

**REGULAR MEETING**

in Council Chambers @ 7:30 p.m.

August 8,

19

1. **CALL TO ORDER.** President of Council Kilway called the Regular Council meeting of Thursday, August 8, 2019 to order at 7:30 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 and Mrs. Allman – present. Also present were Mayor Kline, Dir. of Pub. Service Rorar, Dir. of Admin. Cooper, Ass't. Dir. of Law Briand, Dir. of Finance Gilbride and Clerk of Council Burton.
4. **MINUTES:** 7-11-19 Regular Meeting minutes.  
Mr. Sisak moved to approve the Regular Council meeting minutes of 7-11-19. Seconded Ms. Tricaso. Voice vote 7-0. **The 7-11-19 Regular Council Meeting minutes were adopted by a vote of 7-0.**

5. **FINANCIAL REPORTS:**

- **Fire & EMS Fund Transfer in the amount of \$150,000 to Council on 7-31-19.**
- **Street Maintenance & Repair Transfer in the amount of \$150,000 to Council on 7-31-19.**
- **Police Pension Transfer in the amount of \$73,100 to Council on 7-31-19.**
- **Bond Retirement Transfer in the amount of \$119,804.55 to Council on 7-31-19.**
- **Appropriation Report, Fund Report, and Revenue Report for the period ending 7-31-19 to Council on 8-6-19.**
- **July Financial Reports to Council on 8-6-19.**
- **Tallmadge Recreation Center Profit and Loss Report for the period ending 7-31-19 to Council on 8-6-19.**
- **Income Tax Comparisons for the period ending 7-31-19 to Council on 8-6-19.**
- **Revenue Comparisons for the period ending 7-31-19 to Council on 8-6-19.**
- **Consolidated Investment Portfolio for the period ending 7-31-19 to Council on 8-6-19.**

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

6. **PUBLIC HEARINGS:** None.

7. **COMMUNITY INPUT:**

**Pres. of Council:** Tallmadge City Council meets on the second and fourth Thursday's of every month with our Committee meeting being at 7:00 p.m. and our Regular Council meeting being at 7:30 p.m. or after the committee meeting. We do allow discussion on ordinances at the Committee meeting and we do allow for a brief period of discussion at this point in time. If anyone would like to come to the podium and have any input; we will take it at this time. There is no one here.

8. **ANNOUNCEMENTS:** None.

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

10. **AGENDA ADDITIONS:** None.

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

**Mayor:** Thank you Madame Chairman. We gave our Circle Fest updates and so I am looking forward to seeing all of you there.

I will give you an update on the **Ripley Farm**. We did meet with the DeHoff Group; they came in last week and they are coming in again tomorrow. They are submitting a new plan. They have since purchased all of the residential on the Ripley Farm side all the way to the Maplecrest Golf Course. What they are doing is they are in front of Planning & Zoning at Brimfield for rezoning out in front where the residential houses are from the condos (Just Cricket) to Maplecrest and now they are coming to us to rezone from Just Cricket to the church; just the front portion to put some commercial buildings out front and the residential houses behind.

The ingress/egress for the whole allotment; they are going to put an internal roadway that is between the residential houses and the commercial that will tie into Maplecrest. So, if you are familiar with driving down and looking at Maplecrest; as soon as you get at the top of the hill, you look down there and you see that internal road; that road will go straight across hopefully all the way up to Washburn and Washburn then will tie into that. That will be called Washburn Road on the Tallmadge side of it. There will be a traffic light at Washburn and a traffic light at Maplecrest and Just Cricket will be the only other entrance into that whole area. There will be one in between the commercial businesses there. So, we are looking forward to meeting with them and come up with some game plans on that.

It is still the R-6 and still the open space way in the back and so it is a pretty neat development. We are meeting with our Zoning Code update and part of that, that section was how we earmarked what we want the businesses to look like if we were to do it along that corridor and so far the developer of Ripley Farms is willing to follow our new plan where the businesses will be closer to East Avenue and the parking will be behind towards the service road and towards the residential. It is a pretty nice concept some restaurants or . . . we are not looking for fast food along there at all. I don't know what will happen down in the Brimfield portion, but it is a pretty neat update and so I just wanted to give Council an update. They plan to apply for Planning and Zoning for next month for this project.

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**Mr. Sisak:** That will need to be conditionally zoned then right; those commercial parcels up front?

**Mayor:** Yes. Rezoning out front. A portion of the square footage. If you remember, what was already approved was the R-6, but it was set off 200 feet off the roadway and so this will be in that . . . there will be meets and bounds that we are looking at doing there.

**Mr. Loughry:** If I remember correctly, in the JEDD area where our property abuts Brimfield, that when there is development on an abutting property that both communities have to sign off on that?

**Mayor:** Well, if it crosses, not part of the JEDD, but if it crosses; if it straddles the two property lines . . .

**Mr. Loughry:** I thought if it was adjacent to?

**Mayor:** No, I don't think so. Well, I mean we will be working with our counterparts in Brimfield. They have contacted us, and they want us to come out and talk to them about that. If you pull down the Just Cricket driveway there is a section of land that is already zoned there that is Commercial . . . there are certain sections that are ready that they can build today. Where the residential houses are, which they have now purchased; that has to be rezoned and Brimfield is working on that.

**Mr. Loughry:** The last time that came up was when the trucking company went into the property on Eastwood because that goes all the way back.

**Dir. of Finance:** Well that property splits the two entities so that business was actually in both entities and so that is why that required that.

**Mayor:** So that is Ripley Farms. So, there are a lot of good things that Rita has been working on. She was unable to attend tonight, but she will be back in the office on Monday.

Next door; the **Summa building**; we took a tour through that today with the Summit County Building Inspectors. The second floor is done. I mean they are putting computers on desks and they are getting everything set up logistic-wise on that.

The first-floor level where **DaVita Dialysis** was supposed to be; they are no longer going to be a part of that building. That will probably be all Summa eventually, but the buildout of the lower level; it is just the front corner straight across under the canopy is the main entrance into a doctor's office with a stairwell and elevator to get to the second floor. Dr. Bachtel's office is that whole front corner over there. There are like 54 rooms up there. There is imaging; they have a lot of x-ray machines installed upstairs and it is a pretty neat thing going on over there.

I don't know if you received in the mail over the weekend that there is an open house to everyone on the 31<sup>st</sup> with a ribbon cutting. We did not know about the ribbon cutting. I learned about it when I opened up my mailbox, but I guess that is how it works. Anyways there will be an open house on the 31<sup>st</sup> to go through that building.

I am trying to work on the occupancy and that is why we had CBO here; Mark Shenot, to walk through the building with us so we understand our zoning aspect because there are 48 parking stalls that are not installed, but there are 6,000 to 6,500 spaces that are not going to be built out at this time. So, we will waive on that parking, but they do have to put that parking in if they ever want a zoning permit for the remaining that is unoccupied. So, they meet the requirement with the square footage that is up there and CBO; that is the main building official, will give a permanent occupancy to Summa and they are doing that walk-thru tomorrow.

**Tallmadge Schools**; the football stadium; tomorrow they will get their final occupancy. It is ready to go. If you have seen it on Facebook; they are having a **Grand Opening ceremonial walk on the field on the 29<sup>th</sup> of this month and the first football game is the 30<sup>th</sup>**. I think it is Ravenna. So, we are looking forward to that. That's it.

**Mr. Donovan:** I have a quick question. Going back to the Ripley thing; what about the other side of the road? Is there any information? Are they talking with anybody about some of those properties?

**Mayor:** They have not yet done that, but I know on the Brimfield side; they did. There was a developer who purchased all of the property in Brimfield fronting East Avenue so up from the bank there are 7 or 8 acres there and that was already purchased by another developer. Not the DeHoff Group.

**Mr. Donovan:** OK, so nothing yet.

**Mayor:** It is only a matter of time. I think the break point will be the condos. I don't think it will make it all the way up to Washburn, but I would think the good break point would be the condos on that side and the Lutheran Church on our side.

**Mr. Donovan:** OK. Thank you.

**Dir. of Pub. Service:** Good evening. For the month of July, the Service Department was pretty busy. The first thing I would like to start with is that we have gotten a request from Republic Services that they are sending out requests that we send notices that they are going to pull the recycle bins from those who are not using the recycle bins properly. You can see what never to recycle there, but what has been added is people are throwing wood, clothing, car parts and pool covers in and so we send them one warning letter and after that Republic is going to take back the recycle cans. Keep in mind last year that China has balked at a lot of the recycle products that we take over there now. They returned them and so they are taking a different avenue about it now that they didn't do before. So, if you can stress to anybody that is getting these letters that they have to abide by that.

**Mr. Sisak:** Are other haulers doing the same thing?

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**Dir. of Pub. Service:** Yes.

**Mr. Sisak:** And that is in our contract that they can pull cans and all that good stuff?

**Dir. of Pub. Service:** Especially when it is being misused; yes. Moving on; **cemetery**; we only had two burials which were cremains.

**Parks and Rec**; the membership was down about 75; we were down about 1,200 for the month. That probably goes back to the courts being refinished; basketball is a big draw in there. The courts reopened on August 1<sup>st</sup>. If you get a chance, take a look; they turned out real nice. The upcoming events; we have one more Concert in the Park and that is the Diamond Project and then the Rec is closed August 9<sup>th</sup> through the 11<sup>th</sup> for annual cleaning and it is also closed on Labor Day which is September 2<sup>nd</sup>.

**Maca Pool**; the membership is down about 160. The visits are up by about 1,200. We are finally starting to get some nice weather the past couple weeks and then the Circle Fest as the Mayor told you about the events coming up.

**Mayor:** Just for the record; the Diamond Project was last weekend and it was very well attended. It was huge.

**Dir. of Pub. Service:** I apologize. There is a picture of the **Rec Center floor** that are finished. The one on the left is obviously being sanded. It was sanded and then that is the finished product on the right.

**Summer Camp** was extended until August 19<sup>th</sup> and that is because of the extension of the summer for the schools which was longer this year and so we are trying to accommodate everybody, and we extended summer camp by one week.

In the **Water Department**; I know everybody cringes when I say this, but we actually had no water breaks or sewer backups.

The **sewer relining of Evergreen** was completed and then the training; the water valve and hydrants which is something that we are trying to do more often.

**Street Department**; the Olde Orchard neighborhood is complete. That neighborhood is a concrete neighborhood and I have to be quite honest with you that is a mess up there. But we were able to crack seal the whole thing and so that should help prevent it from getting any worse.

Nine culverts were replaced and then 1,900 lineal feet of ditching was done and there again, that goes back to all of the storm water we have been having.

I would like to compliment the Street Department crew. The asphalt company did find a huge soft spot in the parking lot at the Rec Center and that was not part of the contract and it would have cost us quite a bid to money, but the Street Department came in that day and was able to restore all the base that needed to get replaced and was able to get paved the next day and so they did a very nice job; excellent.

On **Washburn**; we have a culvert replacement right there and I'm not sure who is familiar with that, but that is Pine Valley from Tallmadge Hills coming down and in the next three weeks I will try to notify them; I am waiting on the contractor but there is a culvert that needs replaced there. There is a good possibility that Washburn will be closed for about three days for that. We can give you a detour map. I think the next one shows that. So, everybody will have to detour Dunbar and over and then vice versa. This will be within the next three weeks. I don't have a date, but I will keep you guys updated as I get closer.

The next slide; this is something we are proposing; have you guys seen this in other cities at the crossings; it is a yield sign; it cautions. The one thing about our Freedom Trail crossing is that it is not in an intersection; it just kind of comes out in the middle of a road and I think a lot of people just aren't aware of it when they are coming down through even though have the proper signage is up; I just don't think they are aware that they should be yielding to pedestrians. I saw a father today trying to cross that thing with three kids. So, what is Council's thoughts on this? Would you guys be . . . I mean, thoughts?

**Pres. of Council:** I think it is a good start. I really think we need one of those . . . what they have at Brittain Road. The Hawk system. We need to figure out a way to get one of those because I go down that road to work every day and it is always working and it stops people and Brittain Road is not nearly as busy as Howe.

**Dir. of Pub. Service:** Our problem is that we have so many crossings.

**Pres. of Council:** Right.

**Dir. of Pub. Service:** You know, the Brittain Road Hawk system was like \$300,000 I believe.

**Mayor:** We actually met with an engineer this week to talk about Howe Road and to start the process and give us a scope of service to redesign from the Roundabout to this which would be a road diet instead of being four lanes and we would do something at the midblock crossing.

**Mr. Sisak:** So, if you go behind Kent State University; they have a lot of crosswalks and actually they did a nice job with a few roundabouts to slow down the traffic and then they've got . . . I don't think it is the Hawk system, but they have a median so kids can kind of cross and get past one lane of traffic and then you can kind of be safe for 30 seconds; like Frogger and the you can get past the other side of the road. So, I would imagine if we are road dieting East Howe that some type of median would be in place at some point around that area.

**Mr. Donovan:** Like an island kind of a thing?

**Mr. Sisak:** Yeah, you would have to put like an island . . . it is over in Kent; it is like grassy and they have sidewalks and they did a nice job back there. It is on Summit Street.

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**Mr. Carano:** A future road diet would be pretty good because the way it is now it is like an expressway or something the way people drive up and down Howe Road. That would take care of that. I don't know how far in the future that would be but investing \$300,000 for something that might falter might be a good idea.

**Dir. of Pub. Service:** Any questions?

**Mr. Sisak:** I do. I know probably back in June we had the bad rains and we had some road closures; I think Northwest was one. Are there any incidents or any like fixes to that issue that you know of?

**Dir. of Pub. Service:** Yes, that is actually one of the ordinances at 1<sup>st</sup> Reading. We are getting a drainage easement from the property owner to the south of Baker's Acres and that will allow us to put in an overflow so that won't . . . I shouldn't say won't, but it should really slow down that type of . . .

**Mr. Sisak:** So, we are getting an easement and then we are doing the infrastructure at our cost?

**Dir. of Pub. Service:** Yeah, it will be a vegetative swale and so there shouldn't be any costs as far as infrastructure; it will just be the installation of the swale.

**Mr. Sisak:** OK; good and then with that being resolved; are there any other instances of flooding or need to close roads or . . .

**Dir. of Pub. Service:** Closed roads; no. I mean this summer everybody has some flooding going on.

**Mr. Sisak:** Yeah.

**Dir. of Pub. Service:** But as far as roads; that was the only one that we had to close. The one on Washburn; we will resolve the flooding that is going on down there. That culvert has dropped about 6" on the outlet side of it. So, there again, it could be deteriorated; we will know more once we get into it. That is why that is getting replaced, so that is now allowing it to flow; you can understand that it is 6" lower than it should be.

**Mr. Sisak:** Thank you.

**Dir. of Administration:** Good evening. No report this evening. I changed my mind if I may. I do want to mention one thing; at the Circle Fest we are going to set up a table and do a survey. We are going to try to get, as close as we can, to 1,000 people that are residents of Tallmadge or are operating businesses in Tallmadge and asking them about their interests in broad band as a utility in Tallmadge. We are investigating options and how Tallmadge might be able to provide a faster, less expensive service than is currently available. But we are in very, very preliminary stages of it and so part of that is asking the residents what their interest level is. So, we are going to be doing a survey during Circle Fest. Well, we want to have data on which to base our . . .

**Mike:** I will be at the table and hopefully we will have enough people to go around; I think I have three people coming that I can get, and the Fire Department is going to have some, I think.

**Dir. of Administration:** If you are interested in mixing it up with your constituents please stop by and take an I-pad and take it around to your friends and neighbors and collect the information. It will take maybe 45 seconds to take the survey with maybe ten questions and so we hope to get lots of folks then.

**Mr. Donovan:** Yeah; great. Thanks.

**Pres. of Council:** Director of Economic Development is not here this evening.

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

**Dir. of Law:** I don't have a report either.

12.

Ordinance 60-2019

**FINANCE**

**At 3<sup>rd</sup> Reading.**

An ordinance approving the Akron-Summit County Energy Special Improvement District Program Plan; authorizing and approving the execution, delivery, and performance of a City Residential PACE Cooperative Agreement with respect to property assessed clean energy transactions in cooperation with the Akron-Summit County Energy Special Improvement District and the Akron-Summit County Energy Special Improvement District and the Toledo-Lucas County Port Authority; authorizing the Toledo-Lucas County Port Authority; to approve petitions and plans for public improvements or public services submitted by the owners of real property within the City requesting that their property be added to the territory of the Akron-Summit County Energy Special Improvement District and assessed for the costs of such plans on behalf of the Council of the City of Tallmadge and providing for immediate enactment.

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Mr. Sisak moved for the adoption of Ord. 60-2019. Seconded Mr. Donovan. Roll Call: Mrs. Kilway, Mr. Loughry, Mr. Sisak, Ms. Tricaso, Mrs. Allman, Mr. Carano, Mr. Donovan – unanimous. **Ord. 60-2019 is adopted by a vote of 7-0.**

13. Resolution 15-2019  
**FINANCE**

**At 3<sup>rd</sup> Reading.**

A resolution approving amendments to the Articles of Incorporation of the Akron-Summit County Energy Special Improvement District, Inc.

Mr. Sisak moved for the adoption of Res. 15-2019. Seconded Mr. Donovan. Roll Call: Mr. Loughry, Mr. Sisak, Ms. Tricaso, Mrs. Allman, Mr. Carano, Mr. Donovan, Mrs. Kilway – unanimous. Res. 15-2019 is adopted by a vote of 7-0.

14. Ordinance 69-2019  
**PLANNING & ZONING**  
**P.H. ON 8-22-19 @ 7:33 P.M.**  
  
**P&Z REC. ADOPTION 5-0**

**At 2<sup>nd</sup> Reading.**  
**Amended**

Amending the zoning map by rezoning the property of applicant, Architectural Options, on behalf of owners, Rita Reeves and Deborah Johnson, from Commercial-3 to Residential-3 located at the southern portion of 323 West Overdale Drive; Parcel 6004384.

Mr. Donovan moved for the amendment to Ord. 69-2019. Seconded Mr. Sisak.

**Mayor:** As you can see up on the wall, the amendment is adding the vote of Planning & Zoning of August 1<sup>st</sup> recommending 5-0 and you do have a public hearing on August 22<sup>nd</sup> at 7:33 p.m. Roll Call: Mr. Sisak, Ms. Tricaso, Mrs. Allman, Mr. Carano, Mr. Donovan, Mrs. Kilway, Mr. Loughry – unanimous. **Ord. 69-2019 is amended by a vote of 7-0 and will remain at 2<sup>nd</sup> Reading.**

15. Ordinance 70-2019  
**PLANNING & ZONING**  
**P&Z REC. ADOPTION 5-0**  
**W/CONDITIONS**

**At 2<sup>nd</sup> Reading.**  
**Amended**

Granting a conditional zoning certificate to applicant Michelle Hatch, owner, Ward Holdings LLC, to operate a dining establishment serving alcoholic beverages at 137 East Avenue, Suite 44.

Mr. Donovan moved for the amendment to Ord. 70-2019. Seconded Mr. Sisak. Roll Call: Ms. Tricaso, Mrs. Allman, Mr. Carano, Mr. Donovan, Mrs. Kilway, Mr. Loughry, Mr. Sisak – unanimous. **Ord. 70-2019 is amended by a vote of 7-0 and will remain at 2<sup>nd</sup> Reading.**

16. Ordinance 72-2019  
**PERSONNEL**

**At 1<sup>st</sup> Reading.**  
**Exhibit A**

Memorializing an agreement with the International Association of Firefighters, Local 2764 and providing for immediate enactment.

Pres. of Council: **Ord. 72-2019 is at 1<sup>st</sup> Reading and is assigned to the Personnel Committee.**

17. Ordinance 73-2019  
**FINANCE**

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

An Ordinance allowing the Mayor to apply for Federal Congestion Mitigation/Air Quality Funds programmed by the Akron Metropolitan Area Transportation Study (AMATS) to improve the East Avenue Corridor and declaring an emergency.

Pres. of Council: **Ord. 73-2019 is at 1<sup>st</sup> Reading and is assigned to the Finance Committee.**

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18. Ordinance 74-2019  
**PUBLIC SERVICE**
- At 1<sup>st</sup> Reading.**  
**Exhibit A1**  
**Exhibit A2**  
**Exhibit A3**  
**Exhibit A4**  
An Ordinance to approve, adopt and enact the 2019 replacement pages to the Codified Ordinances; to repeal ordinances in conflict therewith; to publish the enactment of new matter; and providing for immediate enactment.
- Pres. of Council: **Ord. 74-2019 is at 1<sup>st</sup> Reading and is assigned to the Public Service Committee.**
19. Ordinance 75-2019  
**PUBLIC SERVICE**
- At 1<sup>st</sup> Reading.**  
Authorizing the creation and acceptance of storm water drainage easement at Parcel 6003740 from LTC Tallmadge, LLC, ("LTC") to the City and providing for immediate enactment.
- Pres. of Council: **Ord. 75-2019 is at 1<sup>st</sup> Reading and is assigned to the Public Service Committee.**
20. Ordinance 76-2019  
**PLANNING & ZONING**
- At 1<sup>st</sup> Reading.**  
Granting a conditional zoning certificate to applicant, Global Kitchen LLC, Owner, TJ Circle One LLC, to operate a dining establishment serving alcoholic beverages at 12 Tallmadge Circle.
- Pres. of Council: **Ord. 76-2019 is at 1<sup>st</sup> Reading and is assigned to the Planning & Zoning Committee.**
21. Ordinance 77-2019  
**PLANNING & ZONING**
- At 1<sup>st</sup> Reading.**  
**Exhibit A**  
Authorizing the creation and acceptance of an easement for access and shared maintenance agreement between the City of Tallmadge and VTC Development, LLC, for adjacent properties located at 60 North Avenue and 46 North Avenue and providing for immediate enactment.
- Pres. of Council: **Ord. 77-2019 is at 1<sup>st</sup> Reading and is assigned to the Planning & Zoning Committee.**
22. Ordinance 78-2019  
**PERSONNEL**
- At 1<sup>st</sup> Reading.**  
**Exhibit A**  
Authorizing the Mayor to enter into an agreement with the Fraternal Order of Police (F.O.P.) consisting of Tallmadge Police Patrol Officers and providing for immediate enactment.
- Pres. of Council: **Ord. 78-2019 is at 1<sup>st</sup> Reading and is assigned to the Personnel Committee.**
23. Ordinance 79-2019  
**PERSONNEL**
- At 1<sup>st</sup> Reading.**  
**Exhibit A**  
Authorizing the Mayor to enter into an agreement with the Fraternal Order of Police (F.O.P.) consisting of Tallmadge Police Sergeants and Tallmadge Police Lieutenants and providing for immediate enactment.
- Pres. of Council: **Ord. 79-2019 is at 1<sup>st</sup> Reading and is assigned to the Personnel Committee.**  
**Mayor:** Just for the record, I thought the contracts would go to Personnel Committee, but if you want to put it in Finance.  
**Pres. of Council:** You know; they should be in Personnel. So, Ord. 78-2019 and Ord. 79-2019 are in the Personnel Committee.

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24. **ADDITIONAL ITEMS:**

**Pres. of Council:** The only thing I want to bring to everyone's attention real quick is that you were all given copies of a letter that was sent to myself in reference to the tennis courts at Lions Park and I just want to let everyone know that there is a desire for everyone to keep the tennis courts as is and please read the letter and take it to heart for any future planning and then that is all that I have. Are there any other additional items?

**Mr. Sisak:** Ask if there is anyone who would like to speak.

**Pres. of Council:** Is there anyone who wants to speak briefly in reference to that? OK. I'm sorry; you weren't here during the regular time for public input and so I can give you a couple of minutes real quick.

**Resident in the audience.** Was not at the microphone and was very hard to hear. OK, so at 7:00 p.m. I should have been in that room? (referring to Council office where an Executive Session was taking place).

**Prese. of Council:** No, no at 7:30 p.m. when we started Item 7 is Community Input and you were not here when we called for . . .

**Mr. Loughry:** She had just stepped out.

**Pres. of Council:** Yeah.

**Mr. Donovan:** You are OK; just come to the microphone.

**Pres. of Council:** Yeah, that is why it was skipped, so you can just come to the microphone and talk briefly.

**Resident: (Microphone was not turned on. Very hard to transcribe)** OK, you just spoke about that you distributed a letter that you received supporting . . .

**Pres. of Council:** Yes, I need your name and address for the record.

**Bernadette Dillon, 349 Jones Road, Apt. A, Tallmadge.**

**Pres. of Council:** OK. Thank you.

**Ms. Dillon:** You just made mention that a letter you had received from me and it was a letter in defense of keeping those tennis courts at Lions Park open for tennis use only. You distributed it to Council members . . .

**Pres. of Council:** To everybody at Council; the Mayor has a copy of it and we do have your petition here as well.

**Ms. Dillon:** OK. I spoke with the Mayor two days ago; on Tuesday, and he had assured me that the tennis courts are staying and the one thing that wasn't made clear to me when I brought it up, but I didn't get a direct answer from you. The lines that had been put down on the court by Ms. Dianne Bratt represents a small group of pickleball players. Those lines need to be done away with.

**Mayor:** They are not going to be done away with. The lines . . . it is a multi-purpose park. The tennis court nets I told you would not come down. The pickleball lines was approved the City Administration to not . . . it was approved to put those lines in for the pickleball and so it is just like the Rec Center; we have multiple lines at the Rec Center from tennis to pickleball and volleyball and basketball lines are striped out on the brand new floor.

**Ms. Dillon:** But the lines that you had striped out at the basketball courts I'm sure were done by professionals. It just wasn't some random woman who went out and started making lines over . . .

**Mayor:** Well, the lines are going to stay. We may, when we resurface the court up there; the lines will be done in a different color; a lighter color. I'm not stripping . . . they can't be stripped off right now.

**Ms. Dillon:** Well they can be painted over. At the very least; painted over. I mean, if you are sincere in keeping them as tennis courts, I mean I . . .

**Mayor:** It is a multi-purpose court.

**Ms. Dillon:** Well, you didn't say that two days ago to me.

**Mayor:** I said I would not remove the tennis nets . . . would not remove the tennis nets . . .

**Ms. Dillon:** You said the tennis courts are staying. You just made a . . .

**Mayor:** They are staying.

**Ms. Dillon:** You gave me the impression that the courts were going to remain for tennis use only because I had made the point when Ms. Jessica, your Superintendent of Parks and Recreation, when she left me a voice mail saying three tennis courts in essence are going to be permanently changed into pickleball courts.

**Mayor:** And that's what I told you they would not be . . . that they would not be permanent and that the tennis courts would stay as a tennis court, but the pickleball nets are remotely set.

**Ms. Dillon:** I said that pickleball and tennis can't coexist. This is what . . . just to tell you the voice mail that I got and was directly sent to me was that there are three courts there and what was told to me was two at the very least of the courts are going to be turned into permanent pickleball courts. That was directly said, but indirectly you can see that it actually means three courts are going to be turned into permanent pickleball courts because the two; tennis and pickleball can't coexist. With pickleball there is a lot of noise and activity and the two just can't coexist. So, anyway, what troubles me is that they are going to remain tennis courts and you were in agreement that the two can't coexist; pickleball and tennis. So, now you are saying . . .

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**Mayor:** That is correct. If you are playing tennis, there is no way a person could go side to side in your lane so therefore, there will be times . . . if you are playing pickleball you will be playing or I mean tennis, and the pickleball would have to be on Court 1 and you are on Court 3 or visa-versa, but it is a multi-purpose park and the pickleball courts are in there and they will have to schedule time. It is a public park; first come; first serve. You are the . . .

**Ms. Dillon:** You are doing a reversal from what you said a few days ago. You are.

**Mayor:** I am not. You are interpreting that as that, but as I said I will keep it as a tennis court and I think that was in the Tallmadge Express if I remember and so therefore it is a tennis court, but there are multi-purpose lines that could also be turned into pickleball. The nets are set on the court.

**Ms. Dillon:** What did you mean by the statement when you agreed with me that tennis can't coexist with pickleball and what did you mean when you agreed?

**Mayor:** That you can't do it at the same time. If you . . . you can't be playing tennis and that and so they can't coexist.

**Ms. Dillon:** OK, so you said it right there that they can't be played at the same time. Well, if you have lines on one court that has pickleball lines and you have a tennis court that is not marked up; well, you could possibly have somebody playing a game of tennis on the non-marked court and then pickleball on the other court. Well that is called existing together.

**Mayor:** It is just like the Rec Center. If you are playing pickleball, you can't be playing basketball.

**Ms. Dillon:** You are missing my point.

**Mayor:** I'm . . . any other questions from Council? I think we have exceeded the five-minute time.

**Pres. of Council:** Yes, I think we have too. Your points have been taken into account and we have to try to make everybody happy for right now and I thank you very much.

**Ms. Dillon:** They are staying in essence?

**Pres. of Council:** For now, they are staying, and I thank you very much.

**Ms. Dillon:** Kept interrupting while Pres. of Council was speaking and then said that she did have one question for Mr. Rorer; like this Ms. Jessica Simon who was going to change the courts permanently into pickleball courts; like how is it that one person in the City has the power to grant such a request by . . .

**Pres. of Council:** Ms. Dillon, I'm sorry but your five minutes for discussion has been . . .

**Dir. of Pub. Service:** I will and like I told you Ms. Dillon, there has been no decisions made at all.

**Mr. Donovan:** I have a quick question.

**Mayor:** Go ahead Jim.

**Mr. Donovan:** I'm not a pickleball player and I don't play tennis either, so I mean . . . I know there are different lines for different sports, but is there an issue with them being different colors or are they generally the same color?

**Mayor:** You have to do different colors so you can see the pickleball court. If you go up to the Rec Center, I could bring up Mike's Power Point and I can show you the pickleball lines inside the brand-new blue basketball courts. The same with the tennis lines that are up there on that court. So, you could play tennis on that basketball court; you can play pickleball side to side and you can play volleyball, or you can play basketball.

**Mr. Donovan:** Yeah, I understand. So, are the lines different colors now?

**Mayor:** Yes.

**Mr. Donovan:** Oh, OK.

**Ms. Dillon:** But if I may say that the lines that are on the courts at Lions Park; they are highly distracting . . . (inaudible)

**Mayor:** I agree with you on that. I didn't pick the color. I didn't know they were . . .

**Mr. Loughry:** I mean I appreciate her opinion and her viewpoint, but most, I believe in our community, and appreciate that because of our small size that we do the best we can to accommodate everybody and that is why we do multiple uses on the same . . . at the same place and actually the school district is just completing a stadium project that does the exact same thing. So you build a football field and you also do it in such a way that you can play soccer on it and so whether we like it or not, when you have limited funds and limited resources both in money and in property, you do the best you can and that stadium is going to be used for both soccer and football.

**Pres. of Council:** That's right and the other thing that I would like to say too is that I would like to thank you very much for bringing the petition with all of the people that would like tennis to our attention because so far we have only seen one group of people come and say that they like pickleball and we hadn't heard anything from tennis people yet and so by you bringing this to our attention we appreciate it so that we can use these courts as you know, multi-purpose courts as the Mayor had said. You can still have your time to play tennis and then the pickleball people can have their time to play pickleball as well too. So, I know it is not the absolute scenario that you would like, but it is going to have to be the best scenario for the City as a whole.

**Ms. Dillon:** I don't think my point maybe . . . I thought my letter was clear in the point that I made and then the point that I was trying to make tonight. I mean I thought it was clear, but I think this was just a big waste of time.

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**Pres. of Council:** Well, I really don't think it is a waste of time and like I said, I thank you for coming because now we all know that tennis is just as important as pickleball. OK. So, thank you.

**Mr. Donovan:** When we were discussing this a couple weeks ago when it first came to us; aren't there courts at the Rec Center?

**Mayor:** The Rec Center; the high school courts.

**Mr. Donovan:** The high school courts but they are not; they don't have any pickleball lines; is that correct?

**Mr. Sisak:** No.

**Mr. Donovan:** So, there is another option; another place where you could go without the stripes.

**Ms. Dillon:** Lions Park courts are unique. It is a nice setting. It is a serene setting . . .

**Pres. of Council:** I'm sorry, you are not talking into the microphone and I'm sorry, but the time is over with.

**Ms. Dillon:** (inaudible)

**Pres. of Council:** I know, but everything is being recorded and so we couldn't hear you if you are not talking into the microphone.

**Mr. Donovan:** Thank you. We appreciate you coming.

**Pres. of Council:** Yes, thank you. We do appreciate you coming.

25. **ADJOURNMENT:** Mr. Sisak moved to adjourn. Seconded Mrs. Allman. **The Regular Council meeting of 8-8-19 adjourned at 8:16 p.m.**

Adopted:

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Susan E. Burton, Clerk of Council

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Carol A. Kilway, President of Council