

## REGULAR MEETING

in Council Chambers @ 7:30 p.m.

September 12,

19

1. **CALL TO ORDER.** President of Council Kilway called the Regular Council meeting of Thursday, September 12, 2019 to order at 7:30 p.m.
2. **PRAYER:** Silent prayer.
3. **PLEDGE OF ALLEGIANCE.**
3. **ROLL CALL:** Mr. Carano, Mr. Donovan, Mrs. Kilway, Mr. Sisak, Ms. Tricaso and Mrs. Allman – present. Also present were Mayor Kline, Dir. of Pub. Service Rorar, Dir. of Admin. Cooper, Dir. of Econ. Development Weinberg, Dir. of Law Raber, Dir. of Finance Gilbride and Clerk of Council Burton. Mr. Loughry was excused.
4. **MINUTES:** 08-22-19 Regular Council Meeting minutes.  
Mr. Sisak moved to approve the 8-22-19 Regular Council meeting minutes. Seconded Mr. Donovan. Voice vote 6-0. **The 8-22-19 Regular Council Meeting minutes were adopted by a vote of 6-0.**
5. **FINANCIAL REPORTS:**

- **Fire & EMS Fund Transfer in the amount of \$100,000 to Council on 8-29-19.**
- **Street Maintenance & Repair Transfer in the amount of \$100,000 to Council on 8-29-19.**
- **Bond Retirement Transfer in the amount of \$150,000 to Council on 8-29-19.**
- **Appropriation Report, Fund Report, and Revenue Report for the period ending 8-31-19 to Council on 9-9-19.**
- **August Financial Reports to Council on 9-9-19.**
- **Tallmadge Recreation Center Profit and Loss Report for the period ending 8-31-19 to Council on 9-9-19.**
- **Income Tax Comparisons for the period ending 8-31-19 to Council on 9-9-19.**
- **Revenue Comparisons for the period ending 8-31-19 to Council on 9-9-19.**
- **Consolidated Investment Portfolio for the period ending 8-31-19 to Council on 9-9-19.**

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

6. **PUBLIC HEARINGS:** None.
7. **COMMUNITY INPUT:**  
**Pres. of Council:** OK, so this is another time that you are going to have for community input. If anyone would like to come forward and state your name and address for the record. No takers again. OK; thank you.
8. **ANNOUNCEMENTS:** None.
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 start off with last night at the tribute at the Circle for the **September 11<sup>th</sup> Ceremony**. Thank you to the groups that went out to put all those candles out. We started yesterday morning. It only took 40 minutes to put 3,000 candles out and then light the candles. Unfortunately we had a lot of bad weather in the afternoon and the evening, but Tallmadge strong; they came back out and relit the candles and last night it was really a beautiful setting to walk around and know that 18 years ago; it is hard to believe that it has been that long and most of the folks in the audience weren't even born yet when the towers were struck and hopefully this will continue thanks to the Tallmadge Historical Society for donating some of the different candles and also they were talking about giving some more money next year to replace some of the other ones and so it is just a neat tribute to the City of Tallmadge.  
Lastly, the income tax ordinance is Ord. No. 45, or Issue 45. That was put out last Friday and so we will . . . when you see Issue 45, it is for a .25% income tax. End of report.  
**Dir. of Pub. Service:** Good evening. If you look at August, in the **cemetery** we had 12 burials. In **Zoning** there were 35 permits issued and 19 were zoning certificates and that is for fencing and setbacks and decks and that sort of thing.  
In **Parks and Rec**; the Fall/Winter Guide is out and membership is down about 95. Visits; we were down about 1,200 and there again I believe that is due to the courts getting refinished. The annual shutdown and cleaning was a success. It lasted the whole weekend and the whole facility from top to bottom was cleaned.  
The **new fitness equipment was installed**. There were 19 new pieces and we are holding orientation for groups if you are interested in learning how to operate it; it is pretty simple. Instead of the pins; it is just tabs and so it is the same concept.  
Summer Camp transitions occurred for Before and After Care.  
**Maca Pool is closed for the season.** Membership was down about 160. Visits were up about 1,500 and that could be due to the last two weeks that we were open.  
The **Parks and Rec held the Movie in the Park** and that was "Dumbo."  
**Circle City Cycle Social** was done and that was a ride on the Freedom Trail and both of those events didn't have a very good turnout and so we are going to look at whether we continue to do that or not.

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**Dir. of Pub. Service (Cont'd.)** There is a picture of the new equipment at the Rec Center. There is a crane in there. I'm not sure how many people know that; there were several pieces lifted up either through the elevator or on the crane.

The **Street Department**; a lot of drainage work still going on. I think it is just because it was a wet year and it showed a lot of weaknesses in the culverts throughout the City. That was a major one there on Williams and Munroe. That was done in a day so the guys did a nice job on that. The big thing was that we set up and tore down for the Circle Fest for about two weeks. The guys did a nice job and then the storm on August 18<sup>th</sup> right after Circle Fest took us about 410 hours to do the storm cleanup. The City looks pretty good though considering how bad it initially looked.

**Water Department**; another month with no beaks. I know the Mayor doesn't like to hear that because I will be jinxing myself, but there were no sewer backups either. Something that we are doing different is that we are actually . . . it was the first time we didn't have to hire a plumber; we did all of the backflows in all of the City buildings ourselves in-house because we have three people certified in doing that now where before we didn't have anybody.

Also, we are still doing the **water valve training** on that and that is a new tool there that is a curve cutter and it actually cuts the tubes there that the valves are in and if you go to the next picture, you can see a before and after and so throughout the City we have several valves that are raised or damaged like that and before you would have to dig them up and remove it and that would be a costly repair with concrete and backfill and now this cutter actually goes inside and cuts the pipe, inserts the sleeve and you can set it at the new depth without any of the costs that it was before. So, it is a pretty good tool. That is the end of my report.

**Mayor:** Do you want to talk about the manholes?

**Dir. of Pub. Service:** With the paving program this year, we are doing what is called, Mr. Manhole, and the **manholes** are getting reset and what they actually do is they core down around it and pour concrete around it and firm it up and so before you used to use a riser to reset those manholes whenever you added pavement and so it just was a 4" riser and the problem with that is that is questionable with a freeze/thaw as well as traffic and so it is easy for them to wobble loose and these new manholes should be much smoother and it is something that several municipalities have been doing for the last 10 years and so we are doing it at all of the main spokes at this time. Any questions? No one responded.

**Pres. of Council:** I am going to say for the record, thank you very much for your input and your help getting the piece of sidewalk put in on Eastwood Avenue. I have been trying for almost 8 years now to try to get this little piece of sidewalk. It is in Akron, but it is right in front of one of our developments and Mr. Rorar did some e-mails for about a year and a half I think it was and he finally; he got Akron to put a sidewalk in for us. Thank you very much. That was awesome.

**Dir. of Administration:** No report this evening.

**Dir. of Econ. Development:** Thank you. On October 4<sup>th</sup> this year we are going to have **the first Tallmadge Manufacturing Day**. This is actually manufacturing week and manufacturing day is a national event, but we have never organized anything in Tallmadge. This gives Tallmadge manufacturers an opportunity to open their doors and to introduce people to manufacturing and see the facilities and learn what it takes to operate in a manufacturing environment. This is in large part due to manufacturers having a hard time finding a labor pool and it gives students an opportunity to see that there are alternatives out there and I have four host companies that are going to participate for this first year and that is East End Welding, Waltco, Lehner Screw Machine and SGB. So Tallmadge High School is going to reach out and see which students might be interested and we will break them out into a couple groups and get them out there and then host them here for lunch in between and then they will go out for another visit in the afternoon and so hopefully we will get some interest and it can continue hopefully every year after this.

On September 19<sup>th</sup> at 2:00 p.m. **Class Act Catering** has a ribbon cutting at 338 Northeast and then a new salon studio, **West Salon**, will be going in on West Avenue next to White Swan Cleaners in that little plaza next door. End of report.

**Dir. of Finance:** Thank you. I provided everybody with their financial reports. I did add a little additional information just kind of for some perspective on the income tax. I also included how much ahead we were of our 2017 numbers because to say that we were you know, 8% ahead of 2018 is kind of a little bit misleading since we were 5% down and so currently we are 1.3% ahead of where we were in 2017 which equates to about \$87,000 ahead of where we were in 2017 and so we had the big dip and we are you know making our way slowly back out of it, but that is a good thing and for the Withholding to be up 4% is also good because clearly that is our highest source of income tax, but mainly again, that increase is due to the tax increase in the JEDD this year by .25%.

I will begin working on looking at re-appropriations for all of the departments this month. I know we have said from the beginning that we will need a salary re-appropriation based on the difference between the budgets and the union contracts that we have settled. So, we are going to move forward on calculating that at this point and so hopefully I should have that to you sometime in October is my goal. End of report.

**Dir. of Law:** Thank you, I have no report this evening, but I will defer to Mayor Kline who I believe has an additional request.

**Mayor:** Thank you. Item 21, Ord. 85-2019; we are applying for hazardous mitigation. Our plan that we have in front of Summit County right now; I need to amend it to add language in there

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**Mayor (Cont'd.)** that allows us to work on property that is not in the flood plain. So, any prone property . . . this is related to the property on Northeast Avenue. Most of you know the property right down past Atwood where it floods all the time. Dewey is his name. I think most of you have heard or been there. That property floods every time that it rains and it is right there at the end of the drainage swale coming from Atwood and since the Akron force mains are there, I really can't do a bigger size underneath Northeast Avenue and so we are amending the Summit County plan to add the ability to purchase property and to demo property in flood prone areas and we applied for a preliminary application to the State and they asked us to go forward with the full blown plan. Part of that plan is to amend this thing and so I am asking Council to amend it so I can keep going with the application. We applied for \$300,000 for that parcel and to purchase land and to put a regional detention area at that site and the State is willing to pay if we get awarded; both parties get awarded to purchase the house, demo it and put this in and they will pay up to \$225,000 based on the initial application.

**Mr. Carano:** Do you want the passage of that?

**Mayor:** Yeah. This just allows us to amend the plan. We are still doing the application and going forward with the applications and they are due by November 18<sup>th</sup> if I recall.

12. Ordinance 72-2019  
**PERSONNEL**

**At 3<sup>rd</sup> Reading.**  
**Exhibit A**  
**Exhibit A Tracked**

Memorializing an agreement with the International Association of Firefighters, Local 2764 and providing for immediate enactment.

Ms. Tricaso moved for the adoption of Ord. 72-2019. Seconded Mr. Sisak.

**Mayor:** Hats off to Dr. Cooper here for working . . . I know this contract actually expired on December 31<sup>st</sup>, but we got to a point where it is good for the firemen and good for the City.

**Pres. of Council:** A lot of hard work went into that; thank you.

Roll Call: Mr. Donovan, Mrs. Kilway, Mr. Sisak, Ms. Tricaso, Mrs. Allman, Mr. Carano – unanimous.

**Ord. 72-2019 is adopted by a vote of 6-0.**

13. Ordinance 75-2019  
**PUBLIC SERVICE**

**At 3<sup>rd</sup> Reading.**  
**Exhibit A**

Authorizing the creation and acceptance of storm water drainage easement at Parcel 6003740 from LTC Tallmadge, LLC, ("LTC") to the City and providing for immediate enactment.

Mrs. Allman moved for the adoption of Ord. 75-2019. Seconded Mr. Donovan. Roll Call: Mrs. Kilway, Mr. Sisak, Ms. Tricaso, Mrs. Allman, Mr. Carano, Mr. Donovan – unanimous. **Ord. 75-2019 is adopted by a vote of 6-0.**

14. Ordinance 76-2019  
**PLANNING & ZONING**  
  
**P&Z REC. ADOPTION W/CONDITIONS  
BY A VOTE OF 4-0**

**At 3<sup>rd</sup> Reading.**  
**Amended**  
Granting a conditional zoning certificate to applicant, Global Kitchen LLC, Owner, TJ Circle One LLC, to operate a dining establishment serving alcoholic beverages at 12 Tallmadge Circle.

Mr. Donovan moved to amend Ord. 76-2019. Seconded Mr. Sisak. Roll Call: Mr. Sisak, Ms. Tricaso, Mrs. Allman, Mr. Carano, Mr. Donovan, Mrs. Kilway – unanimous. **Ord. 76-2019 is amended by a vote of 6-0.**

15. Ordinance 77-2019  
**PLANNING & ZONING**

**At 3<sup>rd</sup> Reading.**  
**Exhibit A**  
Authorizing the creation and acceptance of an easement for access and shared maintenance agreement between the City of Tallmadge and VTC Development, LLC, for adjacent properties located at 60 North Avenue and 46 North Avenue and providing for immediate enactment.

Mr. Donovan moved for the adoption of Ord. 77-2019. Seconded Ms. Tricaso. Roll Call: Ms. Tricaso, Mrs. Allman, Mr. Carano, Mr. Donovan, Mrs. Kilway, Mr. Sisak – unanimous. **Ord. 77-2019 is adopted by a vote of 6-0.**

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16. Ordinance 78-2019  
**PERSONNEL**

**At 3<sup>rd</sup> Reading.  
Exhibit A**

Authorizing the Mayor to enter into an agreement with the Fraternal Order of Police (F.O.P.) consisting of Tallmadge Police Patrol Officers and providing for immediate enactment.

**Ms. Tricaso:** I would like to make a motion to **TABLE Ord. 78-2019 until the 12-12-19 meeting.** Seconded Mr. Donovan. Roll Call: Mrs. Allman, Mr. Carano, Mr. Donovan, Mrs. Kilway, Mr. Sisak, Ms. Tricaso – unanimous. **Ord. 78-2019 is TABLED.**

17. Ordinance 79-2019  
**PERSONNEL**

**At 3<sup>rd</sup> Reading.  
Exhibit A**

Authorizing the Mayor to enter into an agreement with the Fraternal Order of Police (F.O.P.) consisting of Tallmadge Police Sergeants and Tallmadge Police Lieutenants and providing for immediate enactment.

**Ms. Tricaso:** I would like to make a motion to **TABLE this until 12-12-19.** Seconded Mr. Donovan. Roll Call: Mr. Carano, Mr. Donovan, Mrs. Kilway, Mr. Sisak, Ms. Tricaso, Mrs. Allman – unanimous. **Ord. 79-2019 is TABLED until 12-12-19.**

18. Ordinance 80-2019  
**PUBLIC SERVICE**

**At 2<sup>nd</sup> Reading.**

Authorizing the Director of Public Service to advertise for bids and the Mayor to enter into a contract for the mowing and care of public land and providing for immediate enactment.

Mrs. Allman moved for the adoption of Ord. 80-2019. Seconded Mr. Donovan. Roll Call: Mr. Donovan, Mrs. Kilway, Mr. Sisak, Ms. Tricaso, Mrs. Allman, Mr. Carano – unanimous. **Ord. 80-2019 is adopted by a vote of 6-0.**

19. Ordinance 81-2019  
**COMMUNITY ISSUES/SAFETY**

**At 2<sup>nd</sup> Reading.  
Exhibit A**

Authorizing the Mayor to enter into a Memorandum of Understanding with the Tallmadge Board of Education for School Resource Officers and providing for immediate enactment.

Mr. Carano moved for the adoption of Ord. 81-2019. Seconded Mr. Donovan. Roll Call: Mrs. Kilway, Mr. Sisak, Ms. Tricaso, Mrs. Allman, Mr. Carano, Mr. Donovan – unanimous. **Ord. 81-2019 is adopted by a vote of 6-0.**

20. Ordinance 84-2019  
**COMMUNITY ISSUES/SAFETY**

**At 2<sup>nd</sup> Reading.**

Authorizing the Mayor to enter into a new management agreement with the Ohio History Connection for the Tallmadge Church State Memorial and providing for immediate enactment.

Pres. of Council: **Ord. 84-2019 is at 2<sup>nd</sup> Reading and will remain before the Community Issues/Safety Committee.**

21. Ordinance 85-2019  
**COMMUNITY ISSUES/SAFETY**

**At 1<sup>st</sup> Reading.**

Amending Ord. 48-2019 authorizing the approval and adoption of an amended Summit County Hazard Mitigation Plan and providing for immediate enactment.

Mr. Carano moved to amend Ord. 85-2019.

**Mr. Sisak:** Point of order; it is adopt.

**Pres. of Council:** Yes; move to adopt.

**Mr. Carano:** I move to adopt.

**Mayor:** The ordinance actually amends it, but you are adopting it which then will amend . . .

**Mr. Donovan:** Second. Roll Call: Mr. Sisak, Ms. Tricaso, Mrs. Allman, Mr. Carano, Mr. Donovan, Mrs. Kilway – unanimous. **Ord. 85-2019 is adopted by a vote of 6-0.**

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- 22. Ordinance 86-2019  
**FINANCE**

**At 1<sup>st</sup> Reading.**  
**Tracked**  
Amending Chapter 160 of the Tallmadge Code of Ordinances for Economic Development Programs.

Pres. of Council: **Ord. 86-2019 is at 1<sup>st</sup> Reading and is assigned to the Finance Committee.**

- 23. Resolution 17-2019

**At 1<sup>st</sup> Reading.**  
Extending the sympathy of the Council and the Administration to David A. Chochola and memers of his family in the death of Robert E. Chochola and providing for immediate enactment.

Mr. Sisak moved for the adoption of Res. 17-2019. Seconded Mr. Carano. Voice vote 6-0. **Res. 17-2019 is adopted by a vote of 6-0.**

- 24. **ADDITIONAL ITEMS:** None.

- 25. **ADJOURNMENT:** Mr. Carano moved to adjourn. Seconded Mrs. Allman. Voice vote 6-0. **The Regular Council meeting adjourned at 7:56 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