

## VIRTUAL REGULAR MEETING

in Council Chambers @ 7:00 p.m.

September 24,

20

1. **CALL TO ORDER.** President of Council Kilway called the Virtual Regular Council meeting of Thursday, September 24, 2020 to order at 7:00 p.m. This is a virtual meeting due to the State of Emergency.
2. **SILENT PRAYER:**
3. **PLEDGE OF ALLEGIANCE:**
3. **ROLL CALL:** Mrs. Allman, Mr. Bollas, Mr. Carano, Mr. Donovan, Mrs. Kilway, Mr. Loughry, Mr. Sisak – present. Also present were Mayor Kline, Dir. of Public Service Rorar, Dir. of Administration Cooper, Dir. of Economic Development Springer, Dir. of Finance Gilbride, Dir. of Law Raber and Clerk of Council Burton.
4. **MINUTES:** 9-10-20 Virtual Regular Council Meeting minutes.  
Mr. Sisak moved for the adoption of the 9-10-20 minutes. Seconded Mr. Donovan. Voice vote 7-0. **The 9-10-20 Virtual Regular Council Meeting minutes were adopted by a vote of 7-0.**
5. **FINANCIAL REPORTS:**  
**3<sup>rd</sup> Quarter Credit Card Report.**  
Mr. Sisak moved to accept the 3<sup>rd</sup> Quarter Credit Card Report submitted by Dir. of Finance Gilbride. Seconded Mr. Donovan. Roll Call: Mr. Carano, Mr. Donovan, Mrs. Kilway, Mr. Loughry, Mr. Sisak, Mrs. Allman, Mr. Bollas – unanimous. **The 3<sup>rd</sup> Quarter Credit Card Report was accepted by a vote of 7-0.**
6. **PUBLIC HEARINGS:** None.
7. **COMMUNITY INPUT:**  
**Pres. of Council:** We have asked the community, since our meetings are virtual, that if there is anything that they would like to discuss or have discussed during the Council meetings for them to contact our Council Clerks either by e-mail or phone call and submit something in writing and we would read it, but as of 4:00 this afternoon, we had not received any so we will continue with the meeting.
8. **ANNOUNCEMENTS:**
9. **AGENDA ADDITIONS:** Ord. 61-2020 will become Item 16.a. on tonight's agenda.
10. **REFERRALS OF FIRST READING ORDINANCES AND RESOLUTIONS:**
  - a. The following shall be referred to the **Finance Committee:**
    - Ord. 60-2020
    - Ord. 61-2020
  - b. The following shall be referred to the **Planning & Zoning Committee:**
    - Ord. 59-2020
  - 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:** 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 madame chair, it is a pleasure to be here tonight and I thank all of you for attending. We are still in the process of **interviewing architects for the new fire station** and if you recall what I said at the last meeting, there are 24 folks asked to be interviewed and we whittled it down to a short list of eight and we started that interview process and we have done four and we have four more to go. From that eight, we will whittle it down to four; that is our goal and then ask for RFP's (request for proposals) and hopefully by the end of . . . not so much our next council meeting, but maybe the following one, we will have legislation to enter into a contract with the architect so we can get started on that project and it is a very tough decision; every one of these are excellent architects. I can close my eyes and throw a dart and whatever sticks would probably work out very well. That is a tribute to the Northeast Ohio firms that are around here.  
If you recall, at the last Council meeting we passed legislation to authorize me to enter into a **contract for the East Avenue Corridor** and I am happy to announce that both contracts have been initiated and executed. The first one was the LPA and that is a local project contractor from Tallmadge to ODOT. So, we are now finalizing with ODOT to go with that project.  
**Then GPD is the engineer of record for the ODOT Project** and that contract was also entered into. This is a project that is 100% funded through the Safety Funds from the State and AMATS. The construction phases: we will be working on this in two phases and this is a project going from Community Drive to the Brimfield corporate line. Phase 1 would be from Munroe Road to Brimfield and Phase 2 will be from Munroe

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**Mayor (Cont'd.)** Road to Community Drive. Those projects will be earmarked Phase 1 and the construction timeframe will be 2025/2026 timeframe. It takes that long.

**Justin, Scott, and Andrea put a video together** and I think since we don't have a lot on the agenda that I wanted to share that with you. I'm not sure who is doing it downstairs but roll away. Showed short film.

Tonight we have the ordinance; **Ord. 61-2020 and that is the security panel; the fire panel at 210 Osceola** and it is \$53,000 and we had \$65,000 in the budget and so this is a budgeted item that we do require Council legislation to allow us to go to the Board of Control and we wanted to see where the budget was before we introduced this legislation and it is truly worth something getting done. We have to do it no matter what. That's all I have.

**Mayor:** Hats off to the team that put that together; Justin, Scott and Andrea did a phenomenal job. Mike Rorar; you have a new career.

**Dir. of Pub. Service:** Next week on **September 28<sup>th</sup> the Rec Center is expanding its hours Monday through Friday it is going to be 6:00 a.m. to 8:00 p.m. and Saturday will be 8:00 a.m. to 2:00 p.m. and still closed on Sunday.** However, we are going to **bring back childcare starting next Monday between the hours of 9:00 a.m. and noon** and it is for nine children or less and we are going to see how that works. We are also **opening up the basketball courts** for members with restrictions. I would like to ask that **Ord. 60-2020 be passed this evening at 1<sup>st</sup> Reading.** The reason that is is because we are trying to adapt; we are opening up our basketball leagues this year; the All Stars, and that is that evening league and unfortunately with the restrictions we can't get everybody in there for court time and so this ordinance is actually asking for just this year that we do a half-court rental for \$35.00 and the full-court is still \$60.00 and this is because of the school being temporarily closed and we are just trying to get more playing time for the team and so we think it will work, so if you guys want to pass this. Really that is it for my report unless there are any questions.

**Mr. Loughry:** I just have a comment for Mr. Rorar. Many of you don't know that many years ago Mr. Rorar played football for me and then after watching that video I remember why he was an offensive lineman.

**Dir. of Pub. Service:** Thank you Councilman.

**Mr. Donovan:** Mike, I just, you know what; I appreciate, and I just have to go on record; Mike, I call Mike a lot or text Mike a lot; I have a lot of stuff and I just want to publicly thank you and thank you all the time, but I want to publicly thank you because anytime I call for even the most trivial things; Mike is on it and his team is on it and they take care of stuff so fast. My head spins sometimes. I appreciate how you just get everything done and there are never any comments back or excuses or delays; you just take care of it and I personally want to thank you and from the public thank you too for how quick you get on everything. I appreciate it.

**Dir. of Pub. Service:** Thank you. I appreciate that.

**Pres. of Council:** I would have to agree 100% with you. There are times when it will be Sunday night and hey, I took care of that thing that you needed today. Thank you, Mike, you do a great job.

**Dir. of Administration:** Good evening everyone. I have just a couple quick things. You may have heard that full-time employees are eligible for our **healthcare insurance** and they are entering information into a database that serves our multiple chance at least so we can basically go out for bid to see if we can improve and get more for our money for our healthcare for next year. We keep hearing that the full-time employees are complaining about it. It is a very challenging to accomplish and a lot of detail that is required about healthcare so that we can get accurate information to get a good price. So, I just wanted to make sure that you are aware that the employees are going out of their way to make sure that we get what's best for the City and the next time you see one; that is an employee of the City, thank them.

We are also working very hard on the **budget** and I'm sure many of you are aware that we start working on the budget in July. It is literally half of the year that we are working on the budget. One thing that you may not know is how hard Mollie and of course, Jill, the person kind of behind the scenes work. I just want to make sure you are aware of how hard they work and they make some of the most difficult decisions when it comes to allocating the resources for the City that have to be made. They do it with great compassion for the residents and the employees of the City. So, also, they are worthy of our gratitude as well, in particular the Mayor and Mollie. They work very hard and make all the decisions on that.

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**Dir. of Administration (Cont'd.)** You may be aware that we had the **second meeting of negotiations with the part-time firefighter's Association**; that was yesterday. Things are going very well.

We have a **flu shot clinic for those who are eligible through our insurance on October 15<sup>th</sup> from 9:00 a.m. to noon**. City employees are covered by our insurance and I would like to take the opportunity to encourage everyone to get a flu shot this year as early as possible for obvious reasons. We also have the **Health Care Committee meeting on the 16<sup>th</sup> of October** where City employees and their constituent groups get together and make very hard decisions again where their groups and also the City determine what kind of insurance we are going to have and they will be making those decisions.

That's all I have unless there are any questions.

**Dir. of Econ. Development:** I do not have an official report this evening, but I would be happy to entertain any questions you might have.

**Dir. of Finance:** Good evening everyone. First, I wanted to update Council on some **personnel changes** that are going to be in the Finance Department. As many of you know, from the legislation earlier in the year, Kathleen Mowrey, our Utility Billing Clerk is going to be retiring and we have replaced Kathleen with Megan Vanko. She was a part-time employee in my office and so she is going to move to full-time and start training actually on Monday in the Utility Billing Department and then we will be able to move one of our Recreation Center employees; Kristin Lally, who is very good with people and a great employee; she moved over to the Rec Center and is going to be taking Megan's position at the Rec Center. She will still be doing rentals until we are ready to get back into full swing at the Rec Center and back into renting the facilities. The other thing I wanted to bring to Council's attention tonight is that we are in the process; I am working with legal counsel and our City's Financial Advisor to **make the Tallmadge Reserve, which is the Ripley Farm Development, into a Tax Increment Financing District**. What that means is that the increased valuation on that property will be used by the City to be able to finance the improvement of the East Avenue/Washburn intersection and also then for Phase 1 of the East Avenue widening improvement and so that would be our revenue source that we would be able to use to finance the City's portion of those road improvements; the whole intersection improvement and then our portion of the ODOT Project.

The reason I am notifying you of that tonight is due to procedural issues and how we have to go about doing that. I did, this week, notify the property owner that we would be putting forward legislation to move forward with the TIF and that is the Tax Increment Financing; for that property so that the property owner has the opportunity to object if they would like. You will see that we will have to have a **public hearing on that on October 22<sup>nd</sup>** and that is a little different because that will actually be a public hearing at 1<sup>st</sup> Reading as opposed to what we typically do with scheduling a public hearing at 1<sup>st</sup> Reading and have it at 3<sup>rd</sup> Reading; the reason being that the public hearing has to take place 30 days prior to the passage of the TIF legislation so this timeline will get us in a place where we pass the legislation by the end of the year so it is ready to go when the first taxes begin to sprout up in that development. We will be collecting on that TIF and it is going to be a 30-year TIF and we have designed it so that the school district will not be affected; they will receive 100% of their property taxes and the remainder will come from different County levies that exist. If anybody has any questions about the TIF I would be glad to go into more explanation, but I just wanted you to see that we sent out letters to the property owners and have started that process. I wanted to make Council aware that that was going on with the legislation to be coming on October 22<sup>nd</sup>. That is the end of my report.

**Mayor:** The TIF; this is the first time we have done this in the City of Tallmadge and there are two different styes of TIF's; one that would affect the school and one that would not and we definitely wanted to stay with the one that would not affect the schools, but we knew that intersection; we would need to put a traffic light there. It is a \$1 million dollar intersection and this TIF will definitely fund it. I think we will have to spend money up front but then we get reimbursed after it. Great job Mollie on that.

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

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

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

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- **Ord. 59-2020 (1<sup>st</sup> Reading)** – Amending and supplementing Ord. 20-2020 for conditional zoning to provide for outdoor patio and sale of alcoholic beverages at 137 East Avenue, Suite 30.

**Mr. Donovan:** I call the Planning & Zoning Committee to order; I'm here, Mr. Sisak and Mr. Loughry are here. We do finally have an ordinance; it has been a while. Ord. 59-2020 is at 1<sup>st</sup> Reading and it is amending and supplementing Ord. 20-2020 for conditional zoning to provide for outdoor patio and sale of alcoholic beverages at 137 East Avenue, Suite 30. I do have a quick question for the Mayor or Dir. of Law. You know, and I could be wrong because it has been a while since Tallmadge was voted for its sales and it seems to me that around the Circle was split up differently. Is that actually in an area where they can sell alcohol?

**Dir. of Law:** So that is actually regulated through the State of Ohio. They have to vote and then when they apply to the State for their alcohol permit, they go back through and they actually do the confirmation, and they make the determination that it is eligible and so it . . .

**Mr. Donovan:** OK. I just knew, if my memory was right, that different areas could have different things. Certain areas voted differently.

**Dir. of Law:** Correct, so again, that is really; we are not the enforcement agent, that comes through the State of Ohio and the Division of Alcohol then they do their confirmation through the Board of Elections and so . . . but in different areas of town have different types of permits and that area in particular is confusing and challenging to sort out to be frank. So, yeah, I understand where the confusion comes from.

**Mr. Donovan:** I just wanted to make sure that before it went anywhere that it was even eligible. OK.

**Dir. of Law:** So, they have already gotten their alcohol permit, so they had already been granted the Fine Dining for the interior of the restaurant. Now what they want to do is just be able to have an outdoor patio. So this is amending the previous conditional zoning which granted them as Fine Dining and in addition, Scratch Kitchen, which unfortunately just announced this week that they were going to be closing, but they had also gotten certain permissions as well for Fine Dining.

**Mayor:** The old Dairy Queen.

**Mr. Donovan:** Yeah. Oscar's: OK, I couldn't think of the name. OK. Anything from the committee? No one responded. We don't have anything else before us. Is there anything from Council?

**Pres. of Council:** No, just that Planning & Zoning will have a public hearing on October 1<sup>st</sup> for this.

**Mr. Donovan:** Hearing nothing else, I 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 present. We have no legislation. Does the committee have anything to discuss?

**Mr. Bollas:** I just have one update. I just received one complaint from a resident on Lawndale concerning tree trimming notices. I have followed up with the Service Director and I am following up with that resident. Secondly, we are continuing to work through the analysis on the drainage easement proposal from Hanna to Washburn and we continue to work with the Service Director on that and the residents on that. Thank you.

**Mr. Loughry:** Mrs. Allman; do you have anything?

**Mrs. Allman:** No.

**Mr. Loughry:** Anybody on the rest of Council? No one responded. Administration?

**Mayor:** Just, Dennis, I'm surprised you didn't ask me about Trick or Treat. Trick or Treat will still go on on Thursday with guidance from the CDC and the Summit County Health Department. So, we are still working on that and the drive-in movie on the 31<sup>st</sup> at the high school parking lot. Jessica is working on that and so it will be a pretty neat event inside the parking lot. You will turn on to the AM radio or FM radio station in your car and you get to stay in your car. Social distancing.

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**Mr. Loughry:** I do want to say that our communication from the City out to our residents is 100% better than it used to be just a few short years ago and I think everybody is really learning the value of pushing our message out whether it is the Rec Center or Andrea or our safety services or Mike. Unless you are just not using any social media; if you are, you are very well aware of what is going on in our City and I appreciate that, so thank you all. If there is nothing else for our committee, I will 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 anyone have anything from the committee or Administration or Council today? No one responded. I have one update. I was able to connect with the Deputy Chief this week and worked on arranging a tour of the Fire Station. I advised the Safety Committee and just wanted to extend that invitation to the Administration and that is for next Tuesday, so just let me know if you are interested and I can forward that invite to you. Thank you. If no one else has anything, then I will close committee.

**Mayor:** Jonathon, one thing; if there are more than three Council people, at that meeting, I would confer with the Law Director.

**Mr. Bollas:** Will do. Right now, I believe it is just myself and Mr. Carano.

- d. **PUBLIC SERVICE**  
***Rebecca Allman, Chair***  
***Dennis Loughry, Vice Chair***  
***James Donovan***

**No legislation at this time.**

**Mrs. Allman:** I call the Public Service Committee to order; myself, Mr. Loughry and Mr. Donovan are present. We have no legislation before us. Committee or Council, do you have anything? No one responded. Administration?

**Mr. Loughry:** Mrs. Allman, I do have just one thing and obviously if you live in Regency Park where I do, I was everybody's favorite Councilman for the last week or so talking about trees and everyone was very respectful, but they were surprised because this was the first time that they could remember receiving something like that, but Mr. Rorar was very responsive and that is just where we are at now is that it is a homeowner's responsibility and I know the Mayor had to trim his and I needed to trim mine and we got it done as soon as possible and it just is what it is, but I wanted to thank Mr. Rorar for being as responsive and attentive as he was. So, thanks.

**Mrs. Allman:** Anything else? No one responded. I will close committee.

- e. **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. We have no legislation before us. Is there anybody on the committee who would like to add anything? No one responded. Anybody on Council as a whole? No one responded. Anybody on the Administration? No one responded. I just hope everybody stays safe in the City, all employees. I close committee.

- f. **FINANCE**  
***Craig Sisak, Chair***  
***James Donovan, Vice Chair***  
***Michael Carano***

- **Res. 10-2020 (2<sup>nd</sup> Reading) – 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.

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**Mr. Sisak:** I call the Finance Committee to order; myself, Mr. Donovan and Mr. Carano are present. We have Res. 10-2020 which is 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. I know this wasn't needed at the last meeting, but Mrs. Gilbride; are you looking for it at 2<sup>nd</sup> Reading?

**Dir. of Finance:** Yes, you can go ahead. I just like to wait one reading in case the County figures out that something went wrong, so I think we are ready to go with that. Committee; any questions? No one responded. So, we will recommend adoption of Res. 10-2020 by a vote of 3-0

- **Ord. 60-2020 (1<sup>st</sup> Reading)** – Amending Ord. 91-2019 beginning October 10, 2020 to May 31, 2021, to revise the basketball court rental fees and providing for immediate enactment.

**Mr. Sisak:** We also have Ord. 60-2020 at 1<sup>st</sup> Reading, and it is amending Ord. 91-2019 beginning October 10, 2020 to May 31, 2021, to revise the basketball court rental fees and providing for immediate enactment. Mr. Rorar did specify that he was looking to split the courts and do a half-court rental which makes sense because we are trying to get more teams in and more practices in. Sometimes you get smaller teams that don't need a full court and I think they have three hoops on each half of the basketball court. This is a really good idea for this basketball season. Any questions from the committee?

**Mr. Carano:** Recommend adoption.

**Mr. Donovan:** Yes.

**Mr. Sisak:** So, we will go ahead and recommend adoption of Ord. 60-2020 by a vote of 3-0 at 1<sup>st</sup> Reading.

- **Ord. 61-2020 (1<sup>st</sup> Reading)** – Authorizing the Mayor to enter into a contract for the replacement of the fire alarm through the Sourcewell Cooperative Purchasing Program and providing for immediate enactment.

**Mr. Sisak:** We also have Ord. 61-2020 at 1<sup>st</sup> Reading. It is authorizing the Mayor to enter into a contract for the replacement of the fire alarm through the Sourcewell Cooperative Purchasing Program and providing for immediate enactment. The Mayor specified that this was a budgeted item from the 2020 fiscal year, and they did get it and it sounds like they were able to save some money to purchase installation of this. Is there anything from the committee?

**Mr. Donovan:** I would recommend adoption.

**Mr. Carano:** I would second that.

**Mr. Sisak:** We will recommend adoption of Ord. 61-2020 by a vote of 3-0 at 1<sup>st</sup> Reading. Is there anything else to come before the Finance Committee? No one responded. I close the Finance Committee. Thank you.

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

14. **THIRD READINGS OF RESOLUTIONS AND ORDINANCES:** None.

15. **SECOND READINGS OF RESOLUTIONS AND ORDINANCES:**

- a. **Res. 10-2020 (2<sup>nd</sup> Reading) – 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 moved for the adoption of Res. 10-2020. Seconded Mr. Donovan. Roll Call: Mr. Carano, Mr. Donovan, Mrs. Kilway, Mr. Loughry, Mr. Sisak, Mrs. Allman, Mr. Bollas – unanimous. **Res. 10-2020 is adopted by a vote of 7-0.**

16. **FIRST READINGS OF RESOLUTIONS AND ORDINANCES:**

- a. **Ord. 59-2020 (1<sup>st</sup> Reading) – Planning & Zoning** – Amending and supplementing Ord. 20-2020 for conditional zoning to provide for outdoor patio and sale of alcoholic beverages at 137 East Avenue, Suite 30.

Pres. of Council: **Ord. 59-2020 is at 1<sup>st</sup> Reading and is assigned to the Planning & Zoning Committee.**

- b. **Ord. 60-2020 (1<sup>st</sup> Reading) – Finance** – Amending Ord. 91-2019 beginning October 1, 2020 to May 31, 2021, to revise the basketball court rental fees and providing for immediate enactment

Mr. Sisak moved for the adoption of Ord. 60-2020 at 1<sup>st</sup> Reading. Seconded Mr. Donovan.

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**Mr. Loughry:** Thank you. I support this 100%, but I also wish that we had a board or a committee that gave the Rec Department more latitude to make operating decisions like this that would be under a certain financial threshold. Sometimes you have to be able to do things weekly and with us only meeting twice a month, I think some decisions just should be able to be made but that is just my opinion. But I support this. Roll Call: Mr. Donovan, Mrs. Kilway, Mr. Loughry, Mr. Sisak, Mrs. Allman, Mr. Bollas, Mr. Carano – unanimous. **Ord. 60-2020 is adopted by a vote of 7-0.**

c. **Ord. 61-2020 (1<sup>st</sup> Reading) - Finance** - Authorizing the Mayor to enter into a contract for the replacement of the fire alarm through the Sourcewell Cooperative Purchasing Program and providing for immediate enactment.

Mr. Sisak moved for the adoption of Ord. 61-2020. Seconded Mr. Donovan. Roll Call: Mrs. Kilway, Mr. Loughry, Mr. Sisak, Mrs. Allman, Mr. Bollas, Mr. Carano, Mr. Donovan – unanimous. **Ord. 61-2020 is adopted by a vote of 7-0.**

**17. ADJOURNMENT:** Mr. Donovan moved to adjourn. Seconded Mrs. Allman. Voice vote 7-0. **The Virtual Regular Council meeting of 9-24-20 adjourned at 7:47 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