

REGULAR MEETING

in Council Chambers @ 7:30 p.m.

June 13,

19

- 1. **CALL TO ORDER.** President of Council Kilway called the Regular Council meeting of Thursday, June 13, 2019 to order at 7:31 p.m.
- 2. **PRAYER:** Rev. Phil Anderson, Bethel Church, Tallmadge.
- 3. **PLEDGE OF ALLEGIANCE.**
- 3. **ROLL CALL:** Mr. Carano, Mrs. Kilway, Mr. Loughry, Mr. Sisak, Ms. Tricaso, Mrs. Allman – present. Also present were Mayor Kline, Dir. of Pub. Service Rorar, Dir. of Administration Cooper, Dir. of Finance Gilbride, Dir. of Law Raber and Deputy Clerk of Council Conti. Mr. Donovan was excused.
- 4. **MINUTES:** 5-23-19 Regular Meeting minutes.  
Ms. Tricaso moved to approve the Regular Council meeting minutes of 5-23-19. Seconded Mrs. Allman. Voice vote 6-0. **The 5-23-19 Regular Council Meeting minutes were adopted by a vote of 6-0.**

5. **FINANCIAL REPORTS:**

- Fire & EMS Fund Transfer in the amount of \$125,000 to Council on 5-31-19.
- Street Maintenance & Repair Transfer in the amount of \$275,000 to Council on 5-31-19.
- Appropriation Report, Fund Report, and Revenue Report for the period ending 5-31-19 to Council on 6-7-19.
- May Financial Reports to Council on 6-10-19.
- Tallmadge Recreation Center Profit and Loss Report for the period ending 5-31-19 to Council on 6-10-19.
- Income Tax Comparisons for the period ending 5-31-19 to Council on 6-10-19.
- Revenue Comparisons for the period ending 5-31-19 to Council on 6-10-19.
- Consolidated Investment Portfolio for the period ending 5-31-19 to Council on 6-10-19.

Mr. Sisak moved to accept the Financial Reports as submitted. 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:**

Ordinance 50-2019  
**PERSONNEL**  
**P.H. ON 6-13-19 @ 7:33 P.M.**

**At 3<sup>rd</sup> Reading.**  
Amending and supplementing Ord. 28-2012 authorizing and directing the Tallmadge Civil Service Commission to adopt rules and regulations that differ from those provided by general law as set forth in Ohio House Bill 153.

**Pres. of Council:** It is now 7:34 p.m. and I call the public hearing for Ord. 50-2019 open. Is there anyone who would like to speak in favor of Ord. 50-2019? Please come to the microphone and state your name and address for the record. These meetings are recorded. No one responded.

Is there anyone who would like to speak against Ord. 50-2019? No one responded. Second time; is there anyone who would like to speak in favor of Ord. 50-2019? No one responded.

Is there anyone who would like to speak against Ord. 50-2019? No one responded. Third and final time; is there anyone who would like to speak in favor of or against Ord. 50-2019? No one responded.

It is now 7:35 p.m. and I will call the public hearing for Ord. 50-2019 closed and I will recognize the Personnel Chair, Ms. Tricaso.

**Ms. Tricaso:** I would like to open the Personnel Committee; myself and Mrs. Allman and Mr. Sisak are all present. Do I poll to approve?

**Mr. Sisak:** Yes.

**Ms. Tricaso:** So, we will approve and adopt? Are there any other questions from Council? So, we make a recommendation to adopt Ord. 50-2019 at 3<sup>rd</sup> Reading. I will close committee.

Ms. Tricaso moved for the adoption of Ord. 50-2019. Seconded Mr. Carano. Roll Call: Mrs. Kilway, Mr. Loughry, Mr. Sisak, Ms. Tricaso, Mrs. Allman, Mr. Carano – unanimous. **Ord. 50-2019 is adopted by a vote of 6-0.**

- 7. **COMMUNITY INPUT:** Tallmadge City Council meets on the second and fourth Thursday's of the month with the Committee meetings starting at 7:00 p.m. followed by the Regular Council meetings. At the Committee meetings legislation is discussed thoroughly with Council deciding to adopt, amend, or reject, hold or table the legislation. We do allow time for community input at this point in the meeting. Is there anyone who would like to address Council; please come forward and state your name and address for the record. No one. OK. No, come on up. I am really fast. I really apologize.

**Kathy Slomovitz, 690 Deerwood Drive, Tallmadge.**

I just have questions with clarification to a City Ordinance which is 521.8 for storage and collection of litter, deposit and waste. My daughter had a citation I guess, or whatever you want to call it, up on her door and we pulled off the ordinances to see what exactly everything was about and basically I guess they were saying that she wasn't allowed to have her trash cans where they were and that they needed to be out 24 hours before trash and everything, but her trash cans weren't even out. I mean they were up by her garage; they weren't out at the street, so I'm kind of trying to see where the clarification is because going around her whole neighborhood; there are trash cans out all over the place. They are out in the front of the houses; they are out at the side of their houses and nobody else got cited for it except for

**REGULAR MEETING**

**in Council Chambers @ 7:30 p.m.**

**June 13,**

**19**

**Ms. Slomovitz (Cont'd.)** her. So . . . and of course, I live in Tallmadge also and my trash cans are always out in the front of my house. They are in the front of the garage, which is exactly where hers are and so I am kind of trying to get clarification because then what the Officer brought by and what we pulled off of the website are totally two different things. So, can anybody give me clarification as to where the trash cans are supposed to go and why is she the only one getting cited for it when nobody else is?

**Dir. of Law:** We are actually having a meeting tomorrow to make sure that we are on the same page. I have talked to Auxiliary Brooks, who was, I believe the officer that went out to the house and had a conversation and he was going to follow up yesterday and I don't know whether they were able to connect.

**Ms. Slomovitz:** He did.

**Dir. of Law:** I'm not sure what happened after that meeting and so I am discussing it with him tomorrow.

**Ms. Slomovitz:** OK.

**Dir. of Law:** So, we are going to make sure that we clarify all the questions that your daughter had following our discussion tomorrow, but I'm not sure where things stand after that meeting.

**Ms. Slomovitz:** And another question is; how many pieces of tape does it take to hold the citation onto a door because he taped that thing on and I was the one who found it. She didn't find it. I ended up scraping it off and it took me over an hour to get the all the tape and all of that goeey stuff off because not only did he tape it with packaging tape, but then he also taped it with the sticky stuff on the back.

**Dir. of Law:** We will raise that tomorrow in that meeting.

**Ms. Slomovitz:** Thank you.

**Dir. of Law:** Thank you.

**Pres. of Council:** Ma'am; I'm sorry, but you did not state your address for the record.

**Ms. Slomovitz:** Oh, I'm sorry. It's 690 Deerwood Drive.

**Pres. of Council:** And that is your address?

**Ms. Slomovitz:** That is my address.

**Mr. Sisak:** What is your daughter's address?

**Ms. Slomovitz:** 241 Barnes Drive.

**Pres. of Council:** I do think there needs to be some clarification on that issue because I read it one way and then I am told one way and so . . .

**Ms. Slomovitz:** Then also, she had stuff that was sitting out.

**Mr. Sisak:** I would be intrigued to know if it was based on a phone call complaint to the Zoning Department or if it was just . . .

**Ms. Slomovitz:** It was; it was, but I mean even if it is based on a complaint . . .

**Mr. Sisak:** No, I understand.

**Ms. Slomovitz:** You know, if you go through the whole; her whole allotment . . . it is all over the place.

**Mr. Sisak:** I get it. I totally get it. I just think maybe someone is picking on her.

**Ms. Slomovitz:** Well, that too.

**Mr. Sisak:** Not from the City, but a neighbor.

**Ms. Slomovitz:** Yeah, yeah.

**Mr. Sisak:** So; OK. So yeah, so that is another piece of information that is good to know as well I think.

**Ms. Slomovitz:** OK.

**Mr. Sisak:** For the discussion. Thank you.

**Ms. Slomovitz:** Thank you.

**Pres. of Council:** Thank you very much for coming. I appreciate the input.

**Mr. Sisak:** So, how much tape is required?

**Mayor:** A roll; one roll. They don't want it to blow off!

**Mr. Sisak:** We should at least put a can of Goo Gone next to it.

**Mayor:** We'll find out.

**Ms. Slomovitz:** OK.

**Mr. Carano:** Just a question; there is no warning issued before the citation?

**Dir. of Law:** She actually was not issued a citation; it was just a warning that we are talking about.

**Mr. Carano:** OK; thank you.

**Pres. of Council:** Is there any other community input at this time? No one responded.

**8. ANNOUNCEMENTS:**

**Pres. of Council:** Just a reminder to everybody that on Wednesday, June 26<sup>th</sup> there is a meeting to go over the Zoning Code Update. It is at 6:00 p.m. here in Council Chambers.

**Mr. Sisak:** I will be absent for that meeting and I will be absent from the next Council meeting. I apologize.

REGULAR MEETING

in Council Chambers @ 7:30 p.m.

June 13,

19

**Pres. of Council:** My other announcement is that we do have to have a discussion on the liquor license for the K-Mart store on South Avenue. They do need to have notification back by June 21<sup>st</sup>.

**Mr. Sisak:** What is the status of K-Mart? Like are they sticking around or are they closing or what?

**Dir. of Econ. Development:** I really don't know at this point. I mean we had heard . . . we went through the whole thing with U-Haul and we went through the whole process, but K-Mart is still there and so I don't really have any further information. I want to try to find that out next week and see if we can find out what is going on. But this is just a renewal. I mean they have had their liquor license, and this is just a renewal and so there is really no reason, in my opinion, for a hearing on that.

**Mr. Sisak:** I agree, but it just . . . are they renewing because they are going to stay for a year or are they renewing because they are going to stay for a month or two?

**Dir. of Econ. Development:** I'll see what I can find out and if I find anything out, I will inform everybody.

**Mr. Sisak:** Thank you.

**Pres. of Council:** In the meantime, does anybody here seem to think that we need to have a hearing on this or just send it down to the State and have them renew it? So, everybody here is good with just sending it down to the State and having them renew it? They all voted yes. OK, so that is what we will do. Do we need a motion for that?

**Dir. of Law:** Please.

Mr. Sisak moved to make a recommendation to the State Board of Liquor Control for renewal for K-Mart's liquor license application. Seconded Ms. Tricaso. Voice vote 6-0. **Council agreed 6-0 to not hold a hearing on the application.**

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

10. **AGENDA ADDITIONS:** None.

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. I will be very brief. First of all, I would like to thank the committee on the Memorial Day weekend festivities. I thought it was a fantastic weekend from Saturday all the way through the pancake breakfast on Monday, so they did a great job. Hats off to the Chairman of that Committee; Mike Carano on that . . . Mike Rorar. With that, end of report.

**Dir. of Pub. Service:** Good evening. For the month of May the **cemetery**; it was the first time in 2 years that we have not had any burials, which was great because it gave us an opportunity to really focus on the grounds and by Memorial Day the cemetery was looking in great shape.

**Zoning**, I think because of the weather, we are down a little bit in the permits considering it was May, we should have been up a little bit more than that.

Moving forward with **Parks and Rec**; May 19<sup>th</sup> was the **Food Truck Festival** and it was moved to the Fairgrounds for the first time and I think everybody is in agreement that was a better location and we are still going to work out some more kinks to it and it is guesstimated that about 20,000 people showed up for that event, so that was really good.

**Pres. of Council:** The only complaint I did hear about that being at the Fairgrounds, and this is something that maybe the Fair Board needs to work on, is because it was a windy day; it was really dusty with all the food and I know some of the food trucks were a little upset about that and so just to put that in your back hat for next time.

**Dir. of Pub. Service:** We got that same complaint and they do wet down that area and we probably should have done that before time.

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

**Dir. of Pub. Service:** Memberships are down 9 from a year ago. The visits are up though about 800. The **court refinishing starts June 23<sup>rd</sup>**. We bumped it up. We are not doing the aerobics rooms; that was part of it. Now we are just doing the three courts and to add pain to misery, we are going to try to **synchronize paving of the Munroe Parking lot at the Rec Center at the same time**. The reason why that is is because that was part of the paving program. That parking lot though; attendance should be lower at that time and so we are going to try to . . . and hopefully the weather and everything lines up right; we might be able to pull that off.

Moving forward today was the **first day of the Farmer's Market** and that goes until October 17<sup>th</sup>.

**Touch a Truck** is this Saturday from 10:00 a.m. to noon at the Rec Center.

**Maca Pool opened.** Memberships are down about 150. Visits are down by about 1,000. I am going to go with the weather; just a guess.

Then much like the attendance there, the blue slide is about as good as it is going to get. We started rehabbing that slide and thought we had plenty of time but because of the weather they couldn't finish painting it and now that we are open . . . they need like a 5-hour window and it has to be dry and so the morning dew and everything . . . so it is probably 2/3 done and it is probably going to look that way until we close. So, if you hear anything about it.

**Howe Road Park**; we are constructing a **new ball diamond** there. That is in lieu of removal of the school field at Munroe and the possibility there at Dunbar and that is to help out with the Little League. It is 120' football diamond so T-Ball and possibly Coach-pitch.

## REGULAR MEETING

in Council Chambers @ 7:30 p.m.

June 13,

19

The **music starts on the Circle on July 6<sup>th</sup>** and it is the Chardon Polka Band. That is the Howe Road Park ballfield and you can see the infield is being cut in and so we stripped out about 1' of material and brought in in-field mix and it is a pretty level spot so it is descent and it actually had underdrains in it.

**Memorial Day** as the Mayor was saying was a great weekend. Saturday was the concert and it was pretty well attended. The band was excellent; Ladies for Liberty.

Sunday was the reenactors at the Circle; that was the 82<sup>nd</sup> as well as the 49<sup>th</sup> and we appreciate them coming and volunteering and doing that and then Monday was the **Memorial Day event** and that was outstanding. I mean that was . . . Frank Chaff really outdid himself that time.

Moving onto the **utility department**; we had **two water breaks**; one at South Avenue and one at West Avenue.

**Sewer backups** unfortunately both were on Highpoint and both on us. We had roots in the line. **Hydrant repairs**; we had 12. That was from the hydrant flushing that we did and so it showed 12 bad hydrants that got fixed. Two valve repairs. I talked last time that we found a valve that was shut in one allotment and we found another one and that was on the corner of Pine Valley and Washburn. So, there is much better water pressure there now than what they have had for a few years.

Training; **ODOT flagging was done** in the month of May.

In the Street Department; we received 89 work orders and all but 4 were completed; not bad.

**Concrete Program** is wrapping up. We have 12 sections of sidewalk to complete and so that will be good.

**Asphalt Repair** is done in-house using 60 tons. That is the most ever that we have done on repairs and those were from the winter water breaks, the sewer repairs and the storm issues that we have been having.

**Roundabout lane reduction**; are you guys hearing anything on how that is going?

**Mr. Sisak:** It's quiet.

**Dir. of Pub. Service:** Quiet; good. A lot of storm water issues there. The culverts, the catch basins, the ditching. There again, I would like to commend the Street Department for what they did over there at the cemetery. I mean that place really looked sharp on Memorial Day and more training there with the Street Department.

Those are the streets that are going to get paved with asphalt and hopefully that starts next week. Any questions?

**Mr. Loughry:** On the Roundabout; when we paint, will we still separate those turns you know down Northeast and down Munroe from the inside lane or will we just operate as if it is one lane going forward?

**Dir. of Pub. Service:** It should just be one lane now.

**Mr. Loughry:** I know there is one lane of traffic, but when you pull onto the Roundabout will we demarcate it like we have before or are we not going to do that anymore?

**Dir. of Pub. Service:** No. No. We actually removed those lines.

**Mr. Loughry:** So, they didn't fade on accident?

**Dir. of Pub. Service:** No.

**Mr. Sisak:** I noticed when your crews are out working there are like these temporary speed bumps that I think you guys are putting out before people approach the work zone . . . I think that is pretty ingenious because if people are going too fast and they hit those; they know something is either wrong with their car or that they need to pay attention to what is going on in front of them.

**Dir. of Pub. Service:** The crews have said those things are great and they definitely get the traffic really slowing down.

**Mr. Sisak:** They do. It really does. I mean, I have gone over them a couple of times and it looks temporary and so that is what I figured they were for. So with that being said, I notice that at the Roundabout; I haven't studied it, but people seem to come the fastest off of Northwest coming from the Circle and it is because I don't think there is much of a curve there and they just go. So a couple of those maybe you can take them up sometime and leave them there. That is what I kind of notice because I hit that Roundabout at least 5 times a day or maybe 6 and it always seems like people are just coming down the hill and they just think they have a free pass. So, thanks.

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

**Dir. of Econ. Development:** Good evening. I have no report this evening.

**Dir. of Finance:** Thank you. You have received your month end reports. The income tax is still sustaining an increase over last year which is good. We are right around our 2017 levels and so hopefully we will at least continue there and continue to see that increase and hopefully make up for that also next year.

The audit is hopefully going to end soon. It has been a late audit year. We should be wrapping and have a report the last week in June and so Council will be receiving that at that time. End of report.

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

REGULAR MEETING

in Council Chambers @ 7:30 p.m.

June 13,

19

12. Ordinance 53-2019  
**FINANCE**
- At 2<sup>nd</sup> Reading.**  
Amending Chapter 182, Income Tax of the Tallmadge Codified Ordinances Sections 182.01, 182.03, and 182.04(A) to increase the income tax rate from two percent (2%) to two and one-quarter percent (2.25%) commencing January 1, 2020, to continue until such time as the electors vote to amend said rate with the additional one-quarter percent (.25%) being used for the purpose of funding Fire/EMS and Police Protection and related safety services and providing for immediate enactment.
- Pres. of Council: **Ord. 53-2019 is at 2<sup>nd</sup> Reading and will remain before the Finance Committee.**
13. Resolution 14-2019  
**FINANCE**
- At 2<sup>nd</sup> Reading.**  
Declaring the necessity of an election on the question of approving the passage of an ordinance to amend Chapter 182, Income Tax, of the Codified Ordinances Sections 182.01, 182.03, and 182.04(A) to increase the income tax rate from two percent (2%) to two and one-quarter percent (2.25%), commencing January 1, 2020, to continue until such time as the electors vote to amend said rate with the additional one-quarter percent (.25%) being used for the purpose of funding Fire/EMS and Police protection and related safety services and providing for immediate enactment.
- Pres. of Council: **Res. 14-2019 is at 2<sup>nd</sup> Reading and will remain before the Finance Committee.**
14. Ordinance 54-2019  
**PUBLIC SERVICE**
- At 1<sup>st</sup> Reading.**  
Vacating a portion of Lurie Street that is not needed for municipal purposes.
- Pres. of Council: **Ord. 54-2019 is at 1<sup>st</sup> Reading and is assigned to the Public Service Committee.**
15. Ordinance 55-2019  
**FINANCE**
- At 1<sup>st</sup> Reading.**  
Closing the Abandon Gas Station Clean up Grant Fund #214; returning the remaining advanced funds to the General Fund #101; and providing for immediate enactment.
- Pres. of Council: **Ord. 55-2019 is at 1<sup>st</sup> Reading and is assigned to the Finance Committee.**
16. Ordinance 56-2019  
**FINANCE**
- At 1<sup>st</sup> Reading.**  
Authorizing the Mayor to enter into an agreement for the sale without bid of real property at 18 Nottingham Street, not needed for municipal purposes, to Tallmadge Grow, Inc., a community improvement corporation.
- Pres. of Council: **Ord. 56-2019 is at 1<sup>st</sup> Reading and is assigned to the Finance Committee.**
17. Ordinance 57-2019  
**FINANCE**
- At 1<sup>st</sup> Reading.**  
Authorizing the Mayor to enter into an agreement with Herman Machine, Inc. for a New Jobs Program Grant pursuant to T.C.O. 160.05 and providing for immediate enactment.
- Pres. of Council: **Ord. 57-2019 is at 1<sup>st</sup> Reading and is assigned to the Finance Committee.**

REGULAR MEETING

in Council Chambers @ 7:30 p.m.

June 13,

19

18. Ordinance 58-2019 **At 1<sup>st</sup> Reading.**  
**FINANCE** Authorizing the Mayor to enter into an agreement with NC Chassis Co. LLC/W.E.C. Chassis LLC for a New Jobs Program Grant pursuant to T.C.O. 160.05 and providing for immediate enactment.  
 Pres. of Council: **Ord. 58-2019 is at 1<sup>st</sup> Reading and is assigned to the Finance Committee.**

19. Ordinance 59-2019 **At 1<sup>st</sup> Reading.**  
**PUBLIC SERVICE** Authorizing the Director of Transportation to replace signs on SR-91 and SR-532 within the City of Tallmadge and providing for immediate enactment.  
 Pres. of Council: **Ord. 59-2019 is at 1<sup>st</sup> Reading and is assigned to the Public Service Committee.**

20. **ADDITIONAL ITEMS:** None.  
**Mr. Sisak:** I have a question for the Public Service Director. Who is the Director of Transportation; ODOT?  
**Dir. of Pub. Service:** ODOT.

21. **ADJOURNMENT:** Mr. Sisak moved to adjourn. Seconded Mrs. Allman. Voice vote 6-0.  
**The Regular Council meeting of 6-13-19 adjourned at 7:58 p.m.**

sb

Adopted:

\_\_\_\_\_  
Susan E. Burton, Clerk of Council

\_\_\_\_\_  
Carol A. Kilway, President of Council