

## COUNCIL MEETING

Council Chambers @ 7:00 p.m.

May 26, 2022

1. **CALL TO ORDER.** President of Council Loughry called the Council meeting of Thursday, May 26, 2022, to order at 7:00 p.m.
2. **Opening Prayer & Pledge of Allegiance:**  
**Prayer:** Rev. Daniel Doty, First Congregational Church of Tallmadge.  
**Pledge of Allegiance:** Cadence Robinson, student at Cornerstone Community School along with Girl Scout Troop #91529. Troop Leaders are Erin Oliver and Sarah Knowles.
3. **Roll Call:** Mrs. Allman, Mr. Bollas, Mrs. Gutman, Mrs. Kilway, Mr. Loughry, Mr. Sisak – present. Adam Bozic was excused.
4. **Correcting and Adopting the Previous Meeting Minutes:**  
5-12-22 Council Meeting Minutes  
Mr. Sisak moved to approve the 5-12-22 Council meeting minutes. Seconded Mrs. Kilway. Roll Call: Mr. Bollas, Mrs. Gutman, Mrs. Kilway, Mr. Loughry, Mr. Sisak, Mrs. Allman – unanimous.  
**The 5-12-22 Council meeting minutes were approved by a vote of 6-0.**
5. **Financial Reports:** None.
6. **Public Hearings:**

**Ord. 2022-50**  
**PERSONNEL**  
**P.H. ON 5-26-22 @ 7:03 p.m.**

**Amended/Tracked – Tracked - At 3<sup>rd</sup> Reading**  
Establishing the number of non-collective bargaining employees by department and position pursuant to R.C. 731.08 and providing for immediate enactment.  
**Sponsor:** Mayor Kline

**Pres. of Council:** It is now 7:03 p.m. and I will call the public hearing open for Ord. 2022-50. Ord. 2022-50 was read into the record.

Is there anyone who would like to speak in favor of Ord. 2022-50. No one responded. Is there anyone who would like to speak against Ord. 2022-50? No one responded. Second time, is there anyone who would like to speak in favor of Ord. 2022-50? No one responded. Is there anyone who would like to speak against Ord. 2022-50? No one responded. Third and final time; is there anyone who would like to speak in favor of or against Ord. 2022-50? No one responded. It is now 7:05 and I will call the public hearing closed and I will turn this over to Mr. Bollas.

**Mr. Bollas:** I call the Personnel Committee to order. Does anyone on Council or the Administration have any comments or questions as it pertains to this ordinance?

**Mayor:** What this ordinance will allow us to do are a couple of things. One, the Administrative Assistant to the Police Chief is currently classified and this will make that unclassified. Secondly this allows for a full-time Safety Director. As you know the position of the Mayor is Mayor/Safety Director. If you look at the two largest departments in Tallmadge and the changes that are going on, the Fire Department is growing and so is the Police Department and I don't have enough time in my schedule to do everything that I am doing along with that of a Safety Director. So, I am really in need of hiring a full-time Safety Director and that is what this ordinance is about.

**Mr. Bollas:** Thank you Mayor. Does anybody else have any discussion on the ordinance this evening?

**Pres. of Council:** Just to echo with the Mayor, I worked for the Mayor and so I really know everything that he does and I have been a proponent of this for years. This is good for the City.

**Mr. Sisak:** Yeah, I just wondered what the plan was to fund this new position because I know you had mentioned before that you were probably going to rearrange your staff.

**Mayor:** Economic Development; yes.

**Mr. Sisak:** So, can you explain that.

**Mayor:** Yes, currently right now Matt Springer is no longer being paid out of our department and I do not plan on replacing him this year. I will look at next year once I go through the budgetary process. Karen Morgan's job has not been replaced and so I think I can absorb the salary for the

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**Mayor (Cont'd.)** new position based on those two positions not being filled until next year.

**Mr. Sisak:** OK, that just kind of opened up a new can or worms for me. With not intending to fill the economic director position . . .

**Mayor:** My goal is for the new Dir. of Administration to absorb a lot of those responsibilities; the CRA's and rearrange that position to create more flow of the Director of Administration with myself. If I feel I can't then I will have to come back to Council for reappropriating a funding source.

**Mr. Bollas:** I had a question. So, how does the changing of duties or pulling apart the Public Safety duties within the Director of Administration impact the pay band of the Dir. of Administration's role as he was pretty heavily engaged with negotiations and the managing of the safety forces; right?

**Mayor:** Correct.

**Mr. Bollas:** You are saying that as you take away those duties, then they will shift over to . . .

**Mayor:** The Director of Public Safety will be in charge of both Police and Fire and doing all the day-to-day operations and looking at contracts and making recommendations of contract changes and personnel, policies and procedures that will be done through the Director of Public Safety. The Director of Administration is truly responsible for the budget and also of the personnel policies for all of the non-bargaining employees and also work with the labor contract negotiations.

**Mr. Bollas:** I know that it took a substantial amount of time for a lot of those duties and so if those are shifting to Public Safety, that is where my question was really rooted in terms of the Director of Administration duties as they pertain and correlate to the band. Then the last question, if I heard you correctly, you do not intend to fill the Economic Developer . . .

**Mayor:** Not at this time.

**Mr. Bollas:** But looking into 2023 budget, you will evaluate that?

**Mayor:** Yes.

**Mr. Bollas:** OK.

**Mr. Sisak:** Mr. Chair, question for the Mayor. How do we know that the Safety Director position necessitates a full-time position versus a part-time position?

**Mayor:** I think that the amount of workload that is within both departments are our biggest budgets within the City of Tallmadge and I truly believe that it would require a full-time position. We will evaluate it after the end of this year.

**Mr. Sisak:** I think we made a lot of significant headway in the past two years with our former Economic Development Director Matt Springer, and I think we were 5 to 10 years behind when he arrived quite honestly. Knowing this added information, I will not be supporting this tonight. Thank you.

**Mr. Bollas:** Any other discussion on the ordinance before us this evening?

**Pres. of Council:** I would move that we would adopt Ord. 2022-50 tonight. Seconded Mrs. Kilway.  
Roll Call: Mrs. Gutman –

**Dir. of Law:** Point of order. Can you ask if there is any other discussion before you do the roll call?

**Mr. Bollas:** Any other discussion please? No one responded.

Roll Call: Mrs. Gutman – yes, Mrs. Kilway – yes, Mr. Loughry – yes, Mr. Sisak – no, Mrs. Allman – yes, Mr. Bollas – no. **Ord. 2022-50 is adopted by a vote of 4-2.**

**Mr. Bollas:** Is there any other discussion for Personnel Committee this evening? No one responded. Hearing none, I close committee.

### 7. **Community Input:**

**Pres. of Council:** Is there anyone in the audience this evening that would like to speak to us regarding anything that is not on our agenda? No one responded.

**Scott Hileman, 1013 East Avenue, Tallmadge.** I wasn't able to make it when you had the R-6 discussion and I just wanted to just give my little bit of input. Since I live on East Avenue, I get to look at the old Ripley Farm and what they have done up there; all of that, I don't know what you

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**Scott Hileman (Cont'd.)** want to call it; cookie cutter housing and my understanding was that it was supposed to be a mixture of ranch and the type of housing that they have up there. We don't want it redone; we just don't want it. Really nice sized lots and to me that is really the way for us to go with our open areas that we want to build housing on. That is the type of thing I would like to see and in discussing with my neighbors, that is what they would like to see.

**Mayor:** Just for the record, last Council meeting Council eliminated R-6 from the Zoning Code.

**Scott Hileman:** Yes, but they were talking about redoing it. It was my understanding.

**Mayor:** There is nothing on the books right now.

**Scott Hileman:** OK. And then just a quick mention, I loved it when I would go around the Circle and I would see the different comments on the sign with things that I thought were important like how fast you are supposed to go on the Circle. The Circle is only one lane. I don't think we use that enough. I would like to see it used more for just simple reminders. I think we underutilize that sign on the Circle and I would like to see us use it more. That's it. Thank you.

### 8. Agenda Additions:

- **Judge Linda Teodosio, Summit County Juvenile Court.**

**Pres. of Council:** We are fortunate that Judge Linda Teodosio has agreed to come speak to us and give us an update on the Juvenile Court. Thank you Judge.

**Judge Linda Teodosio:** I want to thank you for the opportunity to be here this evening and talk a little bit about the Juvenile Court. I was asked to give an update. I am going to give you a high-level view of some of the things that we have going on that might be of interest and then I'm certainly happy to answer any questions that anyone might have.

- Adaptations at the Juvenile Court as a result of Covid. We were able to keep the court running.
- Many of our hearings are easily held by Zoom.
- Contested trials and serious hearings are once again being held in person.
- Program Guide was handed out to Council & Administration.
- Family Resource Center.
- Probation Reform.
- Casa Guardian Ad Litem Program.
- Tater Tot is a therapy dog that was added to the court.
- Chosen by the State of Ohio to participate in a pilot program called Multi-disciplinary Representation. It is for parents that become involved in the Juvenile Justice System as a result of the loss of their child through Children's Services.
- One of five counties nationwide that were chosen to participate in a program with Georgetown University which has a focus of looking at the disproportionate minority contact with the juvenile justice system.

**Judge Teodosio:** That is kind of a highlight of the new things going on. We continue to work very hard with children that find themselves in our delinquency system to make sure that they make gains and that they do not recidivate or come back to court. We continue to do our best to help support families to help them reunify or if they cannot safely do so, place children with family members who can care for them in an appropriate way. Thank you for your interest in the court and you are welcome to come and visit anytime. I would be happy to take you on a tour. I am happy to answer any questions anyone might have for me.

- City Department Presentations:

**Pres. of Council:** We do not have any City departments that wanted to present this evening.

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### 9. Reports of Administrative Officers:

- a. **Mayor/Director of Safety:** Thank you. Let me start off with **the Fire Station**. As you can see the fire station there that is a live view of the fire station. The roof structure on this side is complete. The plywood special insulation board had stopped production and it is not available, so they had to bring in special Styrofoam and special plywood and they are building the 70 sheets they need on site starting Tuesday and then they will complete the back side.
- The floor is almost at grade and ready to go for the floor heating system which will start next week and then they should pour this floor the last of the concrete is just the bay area. On the business side; the sleeping quarters. The mechanicals are done, but if Summit County Building Department can get in there, they will inspect that tomorrow and then start finalizing the drywall on that side. The move-in date for the guys to go from the old station to the new station I would guess probably the end of July or August and then we tear down the old station and complete the front half of it to get a final occupancy around October.
- On the economic development side, working with the **Firehouse at the Circle**. They are going to want to do a patio out back.
- 271 Progress Boulevard; a new \$3 million building** and we are working with them to put that in. It will be their third building they are building out there and that will require . . . they are requesting the CRA for that.
- The **old Rocco's Plaza**: you can see that a lot of that building is almost on the ground. It is still a mess on the ground, but Joe has been really working hard to get that cleaned up and get that removed. We are scheduling meetings with him for what we want to see moving forward and what he wants to put on that site.
- Also, with another developer for the **Bierce Hardware** site; we are meeting with him next Wednesday to come up with a concept of that entire complex. They are like an open book discussion of what we would like to see there.
- The **Summit DD site**, we did meet with the folks who did the report out of Indiana and there was some good stuff coming out of that and we will keep Council updated. I know some of the Council folks were at that meeting, but we have to set an internal meeting with Council and Administration to figure out what direction we would like to see that go. End of report.
- Mrs. Kilway:** I just had a quick question on the demolition of the old Rocco's Plaza. Did we give the owner a timeline as to . . .
- Mayor:** On the zoning permit side, there was not a demolition timeframe as long as he is progressing and staying on doing it. That is a zoning change that we would look at doing in the future.
- Mrs. Kilway:** (Inaudible – microphone not turned on)
- Mayor:** One thing I did not bring up. The **Police Department remodeling** is moving along extremely well. The front doors were installed today. As soon as they get a couple of those items done, we will move onto the furniture side of it, and we are hoping to finalize a deal with Summit DD for some of the furniture. End of report.
- Pres. of Council:** Mayor Kline, two things. Budget on the fire station; are we still good?
- Mayor:** Mollie keeps us on track. We are on the good side right now.
- Pres. of Council:** Any update on Midway Plaza?
- Dir. of Law:** There is pending litigation and it will be pending for some time.
- b. **Director of Administration:** Good evening, everyone. I have no report this evening, but I'm happy to answer questions.

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- c. **Director of Public Service:** Good evening. I just wanted to make mention of **Memorial Day**. The Pancake Breakfast starts at 8:00 a.m. and that is at the Community Center and that is being hosted by the Chamber. The parade kicks off at 10:00 a.m. and it goes down West Avenue to the Circle and goes clockwise around the Circle and then ends at Southwest at the cemetery. This year we have Master Sergeant John McClain as the speaker.

Something else I wanted to bring up is we budgeted \$70,000 for a **new columbarium** and this is the one that is existing at the cemetery and all the spaces are just about gone. The problem is that last time we bought one it was \$48,000 and we anticipated a little bit of an increase, but unfortunately it is \$111,000 and so we missed that budget and we looked at some options. Here are some other options we can do. So that octagon one holds 72 crypts and this one is 6 x 6 two sided and it holds 72 crypts as well and it is \$33,000. So, looking at some things, I decided to see if we could do like a plaza and we went ahead and had a landscape architect come up with a plaza design and so the top one; the existing columbarium is there; the octagon and it has the brick stem pattern and so if you follow it along that would be the 6 x 6 one and it could end with an octagon one at the end or we could do more of a rolling pathway with those. The nice thing about that is there is no back. So, the octagon actually has a back to it and those were the last to sell because no one wanted their loved one facing the back of the property and the 6 x 6 nobody is in the back. Everybody is visible as you drive through. I am more of a structure guy, and I like the top one, but I have to be honest, the more I look at it, I like that bottom one even more. It has more of a nice flow to it. I think if you landscape that right; that could be a heck of a plaza in our cemetery. I have the plans out here if anyone wants to look at it after the meeting, I will be happy to go over it. That's it for my report.

I would like to get a little feedback on which one you guys like because we have the landscape architect to give us a final, but he is not going to give us two finals. He is going to give us a final of which design would be best.

- d. **Director of Economic Development:** Was given in Mayor's report.
- e. **Director of Finance:** Thank you. I believe Council saw that we did distribute to Department Heads requests for input for the expenditure of the **ARPA Funds** and so we will wait to hear back from that and then spend some time this summer evaluating them and getting additional feedback and input from our committee between the Finance Chair, Mr. Sisak, the Mayor and myself and then I am sure at some time we will be asking Council for additional input also on that. End of report.
- f. **Director of Law:** Thank you. I apologize for the mask. I am just following CDC guidelines as a close contact and so I just want to let you know that we are excited to **welcome into the Law Department an intern for the summer**. His name is Roger Sowick and he had actually served as an Auxiliary Police Officer before and then decided to go into law and so he is a law student right now and we are hopeful that he will be able to help us with some of the items that we don't always have time for and so we are excited about that opportunity and welcome him on board and so we should be able to absorb that for the summertime and so again, we are just happy to welcome him. End of report.

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

#### a. Planning and Zoning

Carol Kilway, Chair

Rebecca Allman, Vice Chair

**The Planning & Zoning Committee deals with land use, zoning, conditional uses, planning, economic and community development, public property.**

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### i. Third Readings of Ordinances and Resolutions

**A. Ord. 2022-49 – Amended – P&Z Rec. approval 5-0** – Approving and granting a conditional zoning certificate to applicant Nelson Rivera/Iglesia Pentecostal Todavia La Puerto Esta Abierta on behalf of property owner Yajnik Properties, LLC for a religious place of worship located at 23 Erie Road, consisting of 2,592 square feet, being a portion of Parcel 6007037.

**Sponsor:** Councilperson Carol Kilway

**Mrs. Kilway:** I call the Planning & Zoning Committee to order. We have Ord. 2022-49 before us this evening. Ord. 2022-49 was read into the record. Planning & Zoning did have a public hearing on this, and they did recommend approval by a vote of 5-0. Is there any discussion on this item?

**Mayor:** Madame Chair. Just again to remind Council of the location of this is the opposite end of Subway. They had actually moved in, and we figured out that they needed to have conditional zoning and they complied. The applicants are here and this is ready to go, and I would appreciate adoption.

**Mr. Bollas:** Just a quick question. In reviewing the ordinance, just trying to understand the various changes I noticed that there was some parking, but to the building itself, could you give a high-level understanding of what modifications they are looking at?

**Mayor:** So, the parking on that site is complex where all of the front parking is allowed and the back of the building; there is parking over there and then if they do have an overflow, there is parking across Erie Street.

**Dir. of Law:** If I can just add, also in the hearing that they had at Planning & Zoning, the plaza wants to reserve the parking in front of the different restaurants that are there so that people can come and go from that so the church folks have been asked when there is an overlapping timeframe to have parking mostly in the back. Technically there is a variance that is required and that is why that is called out in the ordinance.

**Mr. Loughry:** I would move to adopt Ord. 2022-49. Seconded Mr. Sisak. Roll Call: Mrs. Kilway, Mr. Loughry, Mr. Sisak, Mrs. Allman, Mr. Bollas, Mrs. Gutman – unanimous. **Ord. 2022-49 is adopted by a vote of 6-0.**

### First Readings of Ordinances and Resolutions

**A. Ord. 2022-54** – Approving and granting a conditional zoning certificate to applicant, Individual Outcomes LLC, on behalf of owner, SNP Management LLC, for an adult day care/vocational habilitation facility that serves individuals with developmental disabilities at 143 Northwest Avenue.

**Sponsor:** Councilperson Carol Kilway.

**Mrs. Kilway:** The next ordinance we have is 2022-54. The ordinance was read into the record. This property: they already have a business on South Avenue in the Plaza, correct?

**Mayor:** Yes.

**Mrs. Kilway:** Are they going to keep that or are they just moving it?

**Mayor:** They are moving it down to Dr. Gulmi's. They are requesting to move.

**Mrs. Kilway:** And there is going to be a public hearing next Thursday at Planning & Zoning. We will just keep this at 1<sup>st</sup> Reading then. Does anyone have any questions at this time?

**Mr. Bollas:** I did have a question. I wasn't sure quite where this would fit, regarding the East Avenue widening project and the public meeting that was had; I just meant to ask about how that went and I know there were some letters that were proposed that may have gone out to some property owners and I thought this would be a good fit in this committee to discuss that. How did it go overall?

**Dir. of Pub. Service:** The open house was last evening, and it was for 2 hours, and we had a descent turnout. I would say probably 30 people showed up and I think at the end of it, it was pretty positive and no negative comments.

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**Mr. Bollas:** OK and thank you for partnering with that consultant on my question about providing us with kind of quick hitter for community questions that we will be receiving once that gets going and was anything addressed regarding the funding or financing of that project and the application process for that?

**Dir. of Pub. Service:** Nothing was addressed. It is still the same. We are going for the funds, and it will still be an 80/20 split.

**Dir. of Finance:** Then remember we did pass the TIFF on Ripley Farm that will account for the 20% funds from the City.

**Mayor:** We kept the boards, right?

**Dir. of Pub. Service:** We did.

**Mayor:** So, we have the entire board layout of East Avenue. At the next Council meeting we will lay them out up here and you can see from Community Drive all the way to Parliament Drive the layout. That was so nice that the people last night could see their house and talk about it; the road and the width and where the sidewalks will be.

**Mr. Bollas:** Any key lessons learned or next steps that were takeaways from last night?

**Mayor:** Nope.

**Mrs. Kilway:** Anything else for Planning & Zoning? Hearing none, I will close committee.

**ii. Additional Items:** None.

### b. Finance

Craig Sisak, Chair

Jonathon Bollas, Vice Chair

**The Finance Committee deals with budget, appropriations, and reappropriations, bonds, franchises, investments, and expenditures.**

**Mr. Sisak:** I call the Finance Committee to order. We currently do not have any legislation before us this evening. Does anybody from Council or the Administration have anything for the Finance Committee? Hearing none, I will close committee. Thank you.

**i. Additional Items:** None.

**Pres. of Council:** Before we move on to the Personnel Committee, please be sure to remember to turn you mike on.

### c. Personnel

Jonathon Bollas, Chair

Adam Bozic, Vice Chair

**The Personnel Committee deals with personnel, labor relations, insurance claims, Rules of Council and State Statutes.**

**Mr. Bollas:** I call the Personnel Committee to order. We have no legislation this evening other than what was voted on in the public hearing. Are there any additional items for Personnel? Hearing none, I close committee.

**i. Additional Items:** None.

### d. Community Issues

Mary Gutman, Chair

Carol Kilway, Vice Chair

**The Community Issues Committee deals with Parks and Recreation, civic affairs, and liaison between Council and the Recreation Board and intergovernmental affairs**

**Mrs. Gutman:** I call Community Issues t order. We also have nothing before us this evening. Does anyone have anything for Community Issues?

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**Mr. Bollas:** I had one item. When I was visiting a meeting for the Tallmadge Marlins Swim Team this week something popped into my head, and I want to share it because I think it is an opportunity. Over the last couple years dealing with Covid and getting out of all of that, a lot of us are working from home or remotely or have a hybrid model and now that we have fibroid lined up to Maca with various parents taking their kids there not just for recreation but also for practices, it might be a good opportunity for them to take some calls if we could possibly get some public wi-fi at Maca to aid the community. I think that could be a way to help parents out when they have to run out of the house for an hour or two and still take some calls and check some e-mails.

**Mayor:** It is being worked on as we speak.

**Mr. Bollas:** Well, thank you. I didn't know that.

**Mrs. Gutman:** Anything further?

**Mrs. Allman:** I had a resident approach me about the walking trail where we have the benches there and they have plaques on them in memory of or in honor of and I guess there is one bench north of Lions Park that doesn't have a plaque and they wondered about getting a plaque with Jack Cooper's name on it. I guess he had a big part in getting the trail going. So, that was asked, and I just said that I would ask Council.

**Mayor:** We will talk to Metro Parks about that. That trail totally belongs to Metro Parks. That's a great idea. We will work with them. If you remember Speelman Electric was going to donate the property to connect Kent Drive Park to Lions Park and all of that is completed and it is being recorded. I think it might already be recorded and so we are now recipients of that connector and so hats off to Speelman Electric for donating that and we will call it the Speelman Trail, and it will connect those two parks together.

**Mrs. Gutman:** That will be really nice. Anything else?

**Mr. Loughry:** Mayor, I was approached this week as well about naming rights and I went blank when I was asked if we had naming rights policy like the school district does so if someone wants to name something; do we have criteria or is it just on a case-by-case basis?

**Mayor:** It is case by case. There is no written policy.

**Mr. Bollas:** Just one quick thing on storm water. For Munroe and Perry this week thank you to the Service Director for putting that on. We had a chance to meet with Ms. Seeger who is a Hydraulic Engineer to assess the properties out there and we met with the residents right before the meeting and had some takeaways and so I just wanted to echo a thanks for taking the time to do that and coordinate all of that and everyone who was able to join from the Administration.

**Mrs. Gutman:** OK. If there is nothing further, I will close committee.

i. **Additional Items:** None.

**The Safety Committee deals with Disaster services, communications, fire, and paramedics, police, and health**

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

- A. **Ord. 2022-48** – Authorizing the Mayor to enter into a Mutual Aid Agreement with Summit County and the Summit County Sheriff for the Tallmadge Police Department participation in the County of Summit Sheriff's Office Special Weapons and Tactics Team and providing for immediate enactment.

**Sponsor:** Mayor Kline

**Mr. Sisak:** I would like to call the Safety Committee to order. We currently have 3<sup>rd</sup> Readings of Ordinances and Resolutions. Ord. 2022-48 was read into the record. This is at 3<sup>rd</sup> Reading.

**Mayor:** This is ready to go.

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**Mrs. Kilway:** I move for the adoption of Ord. 2022-48. Seconded Mrs. Allman. Roll Call: Mr. Loughry, Mr. Sisak, Mrs. Allman, Mr. Bollas, Mrs. Gutman, Mrs. Kilway – unanimous. **Ord. 2022-48 is adopted by a vote of 6-0.**

e. **Safety**

Adam Bozic, Chair

Craig Sisak, Vice Chair

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

- A. **Ord. 2022-53** – Opting out of H.B. 172 and reaffirming the right of the City of Tallmadge to regulate and prohibit the possession, discharge, ignition and exploding of fireworks as set forth in Tallmadge Codified Ordinances Chapter 1519 and declaring an emergency.

**Sponsor:** Mayor Kline

**Mr. Sisak:** We also have 2<sup>nd</sup> Readings of Ordinances and Resolutions. We have Ord. 2022-53. It was read into the record. So, the last time we gave this a 1<sup>st</sup> Reading and I think we had some minimal discussion about home rule and the complications that this House Bill 172 puts on the City to enforce it; some added restrictions and I will let Mrs. Raber remind me what those were if you can.

**Dir. of Law:** Well, basically what it did was the State authorized municipalities to either opt out completely or select various holidays that they would permit the fireworks to occur. Doing nothing would result in every single one of the holidays that is outline by the State being permitted. I think there are safety concerns expressed by the Fire Chief as well as the Police Chief and part of the issue for the safety forces and enforcement of this would be instead of just a strict prohibition on it, you can't do it and when asking people to please stop, they would have to actually know what type of fireworks are being discharged and being familiar with that and then also assess whether the person is under the influence because there is a new regulation with regard to that. You are not allowed to discharge under the influence whereas before you were just not allowed to discharge and so there is also that element too that would have to be undertaken for investigation purposes if called out. Those are some of the concerns.

**Mr. Bollas:** This afternoon I had a chance to follow up with Chief Williams on some inquiries on this ordinance and he was able to give me some statistics and data and I just wanted to echo my thank you. I know it was short notice. I do have some follow-ups with Chief Passarelli, and I apologize I didn't include you on my e-mail initially, I was focusing more on the law enforcement versus the medical and 911 calls and things like that. I am just respectfully asking that we give this one last reading just to absorb all of that data.

**Mayor:** We are not asking for it to be adopted tonight.

**Mr. Bollas:** If you check your e-mail, I did send you the answers to the responses. It was about an hour and a half ago. So, you may not have seen it. Thank you.

**Mrs. Kilway:** I agree that we need to have another reading on this, but we do need to have discussion on this as well. My opinion on this is we have not been allowed to have fireworks go off in the City for my whole lifetime and I don't see why we need to really start that now. It is a huge safety issue and I think the amount of time that the Police Officers respond to fireworks being shot off or being set off is probably . . . they are responding to every single call and there are a significant amount of them during the holidays, but it only takes one horrific accident to really have an impact on the community and I don't think we should really make it allowable to do that so we can limit that horrific accident as much as we can and that is just my opinion. So, I am going to support this ordinance.

**Mr. Sisak:** Is there any further discussion this evening on this ordinance?

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**Mrs. Gutman:** I would just like to make a comment in the same vein as Mrs. Kilway. I don't think there is a need to start allowing fireworks in a situation where in our neighborhoods they wouldn't be allowed anyway, but I would suggest that if down the road this is something that we adopt that we have somewhat of a public relations campaign to inform people that we have done it because I would think that most of the community thinks that as of July 1<sup>st</sup> they are going to be allowed and they are going to start buying their fireworks and so I think we have a duty to really make an effort to let people know that it is still illegal here.

**Mr. Sisak:** Thank you. Do we have anything else? So, I will go ahead and close committee. Thank you.

iii. **Additional Items:** None.

f. **Public Service**

Rebecca Allman, Chair

Mary Gutman, Vice Chair

**The Public Service Committee deals with streets, highways, sidewalks, buildings, and improvements; water, sewer, electricity, gas, energy resources, recycle, waste, and trash.**

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

- A. **Ord. 2022-52 – Exhibit A** – An ordinance to approve, adopt and enact the March 2022 replacement pages to the codified ordinances; to repeal ordinances in conflict therewith; to publish the enactment of new matter; and providing for immediate enactment.

**Sponsor:** Dir. of Law Megan Raber

**Mrs. Allman:** I call the Public Service Committee to order. We have Ord. 2022-52 before us this evening. The ordinance was read into the record. Is there any discussion on this?

**Dir. of Law:** It is up to you. You are welcome to adopt tonight or give it a 3<sup>rd</sup> Reading.

**Mrs. Kilway:** Mrs. Allman, I think that this is basically housekeeping, and we do this periodically in order to codify the ordinances and so I will make a motion to adopt Ord. 2022-52. Seconded Mr. Loughry.

**Mr. Bollas:** So, what exactly is the amended change. What is the driving factor; I know that you stated it was housekeeping, but can you just humor me with the overall proposal of this ordinance.

**Dir. of Law:** So what happens is the codifier will update any codes that have been changed at the State level that we need to mirror in our local code and so those are the ones that are new and then otherwise what they do is they take the legislation that Council has already passed from the timeframe of the last codification and they basically just put it into our Code so that when people see it is not a separate ordinance that they have to look up separately. It is actually incorporated into our Codified Ordinances. So this one in particular includes also the Charter updates which occurred through an election in November of last year so it is just taking all the ordinances of laws that have been adopted from the last codification and putting them in our Code officially and formally and then again reconciling anything that the State Legislature has passed that we just need to update in our local code to make it be consistent.

**Mr. Bollas:** Thank you. I recall this conversation now when we're talking about the roster of officials and when the timing of when it is available for the public on the website. Thank you for that.

Roll Call: Mr. Sisak, Mrs. Allman, Mr. Bollas, Mrs. Gutman, Mrs. Kilway, Mr. Loughry – unanimous. **Ord. 2022-52 is adopted by a vote of 6-0.**

ii. **Additional Items:** None.

## COUNCIL MEETING

Council Chambers @ 7:00 p.m.

May 26, 2022

11. **Reports of Special Committees:**

a. **Council Operations Committee:**

**Pres. of Council:** We have basically moved to doing some internal things. We are making sure that the language in the Charter and our Employee Manual and the Job Descriptions are all aligned. We will reconcile that and obviously the Charter takes precedence. We have split primary and secondary duties within the office. Obviously, anything that is legal in nature, is the Clerk's function and then we are starting to cross-train on non-council weeks and then when that is done then we will create procedure manuals for lack of a better term for both positions. So that is what we are doing internally.

**Mr. Bollas:** I just wanted to give a quick update that the next thing I am working on in terms of the audio video streaming is working on viewership's and giving you guys some viewership statistics that Justin Delaney has been providing me just to draw awareness of the volume that we are getting. So, I have some stats from April that I can share via e-mail and am working on the May stats.

i. **Additional Items:** None.

12. **Announcements:**

**Mr. Bollas:** I had a chance to attend the memorial for Officer Joshua Miktarian who was a Twinsburg Police Officer who lost his life in 2008. There was a memorial plaque and ceremony at the High School, and it was really nice, and I just wanted to thank Superintendent Steve Wood and the Tallmadge School Board and those from the Administration who were able to attend and all of our Police and Fire Officers who were able to attend. It was a very special evening and just wanted to make sure that we called that out and thanked those who were able to contribute to that memorial.

**Pres. of Council:** I just would like to thank the Tallmadge Lutheran Church who made us a wonderful lunch. Pastor Alberts told me today that we had like 37 people attend and they were thrilled to do that for us.

13. **Adjournment:** Mr. Sisak moved to adjourn. Seconded Mrs. Kilway. Roll Call: Mrs. Allman, Mr. Bollas, Mrs. Gutman, Mrs. Kilway, Mr. Loughry, Mr. Sisak – unanimous. **The Council meeting adjourned at 8:02 p.m.**

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Adopted:

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Susan E. Burton, Clerk of Council

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Dennis K. Loughry, President of Council