah, I would like to recommend adoption on the ordinance.

Pres. of Council: For Ord. 96-2019?

Mr. Carano: Yes. Seconded Mr. Bollas.

Mr. Sisak: Point of order; do you want to take a roll call vote?

Pres. of Council: We are still in committee.

Mr. Sisak: I understand, but he said he was going to recommend, but he didn't get Mrs. Allman's . . .

Mr. Carano: For a second I was thinking I was . . .

Mr. Sisak: No, you are good.

Mr. Carano: So, it is a vote of 3-0 to adopt.

Ord. 5-2020 (1st Reading). Authorizing the Director of Public Service to advertise for proposals and the Mayor to enter into one or more contracts for major medical, dental, eye, and group life insurance for various officials and employees of the City and providing for immediate enactment.

Mr. Carano: Ord. 5-2020 is authorizing the Director of Public Service to advertise for proposals and the Mayor to enter into one or more contracts for major medical, dental, eye, and group life insurance for various officials and employees of the City and providing for immediate enactment. Does the committee have any comments?

Mayor: It is housekeeping; we usually throughout the summer, you know we have Jefferson Health Plan now and we have a Cost Containment Committee that will look at different options and this just allows us to enter into that contract for health care.

Mr. Sisak: When is the contract up? End of 2020?

Mayor: Yes; calendar . . .

Mr. Sisak: And then is the goal to remain self-funded?

Mayor: We don't know.

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Pres. of Council: So far . . . it served us well.

Mayor: We did pretty well last time; this year.

Mr. Carano: I was at that meeting and I thought they did a fine job with working that out. Any comments. Should we recommend adoption?

Mrs. Allman: Yes.

Mr. Bollas: Yes.

Mr. Carano: 3-0; we recommend adoption of Ord. 5-2020. Is there anything else to come before the Personnel Committee? No one responded. I will close committee.

d. **COMMUNITY ISSUES**

Dennis Loughry, Chair

Jonathon Bollas, Vice Chair

Rebecca Allman

No legislation at this time.

Mr. Loughry: I would like to call the committee to order; myself, Mr. Bollas and Mrs. Allman are here. We have no legislation. Does anybody on committee have anything? No one responded. Anybody on Council?

Mr. Carano: I do. I have recently discovered that Rolling Stone magazine had an article that was done from an 18-month study, I think it was, and my concern, which I have mentioned in past meetings, had to do with the use of fracking fluid on our roads. I know that fracking fluid tends to be up to 12 times saltier I guess you could call it so it is somewhat effective, but there have been diverse studies; I don't want to say that there has been a consensus, but there are diverse studies and some, and I tend to be skeptical if they are done by the industry themselves sometimes; I think that since they have profit in the game and I think that the fracking industry which has trillions of gallons of fracking fluid, some of it they inject back into the ground and now they have come to a solutions that they can profit from it and sell it to places.

The problem is that these studies, as I gave everyone on Council a fact sheet, and the main top of the thing says that the Ohio Department of Natural Resources tests confirm and so this is not from the industry; it is not from an environmental group; it is from the Ohio Department of Natural Services and they confirm dangerously high levels of radium 226 and 228 and brine from oil and gas production wells.

Now, it is used as a de-icer and dust suppressant and if the chart shows that when you look at the amounts, and this is radium, not radon; radon is an inert gas which these things; the heavy metals that are in this fracking fluid that aren't tested for it is 1,600 years for half-life and so that means in 1,600 years it is going to be half as powerful as it is now; right?

So, my concern is after reading the Rolling Stone article, which identifies not just problems of putting it on the roads where they get into the sewer and water systems and things like that, but there is a dust problem possibly too and there is a problem with the workers and the equipment; this stuff builds up and so our workers could be at risk with this. So, my concern is for; I would rather error on the side of caution and in talking to Mr. Rorar, we do have I think 3,000 gallons of this, which is mentioned in this report on page 2 that I hope you have all seen which is Aqua Salina and with Aqua Salina there are some problems. They were selling this stuff at some stores like . . . I think it was Lowe's where you can buy it; they took it off the shelves; no. But, there was a place in Hartville where they were selling it and it was 500 times the standard for this type of radiation and so the heavy metals; that gets on our roadways; gets in our water systems and it builds up and after talking to Mr. Rorar I'm very convinced that in the future we won't be buying any more of this.

My hope is that . . . I know that it may have been a very practical type thing to do, but my question is; are there alternatives that are probably not cheaper, because my understanding is that this was cheaper, but that are as effective?

Dir. of Pub. Service: Councilman, you and I have had a few discussions on it and right now it is probably not as effective; that product works at a really low temperature like 15 below and most of the other brines stop at about 6 below. So, you lose a little bit of that, but there again when we are out of 3,000 gallons, we will look for an alternate.

Mr. Carano: Well, I appreciate that because the concerns for the long term for the citizens; I mean at least in our community, this stuff is still being put on roadways I think in 26 counties across the State which is problematic, but at least in Tallmadge we will maybe prevent future health issues. One thing about the . . . there is R224 and Radium 226 and what they tend to do is that water breaks them down and so and if they get into the body, the body coordinates, from what I've read, the body doesn't recognize it as to what it is and it sort of recognizes it as calcium and so it goes to the bones of people. So, that is a problem and so I am pleased to see that in the future we will move to other

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Mr. Carano (Cont'd.) things and I don't know if it is necessary, because Administrations change over time, but you might consider something where it prevents us in the future from moving to this stuff unless it is fully tested. So, that's it. Any comments from people on the committee? No one responded. Oh, that's your committee; I'm sorry. I thought it was my committee.

Mr. Loughry: They used to put stuff in the committee when you had it.

Mr. Carano: You will get it.

Mr. Loughry: I do have one other thing and it is not going to be nearly as interesting as what you were talking about, but we got a call from a Stillmeadow resident that abuts I guess what is the Ripley Farm and then the Cascades or what we are calling Maplecrest Development, so and here is what they said. They said that before . . . when it was a golf course, we never had any issues with critters; possums, coyotes, foxes, etc., but since the development there are dogs; people's dogs are being attacked and fighting with possums and there are coyotes in their back yards and so anyway, I thought it was interesting and Mr. Rorar and I had a nice conversation.

When we talk to developers; we talk to them about everything; you know, water retention, lighting, noise, sound and traffic, but we never talk to them about critters. Mr. Rorar had a great answer and he said, well they have to go live somewhere you know. But then he also said on a serious note to wait until Ripley Farm starts because they just get pushed further.

So, those residents call in and they say; does the City offer any relief? And we say of course, no we don't. We don't trap; we don't do . . . you have to hire your own person. So, there is again, an unintended result . . . they are already mad at us about the development because of traffic and now they are mad because they have to watch their pets more. It is just a topic that we are at least aware of and I was not aware of it until I got the call this week.

Pres. of Council: Well, Mr. Loughry, just to let you know too, you know where I live there has been no new development in my area; maybe just the homes over there off of Eastwood there, but in the almost 30 years that I have lived there, we have constantly had problems with skunks and with possums and with . . . I mean in my little back yard; I have had deer back there. When I walk my dog around the neighborhood, I hear the coyotes; they are everywhere. It is not just where new development is coming in. It is everywhere within the City and when we have the skunk situation in my neighborhood; it is you know \$600 to \$800 to get those things trapped and carried out and that is what my neighbors and I always do to get them out of our tiny little yards and so it is something that everybody has to deal with.

Mr. Loughry: Thanks. Anything from the Administration?

Dir. of Pub. Service: Councilman Loughry, I had some more thought on that after we talked, and you know the odd thing is that Maplecrest has been you know; all of that earth got moved two years ago.

Mr. Loughry: Correct.

Dir. of Pub. Service: I think more or less, it might be the warm winter. Some of these critters might not have gone into that, and they are not real hibernators, but maybe they haven't gone burrowing down and they are out and about looking for food because it really has been a really warm winter.

Mr. Loughry: Could be. Obviously, I'm not . . .

Dir. of Pub. Service: You would have thought those complaints would have come in 2017 when they started moving that dirt.

Mr. Loughry: I thought it was interesting. So, is that it? No one responded. I will close committee.

e.

SAFETY

Jonathon Bollas, Chair

Michael Carano, Vice Chair

Craig Sisak

- **Ord. 2-2020 (2nd Reading)** – Authorizing the Director of Law to negotiate and to enter into a contract with Oriana House, Inc. to provide for misdemeanor work release program halfway house, and home incarceration for misdemeanor offenders and providing for immediate enactment.

Mr. Bollas: Yes, thank you. I have no report for the Safety Committee this evening. But, with Mr. Sisak's recommendation, I will try to prepare one going forward.

I call the Safety Committee to order; myself, Mr. Carano and Mr. Sisak are present. Today we have Ord. 2-2020 and it is at 2nd Reading. It is authorizing the Director of Law to negotiate and to enter into a contract with Oriana House, Inc. to provide for misdemeanor work release program halfway house, and home incarceration for misdemeanor offenders and providing for immediate enactment. From the committee, are there any comments?

Mr. Sisak: I believe it is housekeeping.

Mr. Bollas: Then at this time do we recommend adoption?

Mr. Sisak: Yeah.

Mr. Carano: I would second that.

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Mr. Sisak: I would agree.

Mr. Bollas: I recommend adoption 3-0.

Ord. 3-2020 (2nd Reading) Authorizing the Director of Law to enter into an agreement with the Summit County Public Defender's Commission, authorizing payment therefore, and providing for immediate enactment

Mr. Bollas: We also have Ord. 3-2020 at 2nd Reading. This is authorizing the Director of Law to enter into an agreement with the Summit County Public Defender's Commission, authorizing payment therefore, and providing for immediate enactment. I just had a quick question on this one. It says for legal defense of indigent persons charged with loss of liberty offenses; can we just expand on that?

Dir. of Law: It is for indigent people who don't have enough money to hire their own attorney and so we are required to basically . . . we have to provide them, under the Constitution, with the right to representation and we, as the City, are the ones who pay for that cost. So, this is a standard housekeeping ordinance as well.

Mr. Bollas: With that said, thank you for the clarification; recommending adoption?

Mr. Sisak: Yes.

Mr. Carano: Yes.

Mr. Bollas: Ord. 3-2020 we recommend adoption by a vote of 3-0. Is there anything else?

Mr. Loughry: Mr. Bollas, I had a concern regarding the EMS route to a hospital and had a conversation with Chief Passarelli and he was very helpful with that. Just wanted to thank him for that help.

Mr. Bollas: Thank you for sharing that.

Mr. Loughry: Sure.

Mr. Bollas: Is there anything else for the Safety Committee this evening? No one responded. I will close committee.

f. **PUBLIC SERVICE**

Rebecca Allman, Chair

Dennis Loughry, Vice Chair

James Donovan

- **Ord. 6-2020 – (1st Reading).** Authorizing the Director of Public Service to advertise for bids and the Mayor to enter into a contract for pavement marking and providing for immediate enactment.

Mrs. Allman: I call the Public Service Committee to order; myself and Mr. Loughry are present. Mr. Donovan is excused. I do not really have a report to give, but I do want to thank Mr. Rorar for all he did with getting the Living Tree here in Tallmadge. My family is very pleased with it and they just fell in love with it. I had shown them pictures, but the pictures didn't do it justice. So, I want to thank you and Mayor Kline for the service yesterday too, the dedication.

We have Ord. 6-2020 before us at 1st Reading authorizing the Director of Public Service to advertise for bids and the Mayor to enter into a contract for pavement marking and providing for immediate enactment. I am assuming this is housekeeping.

Mayor: All of these are housekeeping.

Mrs. Allman: All of them; OK. Can I just read all of them then? OK.

- **Ord. 7-2020 – (1st Reading).** Authorizing the Director of Public Service to advertise and solicit bids and the Mayor to enter into a contract for concrete projects on public property and providing for immediate enactment.

Mrs. Allman: Ord. 7-2020 is at 1st Reading and is authorizing the Director of Public Service to advertise and solicit bids and the Mayor to enter into a contract for concrete projects on public property and providing for immediate enactment.

Dir. of Law: Point of order; I'm going to stop you Mrs. Allman before you go through all of that. You don't need to read those into the record now because we are reading them officially into the record later. So, you can have your discussion without formally reading the entire ordinance at this point in the conversation. Does anybody have a disagreement with that or want that to be . . . because otherwise that is why we wanted to keep the official readings later in the agenda when we actually vote on them so you do not need to read all of those; you can just discuss them.

Mr. Sisak: Why didn't you stop me earlier.

Dir. of Law: Sorry.

Pres. of Council: Just another point of order; just for clarification; would you like after each ordinance would you like the recommendation as to either adopt, reject or table at each one or should it be . . .

Dir. of Law: So, the way that the rule reads is that you may do it. It is not a requirement anymore. So, if you want to continue to do it that way and keep the formality of it you can do that and if you don't want to do that, it's up to Council. It kind of leaves you with some flexibility. Obviously, the intention is to discuss it and to know which direction you might be moving on it.

Pres. of Council: OK, I was just wondering.

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Mayor: Anybody can talk on it.

Mr. Carano: Should we just read the Ordinance number then?

Dir. of Law: I would at least for the record, it would be nice for everyone to know which one we are talking about and so at least reading the ordinance number and if you want to read the whole thing you are certainly welcome to do that. There is nothing wrong with that either. But I think the idea is to encourage the discussion and not necessarily . . . because we have maintained the formal readings later in the agenda. We don't need to do that here.

- **Ord. 8-2020 – (1st Reading).** Authorizing the Director of Public Service for bids and the Mayor to award a contract for temporary labor and providing for immediate enactment.
- **Ord. 9-2020 – (1st Reading).** Authorizing the Mayor to enter into a contract with Prime AE Group, Inc. for general traffic engineering and consulting services for various streets and projects and other general engineering services and providing for immediate enactment.
- **Ord. 10-2020 – (1st Reading).** Authorizing the Mayor to contract with CT Consultants for engineering and consulting services relating to development and other general engineering services and providing for immediate enactment.
- **Ord. 11-2020 – (1st Reading).** Authorizing the Mayor to contract with Burgess & Niple, Inc. for engineering and consulting services relating to water system development, general engineering services, and planning and zoning consulting and providing for immediate enactment.
- **Ord. 12-2020 – (1st Reading).** Authorizing the Mayor to contract with GPD Group for engineering and consulting services relating to general engineering services and providing for immediate enactment.
- **Ord. 15-2020 – (1st Reading).** Authorizing the Ohio Director of Transportation to complete the mowing of IR76 within the City limits and providing for immediate enactment.
- **Ord. 16-2020 – (1st Reading).** Authorizing the Director of Public Service to negotiate and the Mayor to contract for various policies of insurance for the City and providing for immediate enactment.
- **Ord. 19-2020 – (1st Reading).** Authorizing the Director of Public Service to advertise for bids and the Mayor to enter into a contract for chip sealing of parking lots and providing for immediate enactment.

Mrs. Allman: OK. Thank you. So, we have Ord. 8-2020 at 1st Reading; Ord. 9-2020 at 1st Reading; Ord. 10-2020 at 1st Reading; Ord. 11-2020 at 1st Reading; Ord. 12-2020 at 1st Reading; Ord. 15-2020 at 1st Reading; Ord. 16-2020 at 1st Reading and Ord. 19-2020 at 1st Reading. Does anybody have anything to add or say? Mr. Loughry; anything?

Mr. Loughry: Yes, I'm fine if we do it this way. My preference would be that we would still treat them individually and get a committee recommendation. So, I would have preferred that we did Ord. 6-2020; you don't have to read it, but we just discuss it and you get a committee recommendation. It lets the other four members of Council know what the committee thinks and then we would vote on it when we do read it into the record. But, if . . . believe me, I have been kind of pushing for what you just did for a long time. We would call that a consent agenda and you just do what you did and if nobody on Council has any . . . they don't want to pull anything out we would say that we recommend adopting all of these at 1st Reading. So, I would prefer; I would prefer doing what you just did if we are going to be uniform in doing that. I'm a big believer in consent agendas, but . . .

Dir. of Law: Mr. Loughry, to your point, I think this obviously with a lot of the housekeeping is going to be a little different than our standard meetings. Our standard meetings: you are going to go into each individual one where . . .

Mr. Loughry: These are all housekeeping; Council has read them, and we all recognize that. Mr. Rorar would like them adopted this evening.

Dir. of Pub. Service: Correct.

Mr. Loughry: And we want to adopt them this evening to get them off our plate and so I agree Mrs. Allman that we should make a recommendation to adopt all of these 2-0.

Mr. Sisak: I have a comment or a question for the Administration; are we still satisfied with the representation from Burgess and Niple for our Planning & Zoning meetings?

Mayor: We are evaluating that. I mean we can use Burgess and Niple not only for Planning & Zoning, but we use them to look at other plans that are out there; storm water, detention stuff, any new development; we have to have a City Engineer on record.

Mr. Sisak: Are we satisfied with the representation from Burgess & Niple?

Mayor: Yes.

Mr. Sisak: OK.

Mrs. Allman: Anything else? No one responded. I recommend adoption of all of these ordinances by a vote of 2-0.

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13. **REPORTS OF SPECIAL COMMITTEES:** None.

14. **Third Readings of Resolutions and Ordinances:**

- a. **Ord. 96-2019 (Tracked/Amended/Amended Tracked – Personnel) – 3rd Reading.** Establishing the number of employees by department and position pursuant to R.C. 731.08 and providing for immediate enactment.
Mr. Carano moved for the adoption of Ord. 96-2019. Seconded Mr. Loughry: Roll Call: Mr. Bollas, Mr. Carano, Mrs. Kilway, Mr. Loughry, Mr. Sisak, Mrs. Allman – unanimous.
Ord. 96-2019 is adopted by a vote of 6-0.
- b. **Ord. 101-2019 (Planning & Zoning) – 3rd Reading.** Approving, supplementing and amending Ord. 85-2018 granting a conditional zoning certificate for special non-residential development to applicant/owner The Shepherd's Pasture to modify the use from religious place of worship to personal services for 7,400 square feet at 361 Northeast Avenue.
Pres. of Council: **Ord. 101-2019 is at 3rd Reading and will remain before the Planning & Zoning Committee.**

15. **Second Readings of Resolutions and Ordinances:**

- a. **Ord. 2-2020 (Safety) – 2nd Reading.** Authorizing the Director of Law to negotiate and to enter into a contract with Oriana House, Inc. to provide for misdemeanor work release program halfway house, and home incarceration for misdemeanor offenders and providing for immediate enactment.
Mr. Bollas moved for the adoption of Ord. 2-2020. Seconded Mr. Loughry. Roll Call: Mrs. Kilway, Mr. Loughry, Mr. Sisak, Mrs. Allman, Mr. Bollas, Mr. Carano – unanimous.
Ord. 2-2020 is adopted by a vote of 6-0.
- b. **Ord. 3-2020 (Safety) – 2nd Reading.** Authorizing the Director of Law to enter into an agreement with the Summit County Public Defender's Commission, authorizing payment therefore, and providing for immediate enactment.
Mr. Bollas moved for the adoption of Ord. 3-2020. Seconded Mr. Sisak. Roll Call: Mr. Loughry, Mr. Sisak, Mrs. Allman, Mr. Bollas, Mr. Carano, Mrs. Kilway – unanimous.
Ord. 3-2020 is adopted by a vote of 6-0.
- c. **Ord. 4-2020 (Finance) – 2nd Reading.** Authorizing the Mayor to purchase online subscription services with Microsoft Corporation which are special in nature and not requiring a competitive bid and providing for immediate enactment.
Mr. Sisak moved for the adoption of Ord. 4-2020. Seconded Mr. Carano. Roll Call: Mr. Sisak, Mrs. Allman, Mr. Bollas, Mr. Carano, Mrs. Kilway, Mr. Loughry – unanimous.
Ord. 4-2020 is adopted by a vote of 6-0.

16. **First Readings of Resolutions and Ordinances:**

- a. **Ord. 5-2020 (Personnel) – 1st Reading.** Authorizing the Director of Public Service to advertise for proposals and the Mayor to enter into one or more contracts for major medical, dental, eye, and group life insurance for various officials and employees of the City and providing for immediate enactment.
Mr. Carano moved for the adoption of Ord. 5-2020. Seconded Mr. Loughry. Roll Call: Mrs. Allman, Mr. Bollas, Mr. Carano, Mrs. Kilway, Mr. Loughry, Mr. Sisak – unanimous.
Ord. 5-2020 is adopted by a vote of 6-0.
- b. **Ord. 6-2020 (Public Service) – 1st Reading.** Authorizing the Director of Public Service to advertise for bids and the Mayor to enter into a contract for pavement marking and providing for immediate enactment.
Mrs. Allman moved for the adoption of Ord. 6-2020 at 1st Reading. Seconded Mr. Loughry. Roll Call: Mr. Bollas, Mr. Carano, Mrs. Kilway, Mrs. Loughry, Mr. Sisak, Mrs. Allman – unanimous. **Ord. 6-2020 is adopted by a vote of 6-0.**
- c. **Ord. 7-2020 (Public Service) – 1st Reading.** Authorizing the Director of Public Service to advertise and solicit bids and the Mayor to enter into a contract for concrete projects on public property and providing for immediate enactment.
Mrs. Allman moved for the adoption of Ord. 7-2020. Seconded Mr. Loughry. Roll Call: Mr. Carano, Mrs. Kilway, Mr. Loughry, Mr. Sisak, Mrs. Allman, Mr. Bollas – unanimous.
Ord. 7-2020 is adopted by a vote of 6-0.
- d. **Ord. 8-2020 (Public Service) – 1st Reading.** Authorizing the Director of Public Service for bids and the Mayor to award a contract for temporary labor and providing for immediate enactment.
Mrs. Allman moved for the adoption of Ord. 8-2020. Seconded Mr. Loughry. Roll Call: Mrs. Kilway, Mr. Loughry, Mr. Sisak, Mrs. Allman, Mr. Bollas, Mr. Carano – unanimous.
Ord. 8-2020 is adopted by a vote of 6-0.
- e. **Ord. 9-2020 (Public Service) – 1st Reading.** Authorizing the Mayor to enter into a contract with Prime AE Group, Inc. for general traffic engineering and consulting services for various streets and projects and other general engineering services and providing for immediate enactment.
Mrs. Allman moved for the adoption of Ord. 9-2020. Seconded Mr. Sisak. Roll Call: Mr. Loughry, Mr. Sisak, Mrs. Allman, Mr. Bollas, Mr. Carano, Mrs. Kilway – unanimous.
Ord. 9-2020 is adopted by a vote of 6-0.

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- f. **Ord. 10-2020 (Public Service) – 1st Reading.** Authorizing the Mayor to contract with CT Consultants for engineering and consulting services relating to development and other general engineering services and providing for immediate enactment.
Mrs. Allman moved for the adoption of Ord. 10-2020. Seconded Mr. Loughry. Roll Call: Mr. Sisak, Mrs. Allman, Mr. Bollas, Mr. Carano, Mrs. Kilway, Mr. Loughry – unanimous.
Ord. 10-2020 is adopted by a vote of 6-0.
- g. **Ord. 11-2020 (Public Service) – 1st Reading.** Authorizing the Mayor to contract with Burgess & Niple, Inc. for engineering and consulting services relating to water system development, general engineering services, and planning and zoning consulting and providing for immediate enactment.
Mrs. Allman moved for the adoption of Ord. 11-2020. Seconded Mr. Loughry. Roll Call: Mrs. Allman, Mr. Bollas, Mr. Carano, Mrs. Kilway, Mr. Loughry, Mr. Sisak – unanimous.
Ord. 11-2020 is adopted by a vote of 6-0.
- h. **Ord. 12-2020 (Public Service) – 1st Reading.** Authorizing the Mayor to contract with GPD Group for engineering and consulting services relating to general engineering services and providing for immediate enactment.
Mrs. Allman moved for the adoption of Ord. 12-2020. Seconded Mr. Loughry. Roll Call: Mr. Bollas, Mr. Carano, Mrs. Kilway, Mr. Loughry, Mr. Sisak, Mrs. Allman – unanimous.
Ord. 12-2020 is adopted by a vote of 6-0.
- i. **Ord. 13-2020 (Finance) – 1st Reading.** Expressing intent to sell unneeded, obsolete, or unfit municipal personal property by internet auction in calendar year 2020 and providing for immediate enactment.
Mr. Sisak moved for the adoption of Ord. 13-2020. Seconded Mr. Carano. Roll Call: Mr. Carano, Mrs. Kilway, Mr. Loughry, Mr. Sisak, Mrs. Allman, Mr. Bollas – unanimous.
Ord. 13-2020 is adopted by a vote of 6-0.
- j. **Ord. 14-2020 (Finance) – 1st Reading.** Expressing intent to sell unneeded, obsolete, or unfit motor vehicles and equipment by auto auction in calendar year 2020 and providing for immediate enactment.
Mr. Sisak moved for the adoption of Ord. 14-2020. Seconded Mr. Carano. Roll Call: Mrs. Kilway, Mr. Loughry, Mr. Sisak, Mrs. Allman, Mr. Bollas, Mr. Carano – unanimous.
Ord. 14-2020 is adopted by a vote of 6-0.
- k. **Ord. 15-2020 (Public Service) – 1st Reading.** Authorizing the Ohio Director of Transportation to complete the mowing of IR76 within the City limits and providing for immediate enactment.
Mrs. Allman moved for the adoption of Ord. 15-2020. Seconded Mr. Loughry. Roll Call: Mr. Loughry, Mr. Sisak, Mrs. Allman, Mr. Bollas, Mr. Carano, Mrs. Kilway – unanimous.
Ord. 15-2020 is adopted by a vote of 6-0.
- l. **Ord. 16-2020 (Public Service) – 1st Reading.** Authorizing the Director of Public Service to negotiate and the Mayor to contract for various policies of insurance for the City and providing for immediate enactment.
Mrs. Allman moved for the adoption of Ord. 16-2020. Seconded Mr. Loughry. Roll Call: Mr. Sisak, Mrs. Allman, Mr. Bollas, Mr. Carano, Mrs. Kilway, Mr. Loughry – unanimous.
Ord. 16-2020 is adopted by a vote of 6-0.
- m. **Ord. 17-2020 (Finance) – 1st Reading.** Authorizing the Mayor to enter into a necessary contract or resolution for the purchase of salt through the ODOT Cooperative Purchasing Program and other Intergovernmental Purchasing Programs and providing for immediate enactment.
Mr. Sisak: Point of order.
Pres. of Council: Ord. 17-2020? On our agenda it has it as . . .
Deputy Clerk of Council: Authorizing the Mayor to enter into the necessary contract or resolution for the purchase of salt through the ODOT Cooperative Purchasing Program and other Intergovernmental Purchasing Programs and providing for immediate enactment.
Pres. of Council: Point of order; how do we . . .
Dir. of Law: The agenda is incorrect so we can just give it a 1st Reading and we can just hold it over to the next meeting.
Pres. of Council: OK, because the agenda was incorrect during the Committee part too. So, Ord. 17-2020 is at 1st Reading . . .
Dir. of Law: Oh, you need that one.
Dir. of Pub. Service: I need that ODOT. I would like to have that by February.
Mr. Sisak: Could we do 17.A?
Pres. of Council: Does Finance want to open their committee and discuss this with the correct description?
Mr. Sisak: Then what ordinance is the other one then?
Dir. of Law: It is not on there at all.
Pres. of Council: No, we did not discuss salt at all on the agenda. So, we do need to have our committee . . .

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Dir. of Law: You could . . . I think you could do it as an agenda addition; just out of order, so move to do an out of order agenda addition only because the Service Director needs it.

Mayor: Just give it a 1st Reading and as long as we can clean it up at the first meeting in February.

Dir. of Law: Are you sure?

Dir. of Pub. Service: Qazi.

Mr. Sisak: Well, don't run out of salt.

Dir. of Pub. Service: I'm not worried about this year.

Mr. Sisak: For next year?

Dir. of Pub. Service: For next year.

Pres. of Council: So, then my next question too then is what is the ordinance number for authorizing the Director of Public Service to negotiate and the Mayor to contract for various policies of insurance? We discussed that twice then.

Mrs. Allman: Yes, we did.

Pres. of Council: OK, so I see what happened. Item 16.m, the description was copied for Item 16.l. That is what happened.

Dir. of Law: Yes; it is the same one.

Pres. of Council: OK. I just wanted to make sure that . . . OK. So, Ord. 17-2020.

Dir. of Law: So, the Service Director has indicated he can wait until the next meeting. So, we will not need to take action on this because it wasn't published.

it is going to be it is not really . . . it will be at 1st Reading at the next meeting to clean it up. So, it will be reassigned with the correct title with the correct name associated with it and then we will give it the 1st Reading at the next meeting.

Mr. Loughry: I don't have a problem doing it as an agenda addition. I mean, you have the legislation in front of you; right? We could read it and we could discuss it and then we could vote on it. But if you want to wait; we can wait.

Mayor: I'm just trying to make it easy for Council.

Mr. Loughry: I think we just do it as an agenda addition. Mistakes happen. We can fix it and let Mr. Rorar proceed.

Pres. of Council: So, I did already refer this to the Finance Committee; so, Mr. Sisak; how would you like to proceed?

Mr. Sisak: I would like to call to order the Finance Committee; myself and Mr. Carano are present. Mr. Carano, we currently have Ord. 17-2020 before us; there is an error in the presentation of it on the agenda, but it is the correct ordinance of Ord. 17-2020 and it is authorizing the Mayor to enter into the necessary contract or resolution for the purchase of salt through the ODOT Cooperative Purchasing Program and other intergovernmental purchasing programs and providing for immediate enactment. What are your thoughts on this?

Mr. Carano: I would recommend adoption.

Mr. Sisak: I would recommend adoption as well. We recommend adoption 2-0 of Ord. 17-2020 at this time. Seeing nothing else to come before the Finance Committee; I will close committee.

Mr. Sisak moved for the adoption of Ord. 17-2020 at 1st Reading. Seconded Mr. Carano. Roll Call: Mrs. Allman, Mr. Bollas, Mr. Carano, Mrs. Kilway, Mr. Loughry, Mr. Sisak – unanimous. **Ord. 17-2020 is adopted by a vote of 6-0.**

n. **Ord. 18-2020 (Finance) – 1st Reading.** Authorizing participation in the National Association of State Procurement Officials (NASPO) and NASPO ValuePoint for the purpose of contracting with Verizon Wireless for telephone and internet services and providing for immediate enactment.

Pres. of Council: **Ord. 18-2020 is at 1st Reading and is assigned to the Finance Committee.**

o. **Ord. 19-2020 (Public Service) – 1st Reading.** Authorizing the Director of Public Service to advertise for bids and the Mayor to enter into a contract for chip sealing of parking lots and providing for immediate enactment.

Mrs. Allman moved for the adoption of Ord. 19-2020. Seconded Mr. Loughry. Roll Call: Mr. Bollas, Mr. Carano, Mrs. Kilway, Mr. Loughry, Mr. Sisak, Mrs. Allman – unanimous.

Ord. 19-2020 is adopted by a vote of 6-0.

p. **Ord. 20-2020 – (Planning & Zoning) – 1st Reading.** Granting a conditional zoning certificate to applicant, The Breakfast Place Inc., Owner, Ward Holdings LLC, to operate a dining establishment serving alcoholic beverages at 137 East Avenue, Suite 30.

Pres. of Council: **Ord. 20-2020 is at 1st Reading and is assigned to the Planning & Zoning Committee.**

Pres. of Council: At this time, I will entertain a motion to go into Executive Session.

Mr. Sisak: I move that we go into Executive Session for the purposes of property acquisition and pending litigation. Seconded Mr. Carano. Roll Call: Mrs. Kilway, Mr. Loughry, Mr. Sisak, Mrs. Allman, Mr. Bollas, Mr. Carano – unanimous. It is 8:49 p.m. and we will be going into Executive Session and then we will come back after that.

Mr. Loughry: Mrs. Kilway, for the audience, do we expect to take any action?

Pres. of Council: I guess not. Thank you.

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Pres. of Council: It is now 9:01 p.m. and we are back from Executive Session.

- 17. ADJOURNMENT:** Mr. Sisak moved to adjourn. Seconded Mrs. Allman. Voice vote 6-0.
The Regular Council meeting adjourned at 9:02 p.m.

sb

Adopted:

Susan E. Burton, Clerk of Council

Carol A. Kilway, President of Council