

REGULAR MEETING

in Council Chambers @ 7:30 p.m.

February 14,

19

1. **CALL TO ORDER.** President of Council Kilway called the Regular Council meeting of Thursday, February 14, 2019 to order at 7:31 p.m.
2. **PRAYER:** Silent prayer.
3. **PLEDGE OF ALLEGIANCE:**
3. **ROLL CALL:** Mr. Carano, Mr. Donovan, Mrs. Kilway, Mr. Loughry, Mr. Sisak, Ms. Tricaso – present. Also present were Mayor Kline, Dir. of Pub. Service Rorar, Dir. of Administration Cooper, Dir. of Econ. Development Weinberg, Dir. of Finance Gilbride, Dir. of Law Raber and Deputy Clerk of Council Conti. Clerk of Council Burton and Mrs. Allman were excused.
4. **MINUTES:** 1-24-19 Regular Meeting minutes.
Mr. Donovan moved to adopt the Regular Council meeting minutes of 1-24-19. Seconded Mr. Sisak. Voice vote 6-0. **The 1-24-10 Regular Council Meeting minutes were adopted by a vote of 6-0.**

5. **FINANCIAL REPORTS:**

- Fire & EMS Fund Transfer in the amount of \$125,000 to Council on 1-31-19.
- Street Maintenance & Repair Transfer in the amount of \$140,000 to Council on 1-31-19.
- Police Pension Transfer in the amount of \$72,000 to Council on 1-31-19.
- Fire/EMS Capital Fund Transfer in the amount of \$45,000 to Council on 1-31-19.
- Appropriation Report, Fund Report, Revenue Report, and Encumber Report for the period ending 1-31-19 to Council on 2-1-19.
- Tallmadge Recreation Center Profit and Loss Report for the period ending 1-31-19 to Council on 2-5-19.
- Income Tax Comparisons for the period ending 1-31-19 to Council on 2-5-19.
- Revenue Comparisons for the period ending 1-31-19 to Council on 2-5-19.
- January Financial Reports to Council on 2-5-19.
- Consolidated Investment Portfolio for the period ending 1-31-19 to Council on 2-5-19.

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

6. **PUBLIC HEARINGS:** None.

7. **COMMUNITY INPUT:**

Pres. of Council: Tallmadge City Council meets on the second and fourth Thursday's of the month with Council Committee meetings starting at 7:00 p.m. followed by the Regular Council meeting. At the Committee meetings legislation is discussed thoroughly with Council deciding to adopt, amend, reject, hold or table the legislation. We do allow time for community input at this point in the meeting. If there is anyone who would like to address Council, please come forward and state your name and address for the record. No one; OK.

8. **ANNOUNCEMENTS:** None.

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

10. **AGENDA ADDITIONS:** I would like to move Item 12 to Item No. 22.B so that it can be discussed after the Executive Session.

11. **REPORTS OF ADMINISTRATIVE OFFICERS: MAYOR, DIR. OF PUBLIC SERVICE, DIR. OF ADMINISTRATION, DIR. OF ECONOMIC DEVELOPMENT, DIR. OF FINANCE AND DIR. OF LAW.**

Mayor: Thank you very much. For those of you who made it to the Rec Center today; **today is the 15th year Anniversary at the Rec Center.** It is hard to believe that that Rec Center is really 15 years old. We had a ribbon cutting and it was neat to be able to duplicate the people that were in the original ribbon cutting today and so Chris Grimm was there; Mayor Grimm. It was pretty nice to see all of that and so hats off to Jessica and the Rec Center staff for such a great Rec Center and it is a beautiful building. With that, that is really all of my report.

You know, Council, we had the award meetings and I don't know if somebody was going to bring that up, but I would like to thank Council. We have had two Ward meetings so far. I thought it went very well. We have two more next week and so we are looking forward to that.

Mr. Loughry: Just for Mayor Kline. The **East Avenue/Washburn Corridor** regarding traffic; as you remember 25 years ago when we did South Avenue when they built the Plaza up there and we knew we were going to have traffic issues, but the State wouldn't give us any money to do a study or whatever. The residents just think that we looked like a bunch of buffoons and that you build a plaza and there are going to be cars going to the plaza and you guys sat on your hands and didn't do anything with South Avenue until after the fact. I mean, that is the perception. So, you know, you get old and you start reflecting and I said, well we are building two monster buildings in Brimfield and the traffic is already unbearable and we haven't received any money and those stores are going to open on Thanksgiving. So what do we have in place, if anything, at least as a temporary fix . . .

Mayor: We were rejected if you recall; we did the application through **AMATS and ODOT** and in that report **we were rejected for the safety funds of that.** The timeframe to do the next application is coming up at the end of June/July and we are applying again for that. That is all we can do unless Council wants to fund it; it was \$7 million to do that project on that road. We did do the traffic study on it and we felt it warranted it and so we are not sitting on our hands idly; we are trying to get the funds. We are going for different funding sources, not only through

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Mayor (Cont'd.) AMATS but through the CDBG, the different organizations; the Engineer's Group and so GPD, who is our consultant on it . . . the plans are ready to go; the applications are out there and we even went down; a group of us went to Columbus and spoke on that corridor. Unfortunately the way the State works, you cannot anticipate the traffic coming; it is the current traffic counts everywhere you go and you know the expressway corridor; that is in the final stages of being completed for Phase 3 of those plans for the on/off ramp are at the final stages and that time frame to build that is 2021 and so the intersection will be built.

The DeHoff Group was responsible to do the widening in front of their complex; the Ripley Farm; there will be some stuff done there. We did receive a traffic warrant where signalization for Washburn . . . we did meet with the church there to acquire to do a "T" intersection so we can take Ripley Farm instead of putting another intersection 100 feet down from Washburn and have this zig-zag area. The DeHoff Group is willing to change their site plan and make that intersection come into Washburn through the corner of the church property and so we are doing quite a bit of work in that area. It's just the funding of it and who is paying for it.

Mr. Loughry: Did we, in anticipation of North Avenue, if I am remembering correctly; we did the signalization on Kent Drive and Northeast Avenue and then we used that until it was no longer needed. Do we know what that cost?

Mayor: For that signal light? We actually had that in stock so that was pretty much ours and I think it was . . .

Dir. of Pub. Service: It was \$300,000; \$250,000 to \$300,000 for the new traffic light down on Washburn and East Avenue.

Mr. Loughry: OK; thank you.

Mayor: Any other questions? No one responded. Thanks.

Dir. of Pub. Service: Good evening. For the month of January in the **Cemetery** we had 5 burials; three of which were full. We also did the annual cemetery cleanup where we went around and removed unwanted trees. I think I sent out an e-mail showing some of the destruction that those trees have been doing to the headstones. We are down to 382 grave sites that are available. We are selling about 85 a year so that kind of gives you an idea of when we will be out of space out there, so you are looking at about 5 years if that keeps going the way it is going.

In **Zoning**, there were 14 permits for the month.

Parks and Rec; the membership was up by about 358; the visitors though was down by about \$3,000 for the month.

Community All-Start Basketball League has finished and unfortunately it ended on a low note because we had to cancel two days because of that storm back on the Martin Luther King weekend.

As the Mayor has mentioned; **the Rec Center turned 15 years old today.** It was a good turnout. On a positive note; the hall and pavilion revenues are up \$1,000 and that is over the amount that it was last year.

Thinking summer; **Maca Aquatic Center;** the passes went out and we are also looking for seasonal staff and that includes Lifeguards and Assistant Managers. I know a couple of the Council folks were thinking about being Senior Lifeguards last year. It's still available.

Moving on to the **Street Department**, 19 days were spent on snow and ice control. I think those were 19 in a row the way it felt and you can see that we had 40 mailboxes that we either repaired or replaced and hey that is just the way you do business. You can't do much about that snow coming off . . . with those being on shifts we have been doing a lot of street sweeping in the evening hours. I don't know if anyone has seen that, but we are out in tandem doing the street sweeping.

The **Street Light inventory** . . . the lights that aren't working; we still get billed the same so this is a great time of year to go through and inventory the street lights and so we are putting that together.

Laser level training; we have been doing as well as the safe transportation of equipment on trailers.

In the **Water Department** there were **6 water main breaks** and they have occurred on N. Village View, Stadium Drive, Outlook, Wring, East Avenue and Fernwood. East Avenue was the real bad one that took about 24 hours to fix. That thing could not get back together no matter what we were doing. You can see the average throughout the year was 29.

Sewer backups on North Thomas and Wring Drive. Thankfully they weren't on us; they were on the residential side of the lateral going in.

The **Evergreen Sewer Relining** started. We are probably about 2/3 done with that and then we have had training in there and the key one there is root growth in the sewer lines. That is the key part to those laterals that is backing up and so that is it for my report. Are there any questions?

Mr. Loughry: I just saw one conversation; I did not participate in the conversations but I guess I do . . . whatever when you look at them about **sweeping the streets at night** when kids are trying to sleep trying to get ready to go to school the next morning. So, just so you know it is out there; not everyone is happy about that.

Dir. of Pub. Service: No, we have heard the same complaints.

Pres. of Council: I just had a question about the cleanup of the cemetery. Obviously it hasn't been done in a while because of the growth of the trees and stuff were; is there any type of policy being set for going forward with what could be planted near the gravestones or anything

like that or is that something we are working on?

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Dir. of Pub. Service: We already have that in the rules and it is a very small window to plant around the headstones. There again, the spaces are tight; I think it is like a 2' gap and so it is mostly perennials or annuals. The trees or shrubs . . . that doesn't give a lot of room for those to grow. Most of those trees were weed trees that were brought in by animals.

Pres. of Council: I know that some of the hedges had been planted probably 50 years ago and never been maintained.

Dir. of Pub. Service: Maybe even longer.

Pres. of Council: Thank you for everything you are doing for the City. I appreciate it.

Dir. of Pub. Service: Thank you. I appreciate it.

Dir. of Administration: Quick report on . . . we are in the process of **negotiating with the three unions currently**; Teamsters, International Brotherhood of Teamsters has ratified and so we have a tentative agreement that we will be sharing some details in Executive Session.

The Firefighters; the IFF; we are making progress. We haven't met with them in a while, but we do intend to move that along the best we can.

The Fraternal Order of Police; we have met with . . . two times so far and we have a third meeting planned and we are making great progress there. Thank you.

Dir. of Econ. Development: I have no report.

Dir. of Finance: Thank you. You have all received your **January financial reports**. It is early in the year and so it is not very exciting. Our Income Tax was about even and I would like to ask for adoption of Ord. 28-2019 at 1st Reading this evening please.

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

13. Ordinance 19-2019
PUBLIC SERVICE

At 3rd Reading.

Authorizing the Mayor to enter into a memorandum of understanding between the City of Tallmadge and the Village of Mogadore for the provision of K9 program services, receipt of related donations, and providing for immediate enactment.

Mr. Loughry moved for the adoption of Ord. 19-2019. Seconded Mr. Donovan. Roll Call: Mrs. Kilway, Mr. Loughry, Mr. Sisak, Ms. Tricaso, Mr. Carano, Mr. Donovan – unanimous. **Ord. 19-2019 is adopted by a vote of 6-0.**

14. Ordinance 20-2019
FINANCE

At 3rd Reading.

Amending and supplementing Tallmadge Code of Ordinances Section 135.95 to modify the billing policy for EMS services and providing for immediate enactment

Mr. Sisak moved for the adoption of Ord. 20-2019. Seconded Mr. Donovan. Roll Call: Mr. Loughry, Mr. Sisak, Ms. Tricaso, Mr. Carano, Mr. Donovan, Mrs. Kilway – unanimous. **Ord. 20-2019 is adopted by a vote of 6-0.**

15. Ordinance 23-2019
PUBLIC UTILITIES

At 2nd Reading.

An ordinance approving a petition for special energy improvement projects and a plan for public improvements; approving the necessity of acquiring, constructing, and improving certain public improvements in the City in cooperation with the Akron-Summit County Energy Special Improvement District; determining to proceed with such project; and determining to levy special assessments in connection with such project and providing for immediate enactment.

Mr. Loughry moved for the adoption of Ord. 23-2019. Seconded Mr. Donovan. Roll Call: Mr. Sisak, Ms. Tricaso, Mr. Carano, Mr. Donovan, Mrs. Kilway, Mr. Loughry – unanimous. **Ord. 23-2019 is adopted by a vote of 6-0.**

16. Ordinance 24-2019
PUBLIC SERVICE
P.H. ON 2-28-19 @ 7:33 P.M.

At 2nd Reading.

Amending Chapter 1195.09 Erosion and Sediment Control of the Tallmadge Codified Ordinances and providing for immediate enactment.

Pres. of Council: **Ord. 24-2019 is at 2nd Reading and will remain before the Public Service Committee.**

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17. Ordinance 26-2019
FINANCE

At 2nd Reading.

Adopting the "Credit Card Policy" in accordance with O.R.C. 9.21 and providing for immediate enactment.

Mr. Sisak moved for the adoption of Ord. 26-2019 at 2nd Reading. Seconded Mr. Donovan. Roll Call: Ms. Tricaso, Mr. Carano, Mr. Donovan, Mrs. Kilway, Mr. Loughry, Mr. Sisak – unanimous. **Ord. 26-2019 is adopted by a vote of 6-0.**

18. Ordinance 27-2019
FINANCE

At 1st Reading.

Authorizing the Mayor to enter into a lease with Tallmadge Lutheran Church for approximately 1.555 acres of vacant land off East Avenue and providing for immediate enactment.

Mr. Sisak moved for the adoption of Ord. 27-2019. Seconded Mr. Donovan.

Mayor: This is the Community Gardens location. Sorry I missed that in my report to ask Council for consideration. She is trying to work out the contract with the Lutheran Church. This just authorizes us to use that spot; to continue to use that spot. So she asked me if I could ask Council for their consideration. Roll Call: Mr. Carano, Mr. Donovan, Mrs. Kilway, Mr. Loughry, Mr. Sisak, Ms. Tricaso – unanimous. **Ord. 27-2019 is adopted by a vote of 6-0.**

19. Ordinance 28-2019
FINANCE

At 1st Reading.

Appropriating additional amounts in the Evergreen-Mark Drive Sanitary Sewer Rehabilitation Fund #521 and providing for immediate enactment.

Mr. Sisak moved for the adoption of Ord. 28-2019. Seconded Mr. Donovan.

Dir. of Finance: This is, as I explained in the ordinance, the bids for this project came in under budget and we had some additional funds available and so we were able to get reimbursed for the preliminary engineering on the project which we had already paid for. So, in order to do that, OPWC will actually pay more on our current contracts than the other percentages and so we needed the appropriation and so this appropriation is actually to account for OPWC's portion of the funding; the additional funding that they will pay towards the project.

Pres. of Council: So no additional funding is coming out of our pockets?

Dir. of Finance: No additional funding is coming out of the City of Tallmadge. This is all grant funding, but the way I have to account for it, I have to account for those funds coming in. I have to account for the revenue and expenses of the Ohio Public Works Commission.

Mr. Loughry: Well that's good because again, going back a long time when the Mayor and I served on Council together when we did a sewer project on Northwest Avenue; it was a disaster if you remember. When we did it by benefit Mayor.

Mayor: Oh.

Mr. Loughry: So anyway, I just knew we were in the same part of town and I wanted to be careful.

Mayor: This is just relining existing.

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

Ord. 28-2019 is adopted by a vote of 6-0.

20. Resolution 3-2019

At 1st Reading.

Extending the sympathy of the Council and the Administration to Geraldine M. Blon and members of her family in the death of Joseph Carlson and providing for immediate enactment.

Mr. Sisak moved for the adoption of Res. 3-2019. Seconded Ms. Tricaso. Voice vote 6-0. **Res. 3-2019 is adopted by a vote of 6-0.**

21. Resolution 4-2019

At 1st Reading.

Extending the sympathy of the Council and the Administration to Charles "Rusty" Short and members of his family in the death of Betty Jean Gordon and providing for immediate enactment.

Mr. Sisak moved for the adoption of Res. 4-2019. Seconded Mr. Donovan. Voice vote 6-0. **Res. 4-2019 is adopted by a vote of 6-0.**

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22. ADDITIONAL ITEMS: I do need a motion and a second to go into Executive Session for Potential Litigation, Collective Bargaining and Land Acquisition. Mr. Donovan.

Mr. Donovan: So moved. Seconded Mr. Sisak.

Pres. of Council: We have a motion and a second. Is there any discussion? No one responded. Please call the roll.

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

Pres. of Council: We are going into Executive Session for a few minutes to discuss some things and when we come back we will then discuss Ord. 94-2018 and then adjourn.

Dir. of Law: Correct and if you want to note the time please.

Pres. of Council: It is 7:57 p.m. and we are adjourned into Executive Session.

Dir. of Law: Just for the record, we will excuse the students. I think that their parents are going to be coming about 8:00 p.m. anyway, so again, it was a pleasure having all of you here.

Mayor: Yes, thank you for coming.

Pres. of Council: It is now 8:36 p.m. and we are back on the floor from Executive Session. We are going to go on to Item 22.B which is Ord. 94-2018.

22.B Ordinance 94-2018
FINANCE

At 3rd Reading.

Authorizing the Mayor to enter into an agreement with the International Brotherhood of Teamsters, Local 436, and providing for immediate enactment.

Mr. Sisak moved for the adoption of Ord. 94-2018. Seconded Mr. Donovan. Roll Call: Mr. Loughry, Mr. Sisak, Ms. Tricaso, Mr. Carano, Mr. Donovan, Mrs. Kilway – unanimous. **Ord. 94-2018 is adopted by a vote of 6-0.**

23. ADJOURNMENT:

Mr. Sisak moved to adjourn. Seconded Ms. Tricaso. Voice vote 6-0. **The Regular Council meeting of 2-14-19 adjourned at 8:38 p.m.**

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Adopted:

Susan E. Burton, Clerk of Council

Carol A. Kilway, President of Council