

**REGULAR MEETING**

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

**October 10,**

**19**

1. **CALL TO ORDER.** President of Council Kilway called the Regular Council meeting of Thursday, October 10, 2019 to order at 7:30 p.m.

2. **PRAYER:** Silent prayer.

**PLEDGE OF ALLEGIANCE.**

**Cub Scout Pack 336** led people in the pledge.

3. **ROLL CALL:** Mr. Carano, Mr. Donovan, Mrs. Kilway, Mr. Loughry, Mr. Sisak, Ms. Tricaso and Mrs. Allman – present. Also present were Mayor Kline, Dir. of Admin. Cooper, Dir. of Pub. Service Rorar, Dir. of Econ. Development Weinberg, Dir. of Law Raber, Dir. of Finance Gilbride and Clerk of Council Burton.

4. **MINUTES:** 09-26-19 Regular Council Meeting minutes.

Mr. Sisak moved to approve the 9-26-19 Regular Council meeting minutes. Seconded Mr. Donovan. Voice vote 7-0. **The 9-26-19 Regular Council Meeting minutes were adopted by a vote of 7-0.**

5. **FINANCIAL REPORTS:**

- **Fire & EMS Fund Transfer in the amount of \$105,000 to Council on 9-30-19.**
- **Street Maintenance & Repair Transfer in the amount of \$65,000 to Council on 9-30-19.**
- **Bond Retirement Transfer in the amount of \$125,000 to Council on 9-30-19**
- **Police Pension Fund Transfer in the amount of \$70,000 to Council on 9-30-19.**
- **Appropriation Report, Fund Report, and Revenue Report for the period ending 9-30-19 to Council on 10-7-19.**
- **September Financial Reports to Council on 10-7-19.**
- **Tallmadge Recreation Center Profit and Loss Report for the period ending 9-30-19 to Council on 10-7-19.**
- **Income Tax Comparisons for the period ending 9-30-19 to Council on 10-7-19.**
- **Revenue Comparisons for the period ending 9-30-19 to Council on 10-7-19.**
- **Consolidated Investment Portfolio for the period ending 9-30-19 to Council on 10-7-19.**

Mr. Sisak moved to accept the financial reports. Seconded Mr. Donovan. Voice vote 7-0. **The Financial Reports submitted by Dir. of Finance Gilbride were accepted by a vote of 7-0.**

6. **PUBLIC HEARINGS:** None.

7. **COMMUNITY INPUT:**

**Chris Freeman Clark; I am actually a Tallmadge graduate in 1977. I am President of your Tallmadge Alumni Association. My day job is I work for the Summit County ADM Board.** So that is the Alcohol, Drug Addiction and Mental Health Services Board. We have a 6-year levy cycle and we are coming up for a vote in November. I am here to ask for your individual and collective support for the levy.

The Tallmadge ADM Board; we are a 24-hour, 365 enterprise and so we have at any time of the day or night, if there are drug or alcohol or mental health emergencies, we have an emergency center right across from St. Thomas Hospital and officers will often times bring people there or they will come in for various services including detoxification, a brief treatment and then linkage with services.

Last year we served over 3,500 citizens through the crisis services at that site. We basically provide a safety net for those at risk for overdose, suicide and other life-threatening conditions. You might have recently read in the news the increase of suicides. It is actually a national phenomenon. It is going outside of the sort of traditional groups that are the high-risk groups especially with youth, which is troubling to many of us. So, some of what we do is we provide prevention programs, and these are programs that aren't necessarily going to be funded by other sources like insurance companies or Medicaid. So, what the levy funds are used for is that all of those kinds of things in between services that are not otherwise funded. We try to do all kinds of programming. Hopefully you know; it is cost effective as well as in terms from a clinician's point of view; it's the way to go. Almost any mental condition or substance use condition; if you address it early; identify it early and start treatment, you will have much better outcomes and it will cost everybody a lot less. In some cases, we will save lives.

Our funds treat over 12,000 people each year by those not covered by those insurances. Our network of providers offers a wide range of integrated recovery supports for mental illness in addition including residential and outpatient and home-based treatment and services in the Summit County Jail. So, my job at the ADM Board is that I am the Forensic Monitor for Summit County. There are 34 of us in the State and what we do is we work with, specifically, we work with people that are found not guilty by reason of insanity and were then committed to State hospitals and eventually they come out in the community once they are stabilized. So, that is kind of my official job, but for many of us at the ADM Board; we have a lot of unofficial jobs as I know all of you are aware of with your jobs.

So, part of what I do is that I am available to the Common Pleas Court and the Municipal Courts when any time the judges are working with somebody who might have a mental illness problem and again, it is the idea that we want to do treatment in terms of corrective action, rehab; that can happen, but often times we have people that kind of cycle in and cycle out and the Tallmadge Police force is fantastic and I actually met about four officers at our recent Crisis Intervention Team Training where again, this is a program that we fund where we are helping officers to learn how to spot substance use, and mental health disorders when they get a call

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**Mr. Clark (Cont'd.)** and if they respond and kind of use these techniques that we talk about all week and then they actually practice them; they actually have some . . . they actually bring in actors where they are actually practicing de-escalating people. The outcomes again are much better in terms of the County and a City; as you can imagine, the liability goes way down when officers are doing everything that they can to not engage and to not get into something to where they are going to hurt the suspect.

94% of our budget is spent on direct treatment, community support and education. So, we don't have a whole lot of overhead expense. We are about a 20 person staff and like I said, we each have about four or five hats. Our services help individuals and families to access services, maintain recovery and keep the community safe in general, so we have 12,000 people that come through for treatment, but in terms of all of our programs; it is about 50,000 people, so that is basically 1/10 of the county.

So, we just ask for your support. This is going to be a renewal levy coming up. It was passed in 2007 and it will cost the owner of a \$100,000 home about \$84 a year and it is to maintain our services. Let's see; specific to Tallmadge, so the CIC Program that the City is involved in and we do a lot of prevention stuff including this PANDA Program and a Youth to Youth Program and we have had the D.A.R.E. Program for a number of years and also Tallmadge participates in a Youth Survey that we do which is fantastic. It is a state-wide initiative that Summit County has been a part of, but what we are doing is we are going into schools and we are doing this very exhaustive survey of kids and as you might imagine; we ask lots of questions about the drug use, exposure to drugs, stuff like sexual activity and other things; we are getting some . . . it really helps us to figure out what kind of services we need to have. So, in some cases, we are actually able to kind of stave off any kind of an epidemic or problem from that information that we get.

That's my spiel. Any questions; I will be glad to take?

**Pres. of Council:** What issue number is it for the record?

**Mr. Clark:** It is Issue 14. If anybody is interested . . . if you would be interested in taking a yard sign; you can raise your hand and I will leave a number of them out for you to take. If you really want to find out what we do, I really encourage you to go to our website; just google Summit County ADM Board and you will see all of the stuff that we are involved in. One of the other things that I do is that I am Co-Chair of the Hoarding Task Force and I'm sure there are people in this room that do not realize that there are about 20,000 people in Summit County that have a hoarding disorder. It is kind of one of these things that kind of is there; it actually starts when kids are in their teens. It doesn't start when you are in your 50's; it starts actually in your teens and then it kind of slowly develops . . . I see people snickering and they are saying that my house is not that dirty, but it is actually something that develops over many decades and then of course, we get involved when a person breaks a hip, or they have some kind of injury or stroke and they go to Summa Hospital and they do sort of the questions about where are you going back to and the person cannot safely go back there and so we get involved. We don't do a direct cleaning, but what we do is we do . . . we link people with different services and what we are trying to do again is trying to work down from the older age group down to start to identify and treat this thing earlier so that we don't do that because then again, I would imagine some of your services; if there has been a fire especially it could be really, really expensive and dangerous for firemen to go into places. Alright. Thank you very much.

**Pres. of Council:** Thank you very much Chris. Is there anybody else here for community input here tonight? No one responded.

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 Madame Chair. First of all, **tomorrow night is Homecoming** and that was the parade that went down earlier that gridlocked the Circle that Megan got stuck in and so did Jim. I wasn't there to organize it because I was in a Parks meeting and speaking on that. We just got presented the **Master Park Plan** and so thank you Jessica for helping to organize that and I thought it was a nice booklet and as I said earlier; the fun starts now.

On the **Budget**, we have been very diligently working on the budget. Hats off to Mollie with her new program on the budget. I know Carol has been involved in going into that budget a little bit and all the Department Heads now go online and add their input to it and you can put notes in it and put pictures and so it has been a very well put together program and so between Mollie and Jill and Dr. Cooper, we have been hard working on the budget, but unfortunately the requests are greater than the revenue. Shocking.

So, don't forget, we still have another Council meeting, but **Beggar's Night is the 31<sup>st</sup>** which is actually the night of Halloween and so maybe you will use less candy in Tallmadge because other communities might have Beggar's Night on that night or it could be crazier because it is Halloween night.

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**Mayor (Cont'd.)** It has been a tough week for **economic development**. Rita and I, specifically Rita, has been working with **Waltco Trucking** for two years now. We knew they were going to move from their current location on Northeast Avenue. They really wanted to buy the building to the south of the Freedom Trail, but Speelman Electric owns that and that was not for sale. They would have liked to have bought that, but that just did not happen.

On the south side of the road, they planned on selling that because they don't like travelling back and forth crossing Northeast Avenue and so they sold that and those buildings are already full by Herman Machine who moved two more businesses in there and so Buddy Herman, not Herman, . . . Gaillet, moved into that and so that side is cool, but we received the news on Monday that Waltco, after two years of working with us and the DeHoff Group trying to get them to move into the Maplecrest Golf Course was \$7 a square foot; less than \$7 to move into a brand new facility in Maplecrest and **they did sign a contract to move their facility to Streetsboro.**

What does that mean to us; well, this week also we had to **cut the budget by \$200,000** because of that revenue decrease and you know what happened three weeks ago; **Summit County MDD Board; they also made the move** and we have also been working with them for a couple of years, but we knew that was going to happen, so that is not a surprise to us on that one. With Waltco; we really thought we had a chance to meet with them. We brought in every available person to be able to help them, but unfortunately when you are dealing with the main office that is out of the United States; they are looking for dollar only and we never really got the option to make that difference between \$3 a square foot and \$7. That was the difference between the two and so we would have tried to go back to the State and dig out more money from them and gone to our pockets; what could we have done differently. It wasn't even an option, so sad to say that, but now we are adjusting our budgets for the next two years.

It is \$500,000 hit to income tax; two businesses moving out. We will work hard to backfill those buildings. Cuyahoga Falls did award income tax or tax abatements to a governmental agency moving to another government; why, but that is what they did and they also signed the anti-poaching and so we will be able to get some of the income tax for a couple of years; a portion of it for the Summit County building, but we are already working on backfilling the small building up front and then the bus garage; that has been empty now for about two years and Summit County Environmental Services moved into that building and I think they are going to move back out to a new facility and the Summit County Sheriffs are looking at moving their maintenance facility into one of those buildings up there and then the big building in between; that is yet to be determined what is happening with that building up there.

So, Waltco; tearing down that building; you can't really tear that building down and rebuild because of the setback. It is a narrow site. It is a terrible building; you can't rebuild on that site so you have to maintain that existing building to get somebody to move into that building to be able to occupy that, so that will be a challenge on our behalf and their behalf. They still own the building. They have to sell it and so we will work hard on that to try to make that happen. So, thank you Rita for your hard work on trying to get that, but it just has not been a good week. End of report.

**Dir. of Pub. Service:** Good evening. I have no report this evening, but I would like to request Item No. 16, Ord. 90-2019 be passed at 1<sup>st</sup> Reading.

**Dir. of Administration:** Good evening everyone. I would just like to offer a friendly reminder that we are currently in **Fire Prevention Week** from the 6<sup>th</sup> to the 12<sup>th</sup> of October. October is also Fire Prevention Month. I would also like to take the opportunity to remind you that National Police Week is in May each year, but I thought we just might use this week as a reminder to have us all kind of reflect on the service that our Police Officers and Firefighters provide to us every day of every year. That's all.

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

**Dir. of Finance:** I have no report this evening. Any positive financial information I had to provide is ruined!

**Dir. of Law:** Thank you. Just briefly, we are going to be doing another **Drug Take Back Day** in conjunction with the Tallmadge Police Department on **October 26<sup>th</sup> from 10:00 a.m. until 2:00 p.m.** There will be two drop-off locations at the Tallmadge Police Department and the Acme store and so even though we have been doing it for years and years; there is still every once in a while people who have no idea that we do it and that we have the dump box, so just remind your friends and family to come out and get rid of those unused medications. Thanks.

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

**At 3<sup>rd</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 3<sup>rd</sup> Reading and will remain before the Community Issues/Safety Committee.**

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13. Ordinance 86-2019  
**FINANCE** **At 3<sup>rd</sup> Reading.**  
**Tracked**  
Amending Chapter 160 of the Tallmadge Code of Ordinances for Economic Development Programs.

Pres. of Council: **Ord. 86-2019 is at 3<sup>rd</sup> Reading and will remain before the Finance Committee.**

14. Ordinance 88-2019  
**COMMUNITY ISSUES/SAFETY** **At 1<sup>st</sup> Reading.**  
Authorizing the Mayor to enter into an agreement with the County of Summit for the Juvenile Diversion Program and providing for immediate enactment.

Pres. of Council: **Ord. 88-2019 is at 1<sup>st</sup> Reading and is assigned to the Community Issues/Safety Committee.**

15. Ordinance 89-2019  
**FINANCE** **At 1<sup>st</sup> Reading.**  
Accepting a donation from Brady's K9 Fund, a non-profit organization, for 2 custom made K-9 Streetfighter Ballistic Vests and providing for immediate enactment.

Mr. Sisak moved for the adoption of Ord. 89-2019. Seconded Mr. Donovan. Roll Call: Mrs. Kilway, Mr. Loughry, Mr. Sisak, Ms. Tricaso, Mrs. Allman, Mr. Carano, Mr. Donovan – unanimous. **Ord. 89-2019 is adopted by a vote of 7-0.**

16. Ordinance 90-2019  
**FINANCE** **At 1<sup>st</sup> Reading.**  
**Exhibit A**  
Expressing intent to sell unneeded, obsolete, or unfit equipment, vehicles, and vehicle accessories by Edinburg Auction in calendar year 2019 and providing for immediate enactment.

Mr. Sisak moved for the adoption of Ord. 90-2019. Seconded Mr. Donovan.

**Mr. Sisak:** I have a question. I saw on the list and I know Mr. Rorar stepped out; there is a street sweeper, so is that in essence our third street sweeper and so we still have the two?

**Mayor:** We have one that . . . it is a very old street sweeper and it is no longer . . .

**Mr. Sisak:** So, we still have two?

**Mayor:** We have one that doesn't work and then we have the new one. Our new one is . . .

**Mr. Sisak:** And then the third one is the one we are getting rid of?

**Mayor:** No, we only have two in existence.

**Dir. of Finance:** The first one that we replaced last year is no longer functional.

**Mr. Sisak:** Got ya. Thank you.

Roll Call: Mr. Loughry, Mr. Sisak, Ms. Tricaso, Mrs. Allman, Mr. Carano, Mr. Donovan, Mrs. Kilway – unanimous. **Ord. 90-2019 is adopted by a vote of 7-0.**

17. Ordinance 91-2019  
**FINANCE** **At 1<sup>st</sup> Reading.**  
**Fee Grid**  
Amending and supplementing Ord. 49-2019 to amend rates, charges, and fees for all recreational facilities and providing for immediate enactment.

Pres. of Council: **Ord. 91-2019 is at 1<sup>st</sup> Reading and is assigned to the Finance Committee.**

18. Ordinance 92-2019  
**PERSONNEL** **At 1<sup>st</sup> Reading.**  
Amending and supplementing Ord. 91-2018, suspending Ord. 68-2017 Section 3.A. for non-collective bargaining employees in fiscal years 2019 and 2020 and providing for immediate enactment.

Pres. of Council: **Ord. 92-2019 is at 1<sup>st</sup> Reading and is assigned to the Personnel Committee.**

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19. Resolution 18-2019  
FINANCE

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

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. 18-2019. Seconded Mr. Donovan.

**Dir. of Finance:** As we discussed, this is just standard so the County has the authority to collect the current tax levies for the City from our residents.

Roll Call: Mr. Sisak, Ms. Tricaso, Mrs. Allman, Mr. Carano, Mr. Donovan, Mrs. Kilway, Mr. Loughry – unanimous. **Res. 18-2019 is adopted by a vote of 7-0.**

20. ADDITIONAL ITEMS:

**Mr. Loughry:** Thanks. So, I don't want anyone to think that I do not agree with the expenditure of extra money on legal counsel. I think that that is money very well spent and will pay tremendous dividends going forward, but, and I'm sure there is some good rationale for this, but if we operate as a Council together with the City in a system where you can spend an additional \$100,000 and then come back and discuss it after the fact and we just; you have to vote for it because you spent it. In my opinion, then that system needs evaluated. So, I'm not against the expenditure, again, I think that was tremendous money but I just don't think you should be able to spend that kind of money up front without communicating with Council.

**Pres. of Council:** So, you would like a check and balance so that it doesn't get to that point?

**Mr. Loughry:** I guess; maybe I just don't know enough about the system, but I think that if we are in charge of the money and I believe we are, that we should know about it before that kind of sum is spent.

**Mr. Sisak:** Mrs. Kilway, if I can add to that. I had a nice conversation with Mrs. Raber this week about that fact. There was already \$35,000 in last year's budget and then . . . so that money was already spent and then an additional sum was spent to tally up to the number that we were given; the \$110,000 or \$118,000 number. I would agree with you Mr. Loughry that we definitely need to be kept closer awareness of that dollar amount even though it wasn't . . . we didn't know; we knew when we were approaching \$50,000 and we knew when we were approaching \$60,000, \$75,000, \$80,000 and so I agree with you on that Mr. Loughry.

**Mr. Loughry:** Thank you.

**Dir. of Finance:** Can I just point out to Council just for information purposes, that is an individual line item on the budget that says legal fees and so within the appropriation report, just to kind of give you guys some additional information, that is actually a specific line item in the financial report under General Administration where you could see . . . I know I have had this discussion with Mr. Loughry about the way Council adopts the budget is by department and then there are some subtotals within that department. For financial reporting purposes, I do let the different lines go in the negative so that Council can see what lines are going negative and what are staying positive and in what department . . . so you can see what Department Heads are borrowing from during that process because I can guarantee you that if you went into the budget right now; every department has a line that is negative in every department and every department is borrowing from a different line item because something came up and then they are going to have to, you know, cut it from somewhere else. I realize that in this situation we came back and asked, but if anybody needs any you know, clarification or help understanding that report, I would be glad to provide that information.

**Mr. Sisak:** I guess my concern is is the Ohio Statute that we referred to when we passed our ordinance a couple years ago was that \$50,000 mark. We went in excess of that.

**Dir. of Finance:** And we presented legislation to you to approve entering into contract for that earlier in the year.

**Mr. Sisak:** Right, but we didn't have a sum. So when we hit \$50,000 it should have come to Council at that \$50,000 mark and we should have approved more spending for that purpose. That is how the Ohio Revised Code reads.

**Mr. Donovan:** And that is how we have done it with other projects too; other projects or things when they are approaching or have hit the limit, you always come back and say, hey, we are going to go over this, but not after the fact; not when it is \$70,000 past.

**Pres. of Council:** This is something that . . . this is something that does not come up all the time.

**Mr. Donovan:** No, but that's why it needs to be; we should address it.

**Mr. Sisak:** Yeah.

**Pres. of Council:** OK; alright; anything else?

**Mr. Carano:** I was thinking, and I know Mr. Cooper did a fine job in all the negotiations and I appreciate all the work that you did, but you happen to mention and I recall being in contract . . . I have never negotiated a contract and so I don't know the work that is involved in unions,

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**Mr. Carano (Cont'd.)** but there were times when the company I worked for would offer a signing bonus and I don't know if that is an avenue in pursuing that at all, but sometimes that can spur people and it may be cheaper in the long run than \$500,000 or something; I don't know. I don't know . . . you have probably considered that and I was thinking that sometimes that can spur people into . . . and maybe that would save us having to spend all that much in the future. I don't know; what do you know about that?

**Mayor:** We had a tentative agreement. We agreed and their team agreed and it just got turned down and so now we have to go back; that is why we added more money. In the Executive Session; that is what we talked about that we had a tentative agreement and we told Council that we had a tentative agreement and they were going for a vote and we had a vote and our Council would have accepted the contract, but for whatever reason, it did not get accepted and so therefore, we are back to square one, or back to lawyer fees.

**Mr. Carano:** I'm not questioning the work that was done or anything like that; I was just throwing it out as probably something that you are aware of anyway, so I'm being redundant in saying it. I know it did use to work with some of the employees. They would see that and they would want to grab that and they signed on the dotted line. Thank you.

**Pres. of Council:** Anything else to come before Council at this time? No one responded.

21. **ADJOURNMENT:** Mr. Donovan moved to adjourn. Seconded Mrs. Allman. Voice vote 7-0.  
**The Regular Council meeting adjourned at 8:04 p.m.**

**ORD. 53-2019 IS TABLED UNTIL 11-14-19.**

**ORD. 78-2019 IS TABLED UNTIL 12-12-19.**

**ORD. 79-2019 IS TABLED UNTIL 12-12-19.**

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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