

COUNCIL MEETING

Council Chambers @ 7:00 p.m.

October 14,

21

1. **CALL TO ORDER.** President of Council Kilway called the Regular Council meeting of Thursday, October 14, 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. Grimm, 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 Law Raber, Dir. of Finance Gilbride and Clerk of Council Burton. Mr. Donovan was absent.
4. **Correcting and Adopting the Previous Meeting Minutes**
9-23-21 Regular Council Meeting minutes.
Mr. Grimm moved to adopt the minutes of 9-23-21. Seconded Mr. Sisak. Roll Call: Mr. Grimm, Mrs. Kilway, Mr. Loughry, Mr. Sisak, Mrs. Allman, Mr. Bollas – unanimous. **The 9-23-21 Council meeting minutes have been adopted by a vote of 6-0.**
5. **Financial Reports**

<ul style="list-style-type: none">• Fire & EMS Fund Transfer in the amount of \$75,000 to Council on 9-30-21.• Bond Retirement Transfer in the amount of \$75,000 to Council on 9-30-21.• Street Maintenance & Repair Transfer in the amount of \$100,000 to Council on 9-30-21.• Police Pension Transfer in the amount of \$69,895 to Council on 9-30-21.• Appropriation Report, Fund Report and Revenue Report for the period ending 9-30-21 to Council on 10-6-21.• September Financial Reports to Council on 10-6-21.• Tallmadge Recreation Center Profit and Loss Report for the period ending 9-30-21 to Council on 10-6-21.• Income Tax Comparisons for the period ending 9-30-21 to Council on 10-6-21.• Revenue Comparisons for the period ending 9-30-21 to Council on 10-6-21.• Consolidated Investment Portfolio for the period ending 9-30-21 to Council on 10-6-21.
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Mr. Sisak moved to accept the financial reports. Seconded Mr. Grimm. Roll Call: Mr. Bollas, Mr. Grimm, Mrs. Kilway, Mr. Loughry, Mr. Sisak, Mrs. Allman – unanimous. **The Financial Report submitted by Dir. of Finance Gilbride were accepted by a vote of 6-0.**
6. **Public Hearings:** None.
7. **Community Input:** This is the time when anyone who is here who would like to address anything that is not on the agenda. There are a lot of people here, but not to discuss that.
8. **Agenda Additions:**

Pres. of Council: This is why everybody is here. We do have the swearing-in of two new firefighters: Mr. Andrew Gauer and Ms. Taren Mitchell. So, I will turn this over to Mayor Kline

 - Swearing in of two new Firefighters; Mr. Andrew Gauer and Ms. Taren Mitchell.
 - Discussion of moving Oct. 28th Council meeting to October 27th because of Trick or Treat.

Pres. of Council: I'm sorry I missed this at the beginning of the year when we were finalizing the calendar.

Mr. Grimm: I'll move that we move our October 28th meeting to October 27th at 7:00 p.m. Seconded Mr. Sisak. Roll Call: Mrs. Kilway – yes, Mr. Loughry – no, Mr. Sisak – yes, Mrs. Allman – yes, Mr. Bollas – yes, Mr. Grimm – yes. **The October 28th Council meeting will be moved to October 27th by a vote of 5-1.**
9. **Reports of Administrative Officers:**
 - a. **Mayor/Director of Safety:** Thank you for your time while we swore in our two new folks into the Fire Department.
As you can see on the slide, **“Move with the Mayor.”** We did do “Move with the Mayor” in Lions Park. Mayor Neugebauer from Green and Mayor Pribonic from Stow and I played. Mayor Neugebauer won. It is a national organization

COUNCIL MEETING

Council Chambers @ 7:00 p.m.

October 14,

21

Mayor (Cont'd.) in Washington, DC folks and like last year we did the Silly Walk-through Lions Park.

Electronic Recycling is this Saturday. This company offered to come back in and so it is this Saturday at the Tallmadge Rec Center from 10:00 a.m. to 2:00 p.m. for electronic stuff. They will shred your hard drives if you need them shredded on-site so you can witness that being shredded or they will just take them and secure them. The only cost to us is having some folks there helping them out.

The **Gas Aggregation**. The opt-out letters went out last week. Some people are calling and asking about it because it is a fairly good rate. You know, they are a little scared of the 5-month variable, but it is guaranteed to be less than the Dominion SCO rate, but after that then it goes to \$3.73 which is extremely good at this time.

Next, the **update on the Fire Department**. As you can see, the Fire Department is coming out of the ground. The block around the building is just about complete. That is above the floor grade.

The **Budget**: You will have the budget at 1st Reading at the next Council meeting.

Mr. Grimm: Apparently, I was the only one who didn't realize that we have a problem next to the Rec Center and the school. They were discussing that the other day at the Candidates' Debate. One of the questions was I guess the **telephone reception** . . .

Mayor: The cell phone service.

Mr. Grimm: Apparently, I was the only who didn't realize that there was a problem, but I did say I would bring it up and I was kind of curious; what is the problem and what . . .

Mayor: The problem is the cell phone and when we contact the cell phone companies, they do not want to spend the money to put the infrastructure for that location. Inside the Rec Center, we do have a BDF; and so, it transmits your cell service through the building and out through the roof and that is for Verizon and a couple of carriers.

The **Rec Center has guest Wi Fi too**. All cell phones have Wi Fi phone connections but that doesn't help the folks who are living in the neighborhoods who don't have that capability.

Mr. Grimm: So, you anticipate this to be self-collection pretty soon; right?

Mayor: If it gets through all of the public hearings and everything; I would think so; yes.

- b. **Dir. of Administration**: Good evening, everyone. Just two quick things; we have set up the initial negotiating meetings with all of the three unions.

We also had a **Health & Wellness Cost Containment Committee** today and it was recommended that we renew our healthcare insurance at a rate of 6. something percent increase. That is actually very good given our experience over the last couple of years but there is something in the works I think the Mayor is going to introduce legislation hopefully that would reduce that. Any questions?

- c. **Director of Public Service**: For the month of October the **Zoning Report** was that there were 125 total permits issued in the month; 35 of which were zoning certificates and 33 were street openings. The 33 were due to the Tallmadge Reserve Phase II.

Code Violations: currently there are 50 and that is down from last month because we were at 58.

9 total burials. Seven which were full and two were cremains.

Tallmadge Historic Church: The Ohio History Connection jumped on there just in time. You can see the amount of rot that was up in the belfry.

Moving on, the **Living Tree Program** started about 2 years ago. This is an opportunity to plant a tree to commemorate, to honor, to recognize a loved one or anybody. We have planted 45 trees by the end of this fall and the last two years.

The Street Department: 48 hours of street sweeping and they collected 7

tons of debris. Over 1,000 lineal feet of ditch work was done and 12 culvert replacements, 56 hours of berm mowing and over 7,000 lineal feet of crack

COUNCIL MEETING

Council Chambers @ 7:00 p.m.

October 14,

21

Dir. of Pub. Service (Cont'd.) sealing and that included 6 streets.

The **Munroe and Perry Road drainage issue**. We went out there and we shut all of the inverts of all the culverts and so that is the grade of where the culvert is and resubmitted them to the Hydraulic Engineer so that should be moving forward.

East Avenue/Washburn Rd. Intersection update. The traffic adjustment to the south was done. 2,000 lineal feet of the sanitary force main which is DSS's force main was done, and 900 feet of lineal feet main trunk storm sewer was completed, and 60 lineal feet of crossover storm pipe has been completed. Three out of the four traffic poles have been completed. The scheduled completion date is December 3rd, so we still have another month possibly of this.

On Wednesday, **October 20th there will be no right turn onto East Avenue from Washburn.**

Leaf Season. November 1st is what we are shooting for although the piles are starting to get out there and I would like to remind everybody that the residents can bag those leaves and put them out in the trash for no cost.

Utility Department – Zero watermain breaks. Zero sewer backups.

Water tower maintenance. We are doing something that is a routine maintenance; the cathodic protection that we are doing in there. It helps keep the corrosion down and it keeps the water tower from rusting from the inside out.

South Avenue Sanitary Sewer Repair, if you have noticed down there by Ritchie's if you look at the map area of the intrusion, we found out a year ago that the Sun pipeline actually had two pipes running through our sanitary sewer. So, a third of our sanitary sewer line had high pressure gas lines running through them. We realized the problem because we actually had a manhole south of this backing up with sewer and that is how we found it and thankfully Daryl Stineman, the Utility Superintendent didn't run the cutting head down through it. He ran a camera first to see what the actual blockage was and so we could have had a bad disaster on our hands.

Pres. of Council: So, what you are telling me that there were gas lines inside the sewer line?

Mr. Grimm: We will go back to leaf pickup. I live in District 1 and it takes up 25% of the city. So, you are saying I can bag my own leaves and put them on the curb in just a green trash bag . . . there is no where I can take them to drop them off though; right?

Dir. of Pub. Service: You can take them down to . . . everybody is charging you now, so for free services you know you can leave them on the curb and the trash company will pick them up but if you want to take them down to Brimfield Aggregate; I believe they are going to charge you.

Mr. Grimm: We don't have anywhere in the City that we allow people to dump them; they would have to go out to Brimfield Aggregate?

Dir. of Pub. Service: Yeah, the EPA got involved in that and you can no longer store leaves on your property without doing the proper permitting because the leach that come out of the leaves gets into the ground water.

Mr. Grimm: This might be a better thing to do because I have leaves in my curb already and it might be a good idea to start sticking them in the trash and going that way. I got stuck with them last year and it killed my whole tree lawn.

One last thing on **East Avenue** and I have been through that disaster quite a few times driving through that; when you say **complete on December 3rd**; what do you mean?

Dir. of Pub. Service: That is the date in the contract that they have to complete by and then every day after that they start getting penalized, so they have to be done by that December 3rd date.

Mr. Grimm: Now what does completion mean?

Dir of Pub. Service: Completely out of there; gone.

Mr. Grimm: Signals are up and operating; road widened or just . . .

Dir. of Pub. Service: The intersection will be widened about 1,500 feet in all directions.

Mr. Grimm: That would be great.

COUNCIL MEETING

Council Chambers @ 7:00 p.m.

October 14,

21

Mr. Loughry: Mike, what is the construction being done on Middlebury in Kent right by the Hike and Bike Trail?

Dir. of Pub. Service: The Metro Parks is installing a new trail head right at that location; that is actually in Stow.

Mr. Grimm: So, to follow up on Dennis' question; it will take you over the hill and down to the other side head? I'm surprised no one has ever been killed over there.

Dir. of Pub. Service: Yeah, that . . . you can access that way that you just described. They want you to access on the other side of that hill.

- d. **Director of Economic Development:** Good evening. I just wanted to give you a few updates on various components of the economic development efforts. We took a look at all of the **available sites that are listed for the Industrial Districts as well as Commercial Districts** and break apart vacant land as well as buildings that are available. On the Industrial side, after the Waltco property sold and after Baker and Hughes moved into South Avenue, we now have just above 10,000 of vacant Industrial space throughout the entire City. Frankly we don't have enough available inventory to meet the needs of different tenants that are looking to move in or expand within the City.

In terms of the **2021 New Jobs Program**; that is the current, so that is East End Welding and obviously Council approved that earlier this year as well as the Jet Pak Shipping, so you see the job counts there and then the total breakdown for our CRA sites for the year 2021. Within Summit County you have 8 active sites; Portage County has 3 active sites.

Kenda Tires making the announcement that they are going to be relocating to the Maplecrest site within our JEDD. They are going to be doing is building about 180,000 square foot facility that is situated on about 30 acres and there is an enterprise zone in place and so they will receive a 60% tax abatement over a 10-year period with no impact to the City of Tallmadge or the Tallmadge City Schools. There is also a draft form of a TIFF going forward which would also help extend the public roadway within the Maplecrest Development.

So, again, taking a look at the **available inventory** that we do have being just above 10,000 square feet, we would anticipate working with future brokers to make sure this space right here that is vacated obviously gets backfilled with a good tenant.

Speelman Grand Opening. They have obviously invested significantly within the Northeast Avenue site just over \$1 million within their 34,000 square foot facility.

Please **RSVP for the Henry Bierce Grand Opening.** That is next Thursday, October 21st at 3:00 p.m. I believe that concludes my report.

Mr. Sisak: I have a question. What is the current size of the Kenda facility?

Dir. of Econ. Development: You know, I don't have the number off the top of my head. In the JEDD we split 50/50 on revenues. When they go out to Maplecrest, we believe in the long term that they are more than going to make up for the income tax that we do lose. I think it is a really positive thing for the community as well as for the JEDD agreement.

- e. **Director of Finance:** Thank you. Everybody should have received their **September Financial Reports.** We did close our bond transaction on October 7th. We sold those bonds at a rate for 20 years at 1.68%. We sold those bonds with a very large premium and so we ended up netting a premium and so we sold \$9 million worth of bonds, but we received \$9.6 million of cash. So, we are going to be able to use that \$600,000 to help towards actually the first debt payment next year on those bonds. Unless anyone has any questions on my financial reports, end of report.

Mr. Sisak: I guess I do have a question. So, that extra money; would it maybe make more sense to pay ourselves back?

Dir. of Finance: No. Legally, that is what the money has to be used for.

So, it has to be used towards interest and debt payments for the City's debt.
Mr. Bollas: Do we have a working session coming up for the 2022 Budget?
Dir of Finance: Yes, once the budget is presented, I believe probably at the next meeting you would probably schedule when Council would be interested in a working session.

COUNCIL MEETING

Council Chambers @ 7:00 p.m.

October 14,

21

Mr. Bollas: I just wanted to make a quick plug again for the live streaming. I know I had sent a quote up to you guys and I think the presentation of the panel on Monday was really professional and it just kind of gave us a glance of how that could be, and I think it is a really wise and great investment for Council Chambers and it would give everybody in the City a chance to view.

Mr. Grimm: I mean, if this is what Council wants to do, then just do it. OK. We can do it. We can put the money in the budget to have it done next year. If that is what Council wants to do, then that's what we should do. Pure and simple.

Pres. of Council: But we also have to decide if it is a good use of taxpayer money; if it is going to benefit the taxpayers and they are actually going to use it.

- f. **Director of Law:** Next Saturday, you have the opportunity to get rid of all of your unwanted and unneeded medical prescriptions and over the counter drugs and you will all be able to do your fall cleaning here thanks to the City of Tallmadge for the next two weeks and so October 23rd from 10:00 to 2:00 p.m. we have our **Drug Take Back Day** and this is in conjunction with the DEA's National Drug Take Back Day.

It actually coincides with the kickoff of **Red Ribbon Week**. It has been some time and maybe some of you remember over the years that there have been various efforts to do red ribbons to just note and **encourage kids to refrain from using drugs** and we are going to be doing a push for everyone to wear red on October 25th.

As you might all realize the **opioid epidemic** is not really over. It is still a huge problem and we have also seen a resurgence in methamphetamine use and of course abuse of prescription drugs is a problem and is a gateway into some of those issues. End of report.

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

a. Planning and Zoning

James Donovan, Chair

Craig Sisak, Vice Chair

i. First Readings of Resolutions and Ordinances

- A. **Ord. 108-2021 – Exhibit A – Exhibit A Tracked** – Relocating and renumbering Tallmadge Codified Ordinance Chapter 1195 Erosion and Sediment Control to Chapter 981 in Part Nine-Streets, Utilities and Public Service Code.

Mr. Sisak: I call the Planning & Zoning Committee to order. We currently have 1st Reading Ord. 108-2021. Ord. 108-2021 was read into the record. Is there any discussion or comments from the Administration?

Dir. of Law: Mr. Sisak, this is just a relocation and it was inadvertently missed in our renumbering from the previous Title XI into the Utility section where we think it more appropriately belongs and so we would like this to be considered either at 1st Reading; again it is not changing any substances; it is just retitling the numbers and so it is kind of housekeeping to the extent that it is just changing the number of the ordinance so that we can move forward with our codifier for the year which we have been holding off due to the Zoning Code.

Mr. Sisak: OK. Can I have a motion please.

Mr. Grimm: Do you just want to give it a 1st because it doesn't go into effect until November 1st.

Mr. Grimm: Mr. Sisak, I know Dennis is not going to be here because of a previous engagement so let's go ahead and make a motion to adopt Ord. 108-2021. Seconded Mr. Loughry. Roll Call: Mrs. Allman, Mr. Bollas, Mr.

Grimm, Mrs. Kilway, Mr. Loughry, Mr. Sisak – unanimous. **Ord. 108-2021 is adopted by a vote of 6-0.** Is there anything else to come before Planning & Zoning this evening? Hearing none; I will go ahead and close committee.
ii. **Additional items:** None.

COUNCIL MEETING

Council Chambers @ 7:00 p.m.

October 14,

21

b. Finance

Craig Sisak, Chair

James Donovan, Vice Chair

i. Third 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: I call the Finance Committee to order. We have Ord. 103-2021 at 3rd Reading. Ord. 103-2021 was read into the record.

Dir. of Law: So, we have been actively working on trying to nail down this lease agreement. We will just ask you to give this another reading please.

Mr. Sisak: OK, we will keep Ord. 103-2021 at 3rd Reading. Is there any other further discussion?

- 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: Moving on, we have Ord. 105-2021. Ord. 105-2021 was read into the record. It says at 3rd Reading. Does anybody need a refresher as to what this is. Mrs. Gilbride wants to speak, I think.

Mr. Grimm: This is a loan to us of \$406,560.50. I would go ahead and make a motion to go ahead and adopt Ord. 105-2021. Seconded Mrs. Kilway.

Mr. Bollas: I have a question. So, this was related to contingency; correct?

Dir. of Finance: That is correct.

Mr. Bollas: So, as we are going through the project, and we are looking at I guess the schedule and milestones for the project. Is there a specific milestone kind of like a stake in the ground where you may be at risk of needing this?

Mayor: So, the contingency is in case something comes up that we are not aware of. The biggest thing for contingency is coming out of the ground. When the footers come out of the ground; sometimes when you dig soil you don't, even though you do test holes, you don't know what the underground could be. So, that would be a change order. I am happy to announce that the footers are 100% in, and we are out of the ground with no change orders. The soil is in excellent condition.

Mr. Sisak: How do you plan on keeping us up to date on the change orders?

Mayor: Every change order must go back to the Board of Control.

Mr. Sisak: How are you planning on keeping us up to date.

Mayor: I will inform you of the change orders.

Mr. Sisak: Have there been any change orders to date?

Mayor: No. The only change orders to date are deducts.

Roll Call: Mr. Bollas, Mr. Grimm, Mrs. Kilway, Mr. Loughry, Mr. Sisak, Mrs. Allman – unanimous. **Ord. 105-2021 is adopted by a vote of 6-0.**

- C. **Ord. 107-2021** – Authorizing the Director of Public Service to advertise for bids and the Mayor to enter into contract for conduit installation to Phase 4 of the Tallmadge Reserve for future fiber optic service and providing for immediate enactment.

Mr. Sisak: We also have Ord. 107-2021. Ord. 107-2021 was read into the record.

Dir. of Law: Mr. Sisak, I just want to make note that this ordinance is actually at 1st Reading this evening and not at 3rd Reading.

Mr. Sisak: So, I will retract that ordinance and we will wait and put it down in the 1st ordinance readings.

Mr. Grimm: Just give it a 1st Reading now.

Dir. of Pub. Service: Mr. Sisak, I would like to get this passed at 1st Reading if that is possible tonight.

Mayor: Mr. Chair, as we all know, the Ripley Farm Development; Phase IV was not earmarked to be installed until another year away. What happens is that the developer is responsible to open up the trenches and then our company just lays the pipe in and puts the vaults in. If we wait until next year

COUNCIL MEETING

Council Chambers @ 7:00 p.m.

October 14,

21

Mayor (Cont'd.) in the new budgetary process which we could do, then we have to cut our own trench in and tear up the sides of the road. They have actually started Phase V, but we think Phase V won't be until after January 1st.

Mr. Grimm: Mr. Rorar; what is the cost and how are you going to pay for it?

Dir. of Pub. Service: We are estimating it to be about \$125,000 and we actually do have that in the budget.

Mr. Grimm: 2022 Budget?

Dir. of Pub. Service: 2021.

Mr. Grimm: So, \$125,000 . . .

Dir. of Pub. Service: \$25,000 but the reason why is because we already used \$50,000 and so we had to go out to bid.

Mr. Grimm: So, you have that money in the budget now to pay for it?

Dir. of Pub. Service: Correct.

Mr. Grimm: Mr. Sisak, I will make a motion to adopt Ord. 107-2021. Seconded Mr. Loughry. Roll Call: Mr. Grimm, Mrs. Kilway, Mr. Loughry, Mr. Sisak, Mrs. Allman, Mr. Bollas - unanimous. **Ord. 107-2021 is adopted by a vote of**

6-0.

ii. Second 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 Council Fiscal Officer and providing for immediate enactment.

Mr. Sisak: Next, we have Res. 14-2021. Res. 14-2021 was read into the record.

Dir. of Finance: I was just going to comment that this is our annual ordinance to certify the tax levies for collection for next year to the County Auditor's office.

Mr. Grimm: I see that it is Summit and Portage Counties. We used to do two of them.

Dir. of Finance: Now they allow us to just do one for both and it covers everything.

Mr. Grimm: This is basically a housekeeping ordinance that is done every year and so I will make a motion to adopt Res. 14-2021. Seconded Mr. Loughry. Roll Call: Mrs. Kilway, Mr. Loughry, Mr. Sisak, Mrs. Allman, Mr. Bollas, Mr. Grimm – unanimous. **Res. 14-2021 is adopted by a vote of 6-0.**

iii. First Readings of Resolutions and Ordinances

A. Ord. 109-2021 – Exhibit A – Exhibit A Tracked – Amending Ord. 66-2013 rates, charges, and fees for the Zoning Department and providing for immediate enactment.

Mr. Sisak: Next, we have Ord. 109-2021, Exhibit A, Exhibit A Tracked. Ord. 109-2021 was read into the record.

Dir. of Law: We are just going to ask for 1st Reading of this, but we would like to have your consideration at 2nd Reading for the adoption. So, we tried to kind of streamline the process for people and then some of those new like accessory uses; those weren't contemplated in the code before and now they are making clear what we are talking about for example the pool; it had a pool fee, but really that would not apply if it was a public pool, it is only with regard to residential; just things like that.

There was further discussion regarding fees.

Mr. Sisak: I would be remiss to ask Mr. Rorar how our salt prices are this year and if our salt bins are full. We always get an update about now on our salt.

Dir. of Pub. Service: Our salt bins are full, and the prices are actually better, and off the top of my head I don't have them, but we did those contracts back in like March. So those are great prices this year. It's better than last year.

Mr. Sisak: Anything else to come before Finance? Hearing none; I close committee.

iv. Additional Items: None.

c. Personnel

Christopher Grimm, Chair
Rebecca Allman, Vice Chair

COUNCIL MEETING

Council Chambers @ 7:00 p.m.

October 14,

21

Mr. Grimm: I call the Personnel Committee to order. We have no legislation before us this evening. Anything pertaining to Personnel? Great. End of committee.

i. Additional Items: None.

d. Community Issues

Dennis Loughry, Chair
Jonathon Bollas, Vice Chair

Mr. Loughry: I would like to call Community Issues to order. We have no legislation. Is there anything to come before Community Issues.

Mr. Bollas: Just had two items come up that I thought I wanted to make Council aware of because it applies to all of us. One was an open burn complaint that I received that essentially a neighbor had an open burn and it cause another neighbor to have a severe allergic reaction and it required breathing treatments and fluids and a chest x-ray. There was damage to the trachea, and it was some kind of chemical that was burned. I got the information from the Law Department and my understanding was that they sent a letter out to the neighbor on that for that material that was burned. I just wanted to bring that up to Council because that is something that affects all of us and it is the season for that type of thing. So that was resolved.

Dir. of Law: When there is a complaint, encourage residents to make the phone call while something like that is happening because it is really hard for us to figure out what that was that caused that kind of irritation after the fact or if there is a lot of smoke or whatever there may be; they need to make that call contemporaneous to when it is occurring if at all possible because it is an enforcement issue that we need to observe that to be able to issue a citation.

Mayor: Keep in mind that open burns are a Police Department issue and not a Fire Department issue.

Mr. Bollas: I have one last note on that before we close it out. The other issue was that the location of the burn according to the ordinance was 50 feet from any structure and after talking to Helene in Zoning and a few others there

couldn't determine if the structure was the fence or the house and so it is still an open question for me and they gave me the Akron Air Quality EPA site to check out and I need to contact some people but anyways the open question was around if the fence itself was considered a structure where you base the footage off of or if it is the actual house whether it is your neighbor's house or not.

Mr. Loughry: I just have one observation that I have made, and this was regarding the comparison to our old Halloween Street Dance to the Fall Festival that occurred this year. I understand the concerns with the Street Dance and maybe that has run its course, but the truth of the matter is that the Street Dance was free. Thank God for Serpentine; I think they sponsor everything we ever ask them to do. I am thinking to myself; what a swing that is. Instead of something was free to our residents now a resident that may not have been a fortunate as we would have to pay \$50 for their kids or grandkids to have the same experience. I think we just need to be cognizant of that.

Pres. of Council: I bring this up under Community Issues because I had

someone from the community ask me about this and I know we have talked about it several times, but the burned-out house on Southwest Avenue; do we have an update as to what is going on? Northwest; I'm sorry.

Dir. of Law: It is scheduled for Sheriff's sale. There is a third-party interest. There is a third-party lien on the property as well. It is now scheduled for Sheriff's sale.

Pres. of Council: Is there anything the City can do because it is starting to become a safety issue or nothing?

Dir. of Law: I mean we . . . it is on our list, and we are exploring the possibilities.

Mr. Grimm: Have we posted a "Condemned" sign on it?

Dir. of Law: That was already done. We can go verify that it is still on there.

COUNCIL MEETING

Council Chambers @ 7:00 p.m.

October 14,

21

Mr. Bollas: Another situation came up where I think applies to all of you guys, basically there are two residents who don't get along, which happens in Tallmadge, and anyways there is an ordinance for zoning regarding commercial lighting about how bright it can be, respecting the businesses around you, but there is nothing like that for residential and so there is a very bright motion sensitive that is on 24 hours and I have received multiple complaints from 3 neighbors actually and there is nothing from residential zoning that is restricting that and I don't know how we handle that other than just being respectful and try to talk it out, but there is no law that that I am aware of that can help.

Dir. of Law: We do offer the remediation program when appropriate.

Mr. Loughry: Anything else for Community Issues. Hearing none, I close committee.

i. Additional Items: None.

e. Safety

Jonathon Bollas, Chair

Christopher Grimm, Vice Chair

Mr. Bollas: I call the Safety Committee to order. Does anybody have any questions on Safety? Hearing none; I will close committee.

i. Additional Items: None.

f. Public Service

Rebecca Allman, Chair

Dennis Loughry, Vice Chair

i. Second 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: I call the Public Service Committee to order. We have Ord. 106-2021 at 2nd Reading. Ord. 106-2021 was read into the record.

Mayor: Madame Chair, if you can see the map up there this is the easement that we are talking. The telephone pole off of Munroe. This is close to the new driveway to the back of the Fire Station, and it wraps around and comes over to Treat. This is the house that was torn down and this is the old serve a lunch just to put it into perspective. That is an easement because there will be an Ohio Edison new pole set at that location with the conduit running through here over to here to this location which is an above ground pad mount transformer and so Edison needs an easement.

Mr. Loughry: I would move to adopt. Seconded Mrs. Kilway. Roll Call: Mr. Loughry, Mr. Sisak, Mrs. Allman, Mr. Bollas, Mr. Grimm, Mrs. Kilway – unanimous. **Ord. 106-2021 is adopted by a vote of 6-0.**

Pres. of Council: I just wanted to get clarification on this. I read that the Ohio Department of Transportation has stopped purchasing the Aqua Salina Brine solution that they use, and I know we have talked about this many times before on Council and I just wanted to get Mr. Rorar to explain what exactly we are using and just explain the difference between the Aqua Salina and the brine that we are using.

Dir. of Pub. Service: Sure, so Aqua Salina is a brine, but it comes out of the . . . it is an aftermath of the fracking. It is controversial. It supposedly has some radiation to it, and I have seen studies both ways, but the City of Tallmadge has quit purchasing that and has not used it in over 2 years and right now we are using just straight brine which is just a salt and water mix. It has nothing to do with the fracking wells; it is just made right there, and we buy it off of ODOT.

Pres. of Council: And there are no environmental concerns at all that we need to worry about?

Dir. of Pub. Service: No, I mean all salt you have environmental concerns with but as long as you use it properly and don't have a major spill you are good.

Mrs. Allman: Anything else for Public Service? I will close committee.

ii. **Additional Items:** None.

COUNCIL MEETING

Council Chambers @ 7:00 p.m.

October 14,

21

11. **Reports of Special Committees:** None.
12. **Announcements:** Trick or Treat is Thursday from 5:30 p.m. to 7:00 p.m. Thursday, the 28th and we will have our Council meeting on the 27th instead.
13. **Adjournment:** Mr. Grimm moved to adjourn. Seconded Mr. Loughry. Roll Call: Mr. Sisak, Mrs. Allman, Mr. Bollas, Mr. Grimm, Mrs. Kilway, Mr. Loughry. **The Council meeting of 10-14-21 adjourned at 8:31 p.m.**

sb

Adopted:

Susan E. Burton, Clerk of Council

Carol A. Kilway, President of Council