

## REGULAR MEETING

in Council Chambers @ 7:00 p.m.

February 27,

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1. **CALL TO ORDER.** President of Council Kilway called the Regular Council meeting of Thursday, February 27, 2020 to order at 7:00 p.m.
2. **PRAYER:** Rev. Doug Walter, First Church of God, 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:** 1-23-20 Regular Council Meeting minutes  
2-13-20 Regular Council Meeting minutes  
Mr. Sisak moved for the adoption of the 1-23-20 Regular Council Meeting minutes along with the 2-13-20 Regular Council Meeting minutes. Seconded Mr. Loughry. Voice vote 6-0. **The Regular Council Meeting minutes for the 1-23-20 and 2-13-20 meetings were approved by a vote of 6-0.**
5. **FINANCIAL REPORTS:** None.
6. **PUBLIC HEARINGS:** None.
7. **COMMUNITY INPUT:**
  - Mr. McGill, FCS (Family & Community Services - Mobile Meals)

**Pres. of Council:** We do have on the agenda that Mr. McGill from Family & Community Services – Mobile Meals would be here this evening. However, he had to cancel because he is ill. Is there anybody else in the audience who would like to come to the podium for a brief discussion on anything? Mr. McWhirter; you know the drill, state your name and address; you have 3 minutes; OK?

**Mr. Robert McWhirter, 842 Treat Blvd., Tallmadge.** Yup. We are here again to speak of the 2<sup>nd</sup> Amendment. Well regulated militia being necessary to the security of a free state right of the people to keep and bear arms shall not be infringed. I have been here since December related to the lawsuit that Tallmadge had joined against the State of Ohio. A couple meetings ago I asked questions about support of the 2<sup>nd</sup> Amendment and I've gotten answers from all of the Council people and mostly yesses; a couple yesses with a little . . . so that's good. It still brings back . . . I still have some questions as to why we got involved. I know now that the City of Akron reached out to our Law Director, but that is kind of a bit of it. I still question why none of this was public; why it was in Executive Session; why it still has not been anything public and why we are still there. So that is my questions that are still there. I know we . . . the monies that we have spent was a \$7,000 retainer and I know how attorneys work; that's a retainer; that gets it started. That is not the bill. It could be drastically more than that, but that is some of the answers that I have gotten but it still comes back to it appears that the Law Director made the decision, brought it to Council; Council went into Executive Session and then it was handled and now we are in this lawsuit. It is the appearance that I have issue with of why this was not spoken about on any record and still has not been to a great degree other than by the Law Director to say that we are in it and there won't be any further discussions about it. So, I still would like to know how it came about; what was the Mayor's role in it; what was Council's role in it; why wasn't it stopped; could it have been stopped and those answers have yet to be answered. I know I spoke with the Law Director last session and there was a question as to you know . . . just pull out of it and I don't know where that has gone if that has gone any further; she was going to look into it; that's where I still stand wondering why we are still involved and why we don't pull out.

**Pres. of Council:** Thank you.

**Dir. of Law:** Madame President, as I have previously indicated, the City is involved in a declaratory judgement action related to House Bill 228 in an effort to preserve Home Rule and the status quo. The litigation was initiated in accordance with the City's Charter and General Law. 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. Thank you.

**Pres. of Council:** Thank you very much. Is there anybody else here in the community or in the audience that would like to speak? Now is your time. Kids? OK, no takers.
8. **ANNOUNCEMENTS:** There will be an Investment Board meeting along with a Board of Control meeting this evening and there is also going to be an Executive Session prior to the adjournment of this meeting and the Executive Session is to discuss land acquisition.
9. **AGENDA ADDITIONS:** There will be a short Richardson Trust Fund meeting following adjournment of the Regular Council meeting to reimburse the fund.
10. **REFERRALS OF FIRST READING ORDINANCES AND RESOLUTIONS:**
  - a. The following shall be referred to the **Finance Committee:**
    - Ord. 23-2020
    - Ord. 24-2020
    - Ord. 25-2020
    - Ord. 26-2020

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**10. REFERRALS OF FIRST READING ORDINANCES AND RESOLUTIONS (Cont'd.)**

- b. The following shall be referred to the **Planning & Zoning Committee**: None.
- c. The following shall be referred to the **Personnel Committee**: None.
- 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. 27-2020

**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. Just to give you an update on the **ODOT Project on East Avenue**; we were successful this time. We did receive the Safety Funds; \$2,552,580 for the East Avenue Design and Right-of-Way work on that. When you get safety funds, it is usually a 90/10%; 90% State and 10% local. We were informed just yesterday, or Tuesday that the State will also pick up the 10%. So that is pretty awesome for the City of Tallmadge to be awarded. That is the **Safety Funds**. The scope of the project will be from Brimfield corporate at Tallmadge all the way down to Community Drive for the design concept of that. The project would be broken up into two phases for construction. Phase One would be from the Rec Center out to Brimfield. Phase Two would be from the Rec Center/Munroe down to the Circle. Construction timeframe: you are looking at 2025/2026. It is quite a ways away, but this is the first step.

Also, tomorrow we will be **applying for a connectability grant** and that is where two communities can connect to each other and that will be for the East Avenue Corridor connecting the Rec Center, Maca Pool: that whole corridor down to the Cascades area. That is a \$40,000 grant just to allow engineering on that. I am not sure if we will get that, but with all of this other stuff, it should come together pretty nice. So, that will be applied for tomorrow.

**Mr. Sisak:** Connectability as far as roads or sidewalks?

**Mayor:** It is walkability, but it is for . . . it is connecting communities.

**Pres. of Council:** That's fantastic.

**Mayor:** So, things are moving along. I am also happy to announce that at the next Council meeting, we should have another **Economic Developer** person sitting in the seat a couple doors down from me, **Matt Springer**. He is coming from Copley Township and he has been there for 12 years and he comes very highly recommended by a lot of people. He has a master's degree in public planning and he runs their CIC which is probably the thing I am most excited about is that he will really take over our CIC to get that thing going in a different direction than we are currently at right now. So, I am pretty excited about that. I will bring him in. You will see him in the near future. He starts March 9<sup>th</sup>. End of report.

**Dir. of Pub. Service:** Good evening. I have no report.

**Mr. Loughry:** Mrs. Kilway; I just want to let everyone . . . Council knows that Mr. Rorar and I did meet, and we talked about everything water; anything that has to do with water; we talked about and also Howe Road. I was very happy with the plans specifically regarding Howe Road. You know, when one municipality does something then you start getting questioned about when you are going to do something on your part of that road and so anyway we all know; for a long time we have known how expensive that is going to be and so anyway; I was just really happy that we have a plan in place. So, thank you.

**Mr. Sisak:** What about Howe Road Mr. Loughry?

**Mr. Loughry:** Well, it is expensive and you have to plan for it and we are not just going to be able to do it without funding, but at least we have . . . we had an estimate of what it would even cost just to engineer that and that is a scary number. But the fact is when you drive from the Roundabout to North Avenue, in the outside lane that abuts the Carter property, and the DD property and the Fairgrounds; I don't drive in that lane anymore. I treat it like a one-lane road, and I am in the inside lane, but it doesn't matter how expensive something is; you have to have an idea of whether you think you are going get funding just like East Avenue and then you have to set money aside if you know you are going to have to engineer it or do something on your own in the short term and I believe that we have been proactive in filling in and doing repairs that were absolutely needed and then when other people are doing work in or near that right-of-way, we are asking them to do some things as well or they are volunteering to do it. So, anyway, I just . . . I didn't want to hear that we have no idea how much it costs; we have no idea when we might get to it and we are just acting like it doesn't exist. That is not where we are at.

**Pres. of Council:** OK. Thank you. If there is any more discussion on this; don't you think it would be better during the Public Service Committee; a discussion at this time because we are doing reports of Administrative Officers at this time, so thank you.

**Dir. of Administration:** Good evening. I have no report.

**Dir. of Finance:** Yes, thank you. I wanted to make Council aware that I am in the process of working on beginning the process, beginning the process of a process of refunding a 2010 bond issue that we have. So currently interest rates for borrowing as well as investing are at an all-time low and so we can potentially, on those bonds, save about 9% over the life, or about \$20,000 a year and then also due to the fact that we have this opportunity to refund those bonds, I am going to look at adding to those bonds for the new fire truck. So, you will probably see at the first meeting in April the legislation coming through. We are finalizing the numbers. The Fire Chief is finalizing the numbers right now for the fire truck purchase and so since we are

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**Dir. of Finance (Cont'd.)** already refunding a bond issue, it just made sense to add these to the new issue and so the refunding and the truck will be a ten-year issue, but we can wrap that all up and save ourselves some issuance costs since we are already going through that process.

**Pres. of Council:** Very good. Thank you.

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

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

a. **PERSONNEL**

*Michael Carano, Chair*

*Rebecca Allman, Vice Chair*

*Jonathon Bollas*

**No legislation at this time.**

**Mr. Carano:** I call the Personnel Committee to order; myself, Mrs. Allman and Mr. Bollas are present. There is no legislation in front of us at this time. Does anybody on the committee have anything? No one responded. Council at large?

**Mr. Sisak:** I do Mr. Carano. This is probably for the Mayor. Where are we in the process of hiring that additional Police Officer to replace the SRO?

**Mayor:** The one application . . . we are in the middle of the final phase another person that we are hopefully on March 9<sup>th</sup> that will be ratified at that point or close to it. We will be able to make the announcement that yes; they are on board or no, they are not.

**Mr. Sisak:** Then I guess my next question is is this process the best method or should we open up for a test; Civil Service exam coming up soon moving forward?

**Mayor:** The next time it will be an opened up test. That is my opinion. The lateral was nice, because you really get qualified people, but it has not helped to pick up the time to go through that to get that person. You would have thought it would have picked up time because of them being so experienced that you don't have to do such an extensive . . . but even though we gave a lateral entry test, some people did not pass the physical agility; some did not pass the psych test; some didn't pass different parts of the test and they do extensive background checks.

**Mr. Sisak:** OK.

**Mayor:** We just want to make sure we get the right person.

**Mr. Carano:** Anything from the Administration? No one responded. I will close committee.

b. **COMMUNITY ISSUES**

*Dennis Loughry, Chair*

*Jonathon Bollas, Vice Chair*

*Rebecca Allman*

**No legislation at this time.**

**Mr. Loughry:** I call Community Issues to order; myself, Mr. Bollas and Mrs. Allman are all present. We have no legislation, but does anybody in committee have anything?

**Mr. Bollas:** I was just going to mention that I saw some activity on-line regarding the coyote issue and I just wanted to bring awareness to Council and the Administration. I saw two incidents. One was a dog attack and the other was just a sighting. So, regarding the committee I just wanted to bring that awareness. I know we discussed it a few meetings ago and I just wanted to bring that up that I noticed that activity.

**Pres. of Council:** Yeah, I did read some place that now is their mating season and so they are just out everywhere so you have to be very diligent with animals and kids. I have seen them in my neighborhood, and we have small little yards, so they are everywhere.

**Mr. Loughry:** I actually have three things. This morning . . . well, I signed up for **Civic Ready** and I already thought that was great. That would be a big improvement over Code Red, and it was very easy to sign up. If I could do it . . . I didn't have to call my wife one time! It was very easy. But then today at Rotary we had a presentation from Mr. Stasik and it was phenomenal what the next phase of this is going to be and I just wanted to . . . do you want to talk about that tonight Mayor or do you want to wait?

**Mayor:** I can talk about it. Carol had asked me to have Ben come here and give that same presentation at City Council to at least go over the highlights of what Civic Ready and Civic Plus will actually do and it is taking the City of Tallmadge to the next level to communicate with the public not only for disasters but if they have a problem, they can take a picture of it and e-mail it and it makes a work order and then the Service Department gets it and if we go out and fix it and we update that; it goes back to the person who complained about it. So, it puts the complaint in. It is a really forward thinking . . . hats off to the IT Department and safety forces and Dr. Cooper who really helped to spearhead all of that to make that happen. It is pretty nice.

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**Mr. Loughry:** Alright; that's one. The second one and this is I guess just an irritant of mine which is a holdover from when I was the Economic Developer; the Mayor and I worked together and we bought the **10-Minute Lube** and we had it torn down and we had a very nice municipal lot there that we have needed for a long, long time and then you know you have businesses that pay us taxes and they own a building and they go through the hoops and do what they are supposed with signage and lighting and all of that and then we have other businesses, some of which are not even in our City **using that lot as a billboard** and I think, and again, I don't know, but because what I think makes sense normally does not to a lot of people, but we should be able to include that lot as a part of the park and then we should be able to have timelines when you are allowed to park in a park.

I would say that if we could, it would be like 6:00 p.m. unless there is an event being held in the Circle so that these people don't use it all weekend long to sell their cars or to advertise their heating and air company or there was another company there all weekend. I just think that there could be something that we could do to help protect those businesses that are doing things the right way. So that . . . and maybe, I don't know, but it just angers me when I drive around and I see that stuff.

**Mayor:** So, Property Maintenance made that vehicle go away Monday morning. The problem is that the people come in Friday after the office is closed and they park their vehicle there and then they advertise sometimes . . . you are not allowed to park in any park parking lot overnight, I think. So, we need to post it better.

**Mr. Sisak:** So, is it an enforcement out of the offices here or is it a Police enforcement because that should have been towed if that was the case.

**Dir. of Law:** No, they need to post it better so that everybody is on notice so I have already indicated that because it is a public lot and the fact that they park a car that happens to have signage on it is not in and of itself . . . if the car is allowed to be there then the car is allowed to be there so we need to have restrictions on how long they are allowed to be there.

**Mr. Sisak:** So, there are no restrictions posted.

**Dir. of Law:** They are not posted. So, they are in effect, but we need to be posting them, so it is clear to everyone and they know that they need to abide by those regulations. It's just like we do with the parks.

**Mr. Loughry:** We are all on the same page.

**Mayor:** We had to do that at Acme Plaza. Those signs are posted there. Before the trucks would park there all the time. When it was Acme; now it is Planet Fitness, they asked us to put those signs up and now that is enforceable. We should have that in our park at the Circle.

**Mr. Loughry:** Then my last point is you know I went to Mayor Kline's State of the City last week and that was very good. We have a lot of good things going on and then yesterday I went to Mayor Horrigan's for the City of Akron and you know there are unique challenges when you are an inner ring suburb and Mayor Horrigan has a vision just like Mayor Kline does and he has got a plan; he has a team in place and just like Mayor Kline, but we need to really cheer for their success because our success to a large degree depends on their success and he addressed issues head on that we all know that they are facing that impacts our City especially our Fire/EMS and Police and so anyway, I just wanted to let you know that I was impressed with both, but we need to be Akron's biggest cheerleader. So that is all I have in committee. Does anybody else have anything else for Community Issues?

**Mayor:** I will say that we have a great working relationship with Akron as we have never had in the past like we do now. It is a region thing. It is about the region and that is a good thing.

**Mr. Loughry:** I close committee.

C.

**SAFETY**

***Jonathon Bollas, Chair***

***Michael Carano, Vice Chair***

***Craig Sisak***

**No legislation at this time.**

**Mr. Bollas:** I call the Safety Committee to order; myself, Mr. Carano and Mr. Sisak are present. We have no legislation at this time. Does anybody have anything for the Safety Committee this evening?

**Mr. Sisak:** I just want to report that I met with the Law Director this week regarding the parking code. I brought up probably . . . it came up that we needed to modify one piece of the Code and it was my feeling that we should probably look at the Code in its entirety and so we had a nice meeting. She is going to follow up with the Police and Fire and Service and then get back with us and I will share the recommendations with the three of you individually and it will probably be on the floor here in the next month or two.

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**Dir. of Law:** Mr. Sisak, just to let you know, we did forward that already to Service, Fire and Police and we are working on that.

**Mr. Sisak:** Thank you.

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

d.

**PUBLIC SERVICE**

***Rebecca Allman, Chair***

***Dennis Loughry, Vice Chair***

***James Donovan***

- **Ord. 27-2020 (1<sup>st</sup> Reading)** – Authorizing the use of sodium chloride, calcium chloride, and magnesium chloride by the City of Tallmadge and requiring Council approval for the purchase or use of any other deicing agent 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. We have Ord. 27-2020 at 1<sup>st</sup> Reading authorizing the use of sodium chloride, calcium chloride, and magnesium chloride by the City of Tallmadge and requiring Council approval for the purchase or use of any other deicing agent and providing for immediate enactment.

**Mr. Carano:** I put this in in hopes that future administrations down the line and everything; our administration is quite on board and they have done a wonderful job and I want to thank the Law Director for putting up the language for this. The purpose of course is to make sure that the stuff that we are putting on our roads in no way affects the health and safety of the citizens and so my hope is that when it comes time they will pass this and another reason is that I think it is important that this Council has say and so that there is change in the future of what is going to be put on the roads that we know what it is and we understand the science behind it so that we can protect the citizens. That's all. Thank you.

**Mrs. Allman:** Administration? Do you have anything?

**Mayor:** Madame Chair, this is at 1<sup>st</sup> Reading and we are using this product now and so you can give it a 1<sup>st</sup> Reading; you can adopt it; that is what we are abiding by as of today. So however, you want to handle it.

**Mr. Loughry:** Mrs. Allman, I would just give it a 1<sup>st</sup> Reading.

**Mrs. Allman:** OK. I close committee.

e.

**FINANCE**

***Craig Sisak, Chair***

***James Donovan, Vice Chair***

***Michael Carano***

- **Ord. 23-2020 (1<sup>st</sup> Reading)** - Authorizing the Mayor to apply for and receive funding from the 2020 Community Development Block Grant (CDBG) Program Year and to enter into a contract for the same and providing for immediate enactment.

**Mr. Sisak:** I call the Finance Committee to order; myself, and Mr. Carano are present. Mr. Donovan is excused. We have Ord. 23-2020 authorizing the Mayor to apply for and receive funding from the 2020 Community Development Block Grant (CDBG) Program. This is typically a housekeeping ordinance. Is that correct Mayor?

**Mayor:** That is correct. This allows Andrea to apply for funding for the Minor Home Repair and different CDBG stuff. We don't need it this time, but it is housekeeping.

**Mr. Sisak:** Mr. Carano, do you have any comments or thoughts?

**Mr. Carano:** No, other than is it imperative that . . .

**Mayor:** It is not holding us up at this time. So, you can just give it a 1<sup>st</sup> Reading.

- **Ord. 24-2020 (1<sup>st</sup> Reading)** – Appropriating additional amounts and reducing appropriations in various funds and providing for immediate enactment.

**Mr. Sisak:** We have Ord. 24-2020 appropriating additional amounts in various funds. I believe that was because of the 27 pays. I did see that. Is that something Madame Finance Director that you would need at this time?

**Dir. of Finance:** No, there is no hurry for that.

**Mr. Sisak:** OK. The 27 pays is at the end of the year.

**Dir. of Finance:** The 27<sup>th</sup> pay is not until December 31<sup>st</sup>, so I just need it by then. I just wanted Council to be able to have this in the budget since we knew it was coming, I wanted it in the budget as soon as possible.

**Mr. Sisak:** Great, Thank you. Mr. Carano, any thoughts on this?

**Mr. Carano:** If you want to go ahead with it; I will do that.

**Mr. Sisak:** Yeah, I mean it's not like we can't not pay our employees, so I appreciate you getting it to us as soon as you did. So, I am going to recommend adoption 2-0 at 1<sup>st</sup> Reading.

- **Ord. 25-2020 (1<sup>st</sup> Reading)** – Appropriating additional amounts and providing

for immediate enactment.

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**Mr. Sisak:** We have Ord. 25-2020 appropriating additional amounts and providing for immediate enactment. This is another one . . .

**Dir. of Finance:** This is for the replacement of the Veteran's Memorial and all the repairs.

**Mr. Sisak:** So, it is accepting money from the insurance?

**Dir. of Finance:** Well, we have received money from the driver's insurance company and so this is to appropriate the funds to use that money to fix the problems.

**Mr. Sisak:** So, if you saw, I don't know if anyone looked at it; it was \$35,000 worth of damage which is significant. So, Mr. Carano would you like to accept or adopt this at 1<sup>st</sup> Reading?

**Mr. Carano:** Yes, I do.

**Mr. Sisak:** I would recommend adoption so we can move on that. So, we will recommend adoption of Ord. 25-2020 by a vote of 2-0. For clarification for the students, a driver happened to drive through the middle of the Circle back a couple of months ago and hit the Veteran's Memorial and hit flagpoles and did like I said, \$35,000 worth of damage just to the public property let alone their car and personal property. So that is what that was about.

- **Ord. 26-2020 (1<sup>st</sup> Reading)** – Authorizing the Mayor to enter into a contract with the Tallmadge Chamber of Commerce for economic development assistance and to maintain Chamber personnel at the Community Center and providing for immediate enactment.

**Mr. Sisak:** Authorizing the Mayor to enter into a contract with the Tallmadge Chamber of Commerce for economic development assistance and to maintain Chamber personnel at the Community Center. Is that housekeeping as well?

**Mayor:** No. It's not housekeeping. We would only ask you to give it a 1<sup>st</sup> Reading, but we will give you an update of what this is all about. The exhibit is not here yet for us to show you. We still need to get that exhibit so you can see the contract.

**Mr. Sisak:** OK. So even with the newly hired Director of Economic Development or is it different or something else?

**Mayor:** It's different.

**Mr. Sisak:** OK.

**Mayor:** Don will give you a heads up.

**Mr. Sisak:** Yeah, give us a Reader's Digest.

**Dir. of Administration:** The thumbnail is that the contract that the Chamber of Commerce has with the City to rent that space at the Community Center is expiring and so we are going to renew that and expand a little bit to try to offer like we have phone and internet access for the City right there in front of them so they will be able to access that as opposed to buying it separately.

**Mr. Sisak:** OK. Great. Sounds like that will be a win/win for both entities. So, we will give that a 1<sup>st</sup> Reading Mr. Carano.

Then we have Ord. 27-2020 . . . no, that is Public Service; I'm sorry. So, there are no hyperlinks under my committee. They are only under the . . .

**Mayor:** You have to keep going down.

**Dir. of Law:** We were actually just saying that it might be nice if the Clerk could do the hyperlinks in this part of the agenda too.

**Mr. Sisak:** I think you read my mind.

**Pres. of Council:** I was thinking the same thing.

**Mr. Sisak:** So, we will investigate that. Is there anything else from the committee or Council to come before Finance this evening? No one responded. Council? No one responded. OK, seeing none, I will go ahead and close committee. Thank you.

f. **PLANNING & ZONING**

**James Donovan, Chair**

**Craig Sisak, Vice Chair**

**Dennis Loughry**

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

**P&Z Commission voted 5-0 to approve this based on the evidence presented with conditions.**

**Mr. Sisak:** Mr. Loughry and myself are present this evening. Mr. Donovan is excused. We currently have Ord. 101-2019 at 3<sup>rd</sup> Reading, and it is approving, supplementing, and amending Ord. 85-2018 of a conditional zoning certificate for the Shepherd's Pasture for All Nations/SPAN Ministries for a modified use

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**Mr. Sisak (Cont'd.)** of a religious place of worship to include personal services. It was recommended by Planning & Zoning Commission and they voted 5-0 to approve based on the evidence presented within the conditions. Mr. Loughry?

**Mr. Loughry:** I would move to adopt.

**Mr. Sisak:** I will agree with that and so we will adopt Ord. 101-2019 amended version at 3<sup>rd</sup> Reading by a vote of 2-0.

- **Ord. 20-2020 (3<sup>rd</sup> Reading – Amended)** – 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.

**P&Z Commission voted 5-0 to approve based on the evidence presented with conditions.**

**Mr. Sisak:** We also have Ord. 20-2020 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. Again, the Planning & Zoning Commission voted 5-0 to approve based on the evidence presented within the conditions. Mr. Loughry?

**Mr. Loughry:** I would move to adopt.

**Mr. Sisak:** I would agree. So, we will recommend adoption of Ord. 20-2020 by a vote of 2-0. Is there anything else to come before Planning & Zoning Committee at this time? Seeing none, I will go ahead and close committee. Thank you.

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

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

- a. **Ord. 101-2019 (Planning & Zoning - Amend) – 3<sup>rd</sup> 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 for All Nations/SPAN Ministries to modify the use from religious place of worship to include personal services for 7,400 square feet at 361 Northeast Avenue.

**P&Z recommends approval 5-0 with conditions.**

Mr. Sisak moved for the adoption of Ord. 101-2019. Seconded Mr. Loughry. Roll Call: Mr. Bollas, Mr. Carano, Mrs. Kilway, Mr. Loughry, Mr. Sisak, Mrs. Allman – unanimous.

**Ord. 101-2019 is adopted by a vote of 6-0.**

**Pres. of Council:** Just for the students in the audience to let you know; it sounds like we are talking about the same ordinance we just talked about. We were previously in Item 12, everyone was in Committee discussing the ordinances and now we are actually doing the official reading into the record and doing the official voting on the ordinances. So, just to clarify a little bit for you.

- b. **Ord. 20-2020 (Planning & Zoning - Amend) – 3<sup>rd</sup> 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.

**P&Z recommends approval 5-0 with conditions.**

Mr. Sisak moved for the adoption of Ord. 20-2020. Seconded Mr. Loughry.

**Mr. Loughry:** The applicant is here, and I just want to make sure that he has a clear understanding of what he needs to do if he is not able to serve what he wants to serve at this time.

**Mayor:** If I may, the applicant; we have had discussions with the applicant on this topic. What this ordinance is doing is allowing the City to be prepared for the sale of alcohol at that spot subject to the State of Ohio granting the liquor license. Now, if . . . what he is applying for; if it does not get granted for a reason that the voters of that precinct did not vote on it, then he would have to go to the ballot for that specific item. But if the State feels that everything was done between the Board of Elections and the State of Ohio; this ordinance would allow him to continue with that operation and I think he is aware of that.

Roll Call: Mr. Carano, Mrs. Kilway, Mr. Loughry, Mr. Sisak, Mrs. Allman, Mr. Bollas – unanimous. **Ord. 20-2020 is adopted by a vote of 6-0.**

15. **Second Readings of Resolutions and Ordinances:** None.

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

- a. **Ord. 23-2020 (Finance) – 1<sup>st</sup> Reading.** Authorizing the Mayor to apply for and receive funding from the 2020 Community Development Block Grant (CDBG) Program Year and to enter into a contract for the same and providing for immediate enactment.

Pres. of Council: **Ord. 23-2020 is at 1<sup>st</sup> Reading and is assigned to the Finance Committee.**

- b. **Ord. 24-2020 (Finance) – 1<sup>st</sup> Reading.** Appropriating additional amounts and reducing appropriations in various funds and providing for immediate enactment.

Mr. Sisak moved for the adoption of Ord. 24-2020 at 1<sup>st</sup> Reading. Seconded Mr. Carano. Roll Call: Mrs. Kilway, Mr. Loughry, Mr. Sisak, Mrs. Allman, Mr. Bollas, Mr.

in Council Chambers @ 7:00 p.m.

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**16. First Readings of Resolutions and Ordinances (Cont'd.)**

- c. **Ord. 25-2020 (Finance) – 1<sup>st</sup> Reading.** Appropriating additional amounts and providing for immediate enactment.

Mr. Sisak moved for the adoption of Ord. 25-2020. Seconded Mr. Carano. Roll Call: Mr. Loughry, Mr. Sisak, Mrs. Allman, Mr. Bollas, Mr. Carano, Mrs. Kilway – unanimous.

**Ord. 25-2020 is adopted by a vote of 6-0.**

- d. **Ord. 26-2020 (Finance) – 1<sup>st</sup> Reading.** Authorizing the Mayor to enter into a contract with the Tallmadge Chamber of Commerce for economic development assistance and to maintain Chamber personnel at the Community Center and providing for immediate enactment.

Pres. of Council: **Ord. 26-2020 is at 1<sup>st</sup> Reading and is assigned to the Finance Committee.**

- e. **Ordinance 27-2020 (Public Service) – 1<sup>st</sup> Reading.** Authorizing the use of sodium chloride, calcium chloride, and magnesium chloride by the City of Tallmadge and requiring Council approval for the purchase or use of any other deicing agent and providing for immediate enactment.

Pres. of Council: **Ord. 27-2020 is at 1<sup>st</sup> Reading and is assigned to the Public Service Committee.**

At this time, I will entertain a motion to go into Executive Session. Mr. Sisak moved to go into Executive Session regarding Land Acquisition. Seconded Mr. Carano. Roll Call: Mr. Sisak, Mrs. Allman, Mr. Bollas, Mr. Carano, Mrs. Kilway, Mr. Loughry – unanimous. It is now 7:43 and we will be going into Executive Session. For the students, we should be back shortly.

**Mayor:** We will finish them up first. Because when we come back, we will not take any action at that point. Council is really done, but we do have to come back to adjourn.

**Pres. of Council:** It is 7:52 p.m. and we are back on the floor.

- 17. ADJOURNMENT:** Mr. Sisak moved to adjourn. Seconded Mrs. Allman. Voice vote 6-0. **The Regular Council meeting of 2-27-20 adjourned at 7:52 p.m.**

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Adopted:

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Susan E. Burton, Clerk of Council

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Carol A. Kilway, President of Council