

COUNCIL MEETING

Council Chambers @ 7:00 p.m.

September 23, 21

1. **CALL TO ORDER.** President of Council Kilway called the Regular Council meeting of Thursday, September 23, 2021 to order at 7:00 p.m. Public input is invited at the beginning of the meeting to discuss an item that is not on the agenda. So please wait until you are recognized by the Chair and state your name and address so that your comments may be properly recorded and limit your remarks to a period of two (2) minutes or less. It is appreciated that anyone wishing to address Council register with the Clerk of Council or through the on-line form by 3:00 p.m. the day of the meeting. This is not necessary; it is just appreciated.
2. **OPENING PRAYER AND PLEDGE OF ALLEGIANCE.**
3. **ROLL CALL:** Mrs. Allman, Mr. Bollas, Mr. Donovan, Mr. Grimm, Mrs. Kilway, Mr. Sisak – present. Also, present were Dir. of Public Service Rorar, Dir. of Administration Cooper, Dir. of Economic Development Springer, Dir. of Law Raber, and Clerk of Council Burton. Mr. Loughry was excused.
4. **CORRECTING AND ADOPTING THE PREVIOUS MEETING MINUTES:**
 - 9-9-21 Regular Council Meeting minutes.
 Mr. Sisak moved to adopt the 9-9-21 Council Meeting minutes. Seconded Mr. Donovan. Roll Call: Mr. Bollas, Mr. Donovan, Mr. Grimm, Mrs. Kilway, Mr. Sisak, Mrs. Allman – unanimous. **The meeting minutes have been adopted by a vote of 6-0.**
5. **Financial Reports:** None.
6. **Public Hearings:**

**Ord. 85-2021
PUBLIC SERVICE
P.H. on 9-23-21 @ 7:03 p.m.
P&Z Rec. Approval 5-0
Amended 8-12-21 & 9-9-21**

At 3rd Reading.
Repealing and replacing Tallmadge
Codified Ordinance Part Eleven –
Planning & Zoning Code.

Pres. of Council: It is now 7:03 p.m. and I call the public hearing for Ord. 85-2021 open. Is there anyone who would like to speak in favor of Ord. 85-2021?

Jim O'Connor with Pulte Homes. Discussed the moratorium that was directed toward the R-6. I commend the staff and the Planning Commission for the effort that went into the planning and revisions to the Code. I would strongly encourage you to adopt the legislation.

Pres. of Council: Is there anyone who would like to speak against Ord. 85-2021? No one responded.

Pres. of Council: Second time; is there anyone who would like to speak in favor of Ord. 85-2021? No one responded. Is there anyone who would like to speak against Ord. 85-2021? No one responded.

Pres. of Council: Third and final time; is there anyone who would like to speak in favor of or against Ord. 85-2021? No one responded.

It is now 7:07 p.m. and I will call the public hearing for Ord. 85-2021 closed and I will recognize the Public Service Chair, Mrs. Allman.

Mrs. Allman: I call the Public Service Committee to order. Is there discussion on Ord. 85-2021?

Mr. Grimm: First off, I want to commend the Administration for the work that they have done on this and their patience with myself and Mr. Loughry in the process of going through this thing. This is not a personal thing; I just don't like R-6. He discussed the reasons for his opposition.

Mr. Bollas: I just wanted to clarify the Law Director's comment from the last report and meeting for the Zoning Code. The rezoning proposal, you mentioned it is tied to the development plan; can you just clarify that statement one last time for us please?

Dir. of Law: So, what that is is that the actual plan that is presented is tied to the rezoning. Historically the rezoning process was separate and apart from the development plan. With the R-6 they go hand in hand and so the rezoning doesn't actually happen until that development gets approved. So, with other rezoning types, historically, and this is a change throughout the Code, historically if you came to the City and asked to be rezoned let's say from Commercial to Industrial and you got the Industrial rezoning, you may have presented a plan to the committee but you got that rezoning and then if you never ended up performing that plan or doing that plan, there was no penalty to an applicant to revoke that change in zoning back to the initial zoning.

What this does is say that you only get that R-6 zoning if you comply with the development standard or the development that you submitted. We have done that not just in the R-6 in the revision but also anytime there is a rezoning now.

Mr. Bollas: They go through Planning & Zoning; is it just a majority approval; a majority vote?

Dir. of Law: Correct. So, it is a majority vote there and then it also has the additional process of coming in front of City Council. So then once it comes in front of City Council, City Council can overturn Planning & Zoning with a super majority, or it can go along with the simple majority.

COUNCIL MEETING

Council Chambers @ 7:00 p.m.

September 23,

21

Mr. Bollas: So, it's both?

Dir. of Law: No, if you are following the recommendation, Council just needs a simple majority and if you are overturning it . . .

Mr. Bollas: A super majority.

Dir. of Law: To just reiterate from the last time, the change to increase the amount of acreage to 100 actually came from meetings that we had with Councilperson Grimm and Councilperson Loughry because the concern was that we wanted to be able to ensure that we would actually be able to fit all the different types and making sure we had that stratification of some of the homes that are technically even bigger than what the underlying zoning are up to what is the mandatory minimum larger that they have to include on the property as well. So, it really had more to do with wanting to make sure we could fit the different types and styles in as opposed to doing it for any particular properties and I would be happy to answer any other questions if anybody has any.

Mr. Sisak: How does the Board of Zoning Appeals work with that in the new Code?

Dir. of Law: It would work pretty much the same as it has. So, there is a volunteer board. The criteria for the R-6 is primarily the same. In some of the other sections, they would follow the administrative process where they have to apply the standards in the Code and then they have to analyze that request, whatever that request is, under the criteria for making that change whatever change that might be that is outlined.

Forrest Gibson, OHM Advisors. There was discussion regarding R-6 and some of the new sections that have been introduced.

Mrs. Allman: Are there any other questions or discussion?

Pres. of Council: I mean, we are talking a lot about this R-6 overlay is what it is. It is not rezoning anything that already is zoned right now in the City. Everything in the City is staying the same. This document is so much more than just the R-6 in my opinion. I mean, like Mr. Gibson said, it is 300+ pages worth of a lot of work. Am I a fan of the R-6 property? Not particularly, but that is my opinion. There are things in place so that it has to go through Planning & Zoning first and then it has to come through Council and then we will have to make a decision at that point in time and so I am not basing my decision of this Zoning Code just based off the R-6 portion of it. Everything else that is in it I think has been very well thought out and meticulously planned. That is all I have to say.

Mr. Sisak: I would like to make a motion to adopt Ord. 85-2021. Seconded Mrs. Kilway.

Dir. of Law: Commended Helene for doing a fabulous job.

Roll Call: Mr. Donovan – yes, Mr. Grimm – no, Mrs. Kilway – yes, Mr. Sisak – yes, Mrs. Allman – yes, Mr. Bollas – yes. **Ord. 85-2021 is adopted by a vote of 5-1.** Is there anything else to come before the Public Service Committee? I close committee.

7. Community Input:

Pres. of Council: Now we will go into the Community Input section of the agenda. So, if anyone has anything they would like to discuss; I know we have a couple of people here. Please come to the podium and state your name and address.

Marilyn Tuescher, 518 Tammery Drive, Tallmadge. She and her husband have lived at 518 Tammery Drive for over 35 years. John and Rosemary Berdy, who are our neighbors, have lived on Tammery Drive for over 50 years.

The story that was circulating was that the first builder ran out of money and the project stopped mid-build. Unfortunately, the first builder's property lines weren't very good either, but it apparently took two more builders and banks before the project was picked up, financed, reapproved by the City of Tallmadge Planning & Zoning Department and the remainder of the allotment was subsequently finished. But the final builder allegedly started his build from the end of the street rather than from where the previous build stopped. As you can guess, this caused even more property line issues to be incorrect.

There was further discussion regarding the property lines in the area.

John Berdy, 526 Tammery Drive, Tallmadge. The home we are talking has been there for 50+ years and has been rented for 50 years. We put up a white plastic fence but still everything that comes on the other lot I took care of. I believe that with all the work that we have done over there in the last 50 years that we should have something corrected out of that. That's all I have to say.

Mr. Grimm: Mr. Berdy, you say you lived in that house for 50 years. Did you buy it new?

Mr. Berdy: It was second hand.

Mr. Grimm: How old was it then; about 10 years old when you moved in or 5 years old, and the property line was like that at that point and just nobody noticed. Is that what happened?

Mr. Berdy: When I built my garage, I had a gentleman from Tallmadge and he said you are OK at your garage, and he walked 10 feet over and walked directly over Tammery Drive and he said this is where your property ends.

Mr. Grimm: Capriola; yeah.

Mr. Berdy: Capriola. That is the gentleman that came out and he said verbally to me because I will never forget that.

Mr. Grimm: So, at that point you presumed that your property line was fine, and you were building your garage . . .

Mr. Berdy: When the gentleman said that; yes.

COUNCIL MEETING

Council Chambers @ 7:00 p.m.

September 23,

21

Mr. Grimm: You felt at that time that you were 10 foot off of your property line, but in reality you were on top of the property line; is that right?

Mr. Berdy: I didn't know.

Mr. Grimm: You weren't, you were on top of the property line in reality at that time?

Mr. Berdy: When he walked over 10 feet over; that is . . . that was our property line at the end of that.

Mr. Grimm: But in reality, where is your property line . . .

Mr. Berdy: According to when they came back out, the property line is 5 feet towards the garage.

Mr. Grimm: So, he was mistaken when he told you that property line was 10 feet over?

Mr. Berdy: That's correct.

Mr. Grimm: They charged you a permit for that; you paid a fee?

Mr. Berdy: Yes, we did.

Mr. Grimm: How many houses in your allotment are like that . . . is it just on the bend?

Mr. Berdy: There are basically 6 in a row that are messed up in this area. One house on the cul-de-sac half of their property in the back belongs to Akron and the other half belongs to them.

Mr. Grimm: OK.

Mr. Sisak: I have a question for the Law Director. So, when someone certifies . . . a surveyor certifies their work; who then takes responsibility for the certification? Does it get logged with the County or the City?

Dir. of Law: So, when a development goes in, the property is platted, and it goes through a review process through the City and then the developer hires a surveyor, and that surveyor signs off on what that legal description is which should match what is platted and they file that with the County. There is not another survey that is done by the City, so the surveyor has the credentials and signs off on that when it is filed with the County, the County is typically making sure that that survey makes sense to the extent that it is a closed survey line.

Mr. Sisak: So, I guess my question then is who guarantees the survey is accurate and correct?

Dir. of Law: The surveyor is taking the responsibility for that in general. They have the credentials, and they are surveying it and . . .

Mr. Sisak: So, when they file with the County then they are just saying these are my findings and this is how I see this development and so they are really kind of submitting plans essentially.

Dir. of Law: They are submitting what should be the deeds; they are creating the property descriptions which will be the deeds which get sold by the developer.

Mr. Sisak: So, I wonder what the deeds say on these.

Dir. of Law: So, I think that is the problem is that the deeds don't necessarily match up with what the plat is. So that is part of the problem and then when people do an addition, like a garage or a fence or whatever . . .

Mr. Sisak: So, how do the deeds not match the plat? You can only sell what is . . .

Dir. of Law: Correct, and so I don't know . . . I don't know for a fact, but I would imagine that the surveyor did not survey it correctly to match up with the plat. I mean, that is . . .

Mr. Sisak: I wonder what the deeds say then?

Dir. of Law: Well, the deeds say whatever the surveyor submitted to the County. So the deeds don't match what the plat is; where the plat lines are I think is the issue and then I think, I think in this particular development there may also be like a third property line because people then kind of just adjusted to what made common sense and so they lived; they started mowing and taking care of the property line because what was installed, I don't think even necessarily matches the deeds and doesn't necessarily match the plat.

Mr. Sisak: There almost needs to be a forensic look at this all the way back to . . .

Dir. of Law: Well, the problem is is that this happened about 55 years ago and a lot of the detailed records are not going to be available anymore and the issue with the City . . . so a replat process, you have to go through a process, which we certainly would support; the replat process, everybody . . . so now the developer has sold all these houses clearly for years now and these parcels are all privately held and so in order to do a replat, everyone has to sign off and concur if their property lines are going to be moved. So, if all of the people consent, then we can go through a process and Helene and I have been looking in the Code; Helene has been doing a lot of research to try to see what historically what files we can find, but to see what the most practical and logical process might be, if we can get consent from the property owners, however, we don't have jurisdiction to just change those property lines. If there is not consent of all the property owners involved, then what has to happen is a court has to make that determination and you know it can either be as one side is saying that they are asking for an easement and the other side is saying that they probably have a valid adverse possession claim and so either of those has to be ultimately determined by a judge if there is not consent. If there is consent, then it makes it an easier process.

Mr. Sisak: Is the City the prosecutorial?

Dir. of Law: No. So, it is not a criminal issue. Right.

Mr. Sisak: But we would be the ones sponsoring the . . .

COUNCIL MEETING

Council Chambers @ 7:00 p.m.

September 23,

21

Dir. of Law: To bring it to a court?

Mr. Sisak: Yes.

Dir. of Law: No, because again, we don't have that private property vested right, so it is the parties that have that private property right that need to determine that. So, we are putting resources and time and energy into trying to see if there . . . what options or pathways we can present that if there is a consent, we can certainly help and we are trying to look at what other avenues we can do to assist the problem and trying to fix it but again, this is . . . I think that the garage that was referenced was built I think some 30 years if I remember correctly from what we have looked at and so it is . . . all the personnel has changed, and we don't have any . . . you can't just ask that person what was your thought process?

Mr. Sisak: Yeah, it sounds like we are doing our due diligence which I appreciate to rectify the situation.

Dir. of Law: We will do what we can to help, but again, at the end of the day, it is an arduous process either way because you either have to go through a process with consent which makes it a little bit easier to go down that path, but you still have to go through certain steps or you have to go through court and go through certain procedures, but at the end of the day it really comes down to because these protections are in place to protect the private property.

Mr. Sisak: So, say we had consent, 6 out of 6, then the City would be able to replat this on behalf of all 6 homeowners?

Dir. of Law: So, we can explore those possibilities and that is kind of part of what we are looking into right now and I know Helene had some communication with Mrs. Teuscher and we are certainly happy to sit down. I know I have had a conversation with the Berdy's son and I have had conversations quite some time ago, but we are more than happy to sit down and try to work through what some of the possibilities might be and ways that we can assist, but it is a complicated situation because there are multiple properties involved and it is a very, unfortunately, an old issue that now we are trying to look at what we can do.

Mr. Sisak: Thank you.

Mr. Grimm: What stands more; the deed or the plat when they don't mesh up? Which one do you go off of?

Dir. of Law: So that is a good question, and I would have to research that. But again, I would think that maybe it would be the deed. I don't know, but because that is what they possess in their; that is what they have on their deed.

Mr. Grimm: I don't know. As you look at the GIS, all those homes are aimed as though they were built with square lots to them, not an angle lot. They all look right to the street. They don't go with the angle of the . . .

8. Agenda Additions: Ohio Div. of Liquor Control Application for Acme on South Ave.

Ohio Div. of Liquor Control Application for Speedway on East Ave.

Pres. of Council: Mr. Springer did a little bit of research on this for us.

Dir. of Econ. Dev. I did do a little research, and this was a new experience for me. Ultimately I don't believe we need to request a hearing. Both Speedway as well as Acme have existing permits. Speedway for example has a C-1 and C-2 permit existing. Acme has a D-1, D-2, D-6, and D-8 and what this is was actually a stock transfer and any time there is a stock transfer that is 5% or more, the local jurisdiction is notified. So that is what happened in this case for both Speedway as well as Acme, so I don't believe there is any need to request a hearing.

Pres. of Council: Council, is everyone in agreement on this? Do you think we need to have a hearing on these two matters?

Mr. Sisak: No, we haven't in the past, and I don't think we need to in this situation.

Pres. of Council: Alright, so we will not have hearings for either one of these liquor control applications.

9. Reports of Administrative Officers:

a. Mayor/Director of Safety: Mayor Kline is not here.

b. Director of Administration: Good evening everyone. Just two quick things. A little lighter note I might add than some of the other dialogue we have had. On Thursday, October 28th from 5:30 to 7:00 p.m. is Trick or Treat. Remember to turn on your porch light. These things were posted on the City's website or I'm sorry, Facebook page.

Also, you might have seen on the Facebook page this particular flier which is about the survey that we are currently undergoing. On the 20th of September we started a survey for the purpose of which is to understand existing needs, challenges, pricing, and user experience of residential and business internet customers in the City. It is going to be open until the 10th of October which is approximately 3 weeks. In 2 days, we had 792 responses for the surveys and so it has been quite good so far. You might know that the Environmental Design Group, EDG, is the one that is helping us with this particular effort. That is really all I have unless anyone has any

questions.

Mr. Bollas: I just had a question. One of the questions was about telework and distance learning and things like that; is there a way that we can take any of the information of existing questions because I didn't see a question specific to you know, working from home, specific to OK, you are working from home today, but are you working from home permanently because of the pandemic or what not and I know we talked before about the different income tax and things of that nature and I was just

COUNCIL MEETING

Council Chambers @ 7:00 p.m.

September 23,

21

Mr. Bollas (Cont'd.) curious if that is not already there because I did not see a specific question until I look at forecasting the demand in the future like how much of our population is working from home full-time; I think that would be good information to know not only for the demand for internet but also for the income tax piece of it.

Dir. of Administration: I agree completely. There is a lot of information I would love to get through surveying our residents. Unfortunately, that wasn't a piece that we included in the current survey and the survey is already gone out and so we can't really add or modify it. I can tell you though that we had a lot of sometimes intense discussions about exactly what we should ask in this particular survey and so it kind of landed where it was to help get it moving and there is also other criteria keeping it brief enough so people don't get kind of frustrated and things like that, but I agree completely I would love to learn some of the things you described through surveys and maybe it is something we can do in the future.

Mr. Bollas: OK, and then the last thing was that once we gather this information there are other neighboring communities like Hudson for example that are right in the middle of their projects, and some have spent \$20 million plus, and it has not been successful and reaping the ROI if you will on the investment and you know getting those benefits; the longevity of it. How are we taking the information from the survey and looking at it long term?

Dir. of Administration: So, to reiterate your question, I think, so if you are asking how are we going to use this information to . . . is that basically your questions?

Mr. Bollas: Once you get the information, essentially how . . . what is the next steps; what are you accessing so that you understand what the investment is going to cost long term and what the benefits are going to be?

Dir. of Administration: So, that is exactly what we expect to learn from the survey; what the benefits will be. What it is doing is it's putting in place an understanding exactly like the purpose was. We need to first understand what our residents are experiencing in terms of their use of the internet. That is what this is supposed to do. We already have a very general idea of what it would cost to develop or build the infrastructure for the entire City and frankly every minute it gets more expensive the longer we wait. But what we need is more information about should we start in certain areas because there is greater interest? The questions we are asking hopefully will give us the information that they will need to make some of those decisions.

Mr. Bollas: Yeah, and I support the survey. I am looking at it wholistically to think that right now a lot of residents are just unhappy with their service. So, if you asked somebody hey, are you a fan of this, they are probably going to say yes just because it is a lack of options; right?

Dir. of Administration: Yes.

Mr. Bollas: But, just looking at wholistically and forward thinking you know just factoring that in and looking at the survey results and then thinking OK, if this person; maybe is there a way we could get Spectrum in a room and just talk; hey can you guys do something.

Dir. of Administration: Hopefully those kinds of discussions we could have once we have this information. This is not the first step, by the way, in a plan; it is about the third step. There are a few more before we actually get into a position to where we could offer service for example.

c. **Director of Public Service:** Mr. Rorar was absent.

d. **Director of Economic Development:** I will be very brief. I will save more of the formal part of the report until October. I did just want to remind you that we do have an upcoming ribbon cutting for Urban Choir and that is going to be next Wednesday, and they are located at 222 West Avenue and that is going to begin at 5:00 p.m. The following day at Speelman Electric they are going to have their open house and we would certainly like for all of you to join us and that is going to start at 2:30 p.m. Obviously the Henry Bierce showroom is moving forward. They are actually going to relocate probably this weekend, but they would like to get some of their landscaping put in before we actually do the ribbon cutting over there. So, that is to be determined. I will give you more details in October, but we are keeping busy and there is a lot of activity taking place.

e. **Director of Finance:** Mrs. Gilbride is absent.

f. **Director of Law:** I have no report this evening.

10. **Reports of Standing Committees of Council of the Whole:**

a. **Planning and Zoning**

James Donovan, Chair

Craig Sisak, Vice Chair

Mr. Donovan: I call the Planning and Zoning Committee to order. We do not have any legislation at this time. Does anyone have anything they would like to discuss? No one responded. Hearing none, I will close committee.

i. **Additional items:** None.

COUNCIL MEETING

Council Chambers @ 7:00 p.m.

September 23,

21

b. **Finance**

Craig Sisak, Chair

James Donovan, Vice Chair

i. **Second Readings of Resolutions and Ordinances.**

A. Ord. 103-2021 – Authorizing the Mayor to enter into a lease with Southeast Avenue Company, LLC, for 731 Dunbar Road and providing for immediate enactment.

Mr. Sisak: Thank you. I would like to call the Finance Committee to order. We currently have Ord.103-2021. Ord. 103-2021 was read into the record. I think this is something that can probably stay at 2nd Reading if everyone is in agreement.

B. Ord. 105-2021 – Authorizing the appropriation and advance of funds for purposes of the Fire Station Construction Project and providing for immediate enactment.

Mr. Sisak: We also have Ord. 105-2021. Ord. 105-2021 was read into the record. This is something that we talked about and said at the last meeting we would give it a 1st Reading and then kind of see where we were this evening. Do we have an update on the need for this passage?

Dir. of Administration: No.

Mr. Sisak : So, we will just leave this at 2nd Reading.

ii. **First Readings of Resolutions and Ordinances.**

A. Res. 14-2021 – Exhibit A – Accepting the amounts and rates as determined by the Summit County Budget Commission and authorizing the necessary tax levies, certifying them to the County Fiscal Officer and providing for immediate enactment.

Mr. Sisak: We have Res. 14-2021. Res. 14-2021 was read into the record. I would imagine this is housekeeping.

Pres. of Council: Mollie did send us an e-mail in reference to Res. 14-2021 and she says that it does not to be adopted this week. So, we can just give it a 1st Reading.

Mr. Grimm: This requires an Exhibit in Section 1.

Dir. of Law: There should be an Exhibit for this one if it wasn't linked.

Pres. of Council: Oh yeah; it is right there.

iii. **Additional Items:** None.

c. **Personnel**

Christopher Grimm, Chair

Rebecca Allman, Vice Chair

Mr. Grimm: I call the Personnel Committee to order. We have no legislation before us this evening. In the obituary page, we were going to take a moment to recognize former Mayor Hood who passed on here in the last couple days. He served as Mayor. In Tallmadge, he started off in Ward 3 as a Councilman and served a couple years over there. He lived on Southeast Avenue just beyond the railroad tracks. Dennis was an interesting fellow. He was the last part-time Mayor in the City of Tallmadge. At that time Dennis worked at Sears and Roebuck up at Chapel Hill and then he would come here and run the Mayor's office from 4:00 p.m. until about 7:00 p.m. and then he would be here for the Council meetings.

With that, I think on behalf of Council we will be able to get a letter of sympathy drawn up for him and then we can sign it and send it off to the family. Dennis was a good guy. He served for 8 years for the City and for those of us who knew him, he will be remembers. Anything else for Personnel?

Dir. of Law: Thank you Mr. Grimm; I did just want to make you aware that someone did call our office and was routed to the Mayor's office asking for a proclamation as well, so maybe you might want to coordinate Council's efforts with Karen depending on how you want to proceed with this.

Mr. Grimm: We kind of got away with the Resolutions of Sympathy and are now doing a letter congratulatory or sympathy through the Clerk's office and we will get that off within a week. Other than that, I think that will be it for Personnel.

i. **Additional Items:** None.

d. **Community Issues**

Dennis Loughry, Chair
Jonathon Bollas, Vice Chair

Mr. Bollas: I call Community Issues to order. We have no legislation tonight. Does anyone on the committee or Council or the Administration have anything for Community Issues.

Pres. of Council: I think the only thing that I would like to reiterate before because we won't have another Council meeting, is the Tallmadge Fall Festival is October 3rd at 1:00 p.m. and that is at the Rec Center; correct. Oh, Community Center parking lot. I think it is the Rec Center too.

COUNCIL MEETING

Council Chambers @ 7:00 p.m.

September 23, 21

Mr. Bollas: Anything else to come before Community Issues? I close committee. Thank you.

i. **Additional Items:** None.

e. **Safety**

Jonathon Bollas, Chair
Christopher Grimm, Vice Chair

Mr. Bollas: I call the Safety Committee to order. We have no legislation this evening. Does anyone have anything for the Safety Committee this evening? I close Safety Committee.

i. **Additional Items:** None.

f. **Public Service**

Rebecca Allman, Chair
Dennis Loughry, Vice Chair

i. **Third Readings of Resolutions and Ordinances**

A. Ord. 86-2021 – Ex. A – Tracked Ex. A – Ex. B – Tracked Ex. B –
Relocating and renumbering Tallmadge Codified Ordinance Chapter 1192 Management, Administration and Control of the use of the City's Public Rights-of-Way to Chapter 961 and Chapter 1196 Illicit Discharge and Illegal Connection Control to Chapter 971 in Part Nine – Streets, Utilities and Public Service Code.

Mrs. Allman: I call the Public Service Committee to order. We have at 3rd Reading Ord. 86-2021. Or. 86-2021 was read into the record.

Mr. Grimm: Mrs. Allman, this goes along with Ord. 85-2021 so since we adopted Ord. 85-2021, I will make a motion to adopt Ord. 86-2021. Seconded Mrs. Kilway. Roll Call: Mr. Grimm, Mrs. Kilway, Mr. Sisak, Mrs. Allman, Mr. Bollas, Mr. Donovan – unanimous. **Ord. 86-2021 is adopted by a vote of 6-0.**

ii. **First Readings of Resolutions and Ordinances**

A. Ord. 106-2021 – Exhibit A – Granting an electric service easement from the City of Tallmadge to Ohio Edison Company, said easement being known as part of PPN 6003866 and PPN 6000495 and providing for immediate enactment.

Mrs. Allman: Next is Ord. 106-2021. Ord. 106-2021 was read into the record.

Mr. Grimm: Want to just give this a 1st Reading?

Mrs. Allman: Yes; we will give this a 1st Reading. Any other questions or discussion? I close committee.

iii. **Additional items:** None.

11. **Reports of Special Committees:** None.

12. **Announcements:**

Dir. of Law: I will stand corrected, and it was at the Rec Center.

13. **Adjournment:** Mr. Grimm moved to adjourn. Seconded Mr. Donovan. Roll Call: Mrs. Kilway, Mr. Sisak, Mrs. Allman, Mr. Bollas, Mr. Donovan, Mr. Grimm – unanimous. **The Council meeting of 9-23-21 adjourned at 8:08 p.m.**

sb

Adopted:

Susan E. Burton, Clerk of Council

Carol A. Kilway, President of Council