

COUNCIL MEETING

Council Chambers @ 5:00 p.m.

August 11, 2022

1. **CALL TO ORDER.** President of Council Loughry called the Council meeting of Thursday, August 11, 2022, to order at 5:00 p.m.
2. **Opening Prayer & Pledge of Allegiance:**
Prayer: Pastor Jim Case, Tallmadge Lutheran Church.
Pledge of Allegiance: Mayor Kline.
3. **Roll Call:** Mrs. Allman, Mr. Bollas, Mr. Bozic, Mrs. Gutman, Mrs. Kilway, Mr. Loughry, Mr. Sisak – present.
4. **Correcting and Adopting the Previous Meeting Minutes:**
7-28-22 Council Meeting Minutes
8-5-22 Special Council Meeting Minutes
Mr. Sisak moved for the adoption of the 7-28-22 Council meeting minutes. Seconded Mrs. Kilway. Roll Call: Mr. Bollas, Mr. Bozic, Mrs. Gutman, Mrs. Kilway, Mr. Loughry, Mr. Sisak, Mrs. Allman – unanimous. **The 7-28-22 Council meeting minutes were adopted by a vote of 7-0.**
Mr. Sisak moved for the adoption of the 8-5-22 Special Council meeting minutes. Seconded Mr. Bozic. Roll Call: Mr. Bozic, Mrs. Gutman, Mrs. Kilway, Mr. Loughry, Mr. Sisak, Mrs. Allman, Mr. Bollas – unanimous. **The 8-5-22 Special Council meeting minutes were adopted by a vote of 7-0.**
5. **Financial Reports:**

- **Fire & EMS Fund Transfer in the amount of \$130,000, Street Maintenance & Repair in the amount of \$125,000 and Bond Retirement in the amount of \$150,000 to Council on 7-29-22.**
- **Appropriation Report, Fund Report and Revenue Report for the period ending 7-31-22 to Council on 8-3-22.**
- **July Financial Reports to Council on 8-3-22.**
- **Tallmadge Recreation Center Profit and Loss Report for the period ending 7-31-22 to Council on 8-3-22.**
- **Income Tax Comparisons for the period ending 7-31-22 to Council on 8-3-22.**
- **Revenue Comparisons for the period ending 7-31-22 to Council on 8-3-22.**
- **Account details for the month of July.**
- **Consolidated Investment Portfolio for the period ending 7-31-22 to Council on 8-3-22.**

Mr. Sisak moved for the approval of the financial reports. Seconded Mrs. Kilway. Roll Call: Mrs. Gutman, Mrs. Kilway, Mr. Loughry, Mr. Sisak, Mrs. Allman, Mr. Bollas, Mr. Bozic – unanimous. **The Financial Reports submitted by Dir. of Finance Gilbride are accepted by a vote of 7-0.**

6. **Public Hearings:** None.
7. **Community Input:**
Pres. of Council: Is there anybody in the audience that would like to speak to Council this evening? Seeing none, we will move onto Item 8.
8. **Agenda Additions:** None.
9. **Reports of Administrative Officers:**
 - a. **Mayor/Dir. of Economic Development:**
 - We will start off with the **concert tonight**. There is a little delay with the vendor setting up.
 - This coming Saturday is **Circle Fest**. The Circle will close at 5:00 p.m. We did have a safety meeting yesterday with all of the safety forces and also with the Chamber and I thought it was a very good meeting.
 - Hats off to the **Street Department** and Mr. Rorar.
 - **Lighting on the Circle**. The **Historic Church** on the Circle has a brand-new lighting system that is on that. Hats off to Terry Lowe with the Service Department for organizing this with the State of Ohio Historical Society who owns the church and then Speelman

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Electric who installed on that.

The other thing that was done last night was the **lighting on Old Town Hall** and the white paint is completed as of this afternoon.

- Let me talk about one item. **McDonald's** is planning on building a brand-new McDonald's on the Circle. They had purchased the Sperry property. The old McDonald's are looking **to donate all of this property to the City of Tallmadge** to create a playground unit and a trailhead for the Freedom Trail and so we had a meeting with Summit County Metro Parks and the McDonald's folks and the City of Tallmadge to look at opportunities for that. That is only a concept that McDonald's submitted.
- The **cell tower**. The Verizon service has really been poor in town and Verizon is well aware of that. They are going to escalate the new tower going in at the school and hopefully to start that tower and have it completed by the first quarter of next year instead of 18 months. We are working with the same tower company to potentially put in the tower for the new dispatch center. They are willing to work with Summit County to install a tower at that site for the purpose of safety forces, but then co-locate with different vendors on that. It is definitely good if we could get more coverage.
- Let me go to **Fire Station No. 2**. You can see the site is starting to look a lot nicer. The front business area that we call the living quarters is all drywalled and the painters are coming in on Saturday to start painting the walls on the business side. The arch windows are ready to be installed.

b. Dir. of Safety/Administration:

- Just a couple of things to report. Some **personnel issues in the Police Department** I thought you might want to be aware of. You may know that Captain Doug Bohon's last day with the City; he is going to retire on August 15th. So, his last official participation in the department will be at Circle Fest. So that is the day after tomorrow and so I hope you will all take the opportunity and actually all of the citizens of Tallmadge take the opportunity to thank him for his exemplary service to the City and wish him well in his future endeavors.
- That **vacancy as a Captain** will have to be filled and we have a Captain's list and next on the list would be **Dennis Eichler** who has accepted the position and so he will be promoted sometime shortly after August 15th at a time that is convenient for him and his family.
- That will also then result in the need for a **Sergeant promotion** and then hiring of another officer to replace the vacancy. We hope that those occur in very short order to be honest. We need the personnel.
- Also, on Monday, August 22nd, **Ruby Boyer** is going to replace Geri Blon in the Police Department as **Administrative Assistant to the Police Chief**. Ruby was selected and so we look forward to that. She has served as a part-time Records Clerk since 2018 and she worked nights and weekends mostly and has done an excellent job and we look forward to her assistance there as well.
- Just a quick note on the **Police Department study** that is underway, we have not heard anything else, although I have prompted that firm and they tell me that soon we will have a report from them for Phase I of that study.
- Next, I wanted to take an opportunity to describe to you a few things that you may not know about the Police and Fire Department. After purchasing the new fire vehicle, seven months later they had a call that was handled that they could not have handled inside the Fire Department.

We would have had to call for mutual aid without this piece of equipment. What happened was a worked experienced a medical event while on the roof of a two-story apartment complex and he passed out. The department members were able to safely lower him to the ground quickly with this apparatus otherwise we would have had to call for some other equipment and the nearest would have been 15 or 20 minutes away. So, we are quite happy that we were able to help this person quick.

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- Something else you are more accustomed to seeing is . . . this is the Chief and also Officer Quillen and the last day of what they call summer at Saxon Village and so the children there are greatly delighted by the Fire Chief spraying them with water.
- Officer Orsine who works with K-9 Kato stopped a car on West Avenue for a vehicle driving erratically. When he addressed the driver, he smelled marijuana, and the driver was asked to exit the vehicle. When doing so, the driver locked the doors. K-9 Kato alerted to the driver's door which then gives the officer probable cause to search the vehicle and the driver was asked several times to unlock the car or hand him the keys, but he refused. So, he was handcuffed and seated in the cruiser. The officer used a lock-out kit to unlock the car and discovered these two bags of cocaine which tested positive, and marijuana was also found in the car. This firearm was also found with an extended magazine and suppressor which are both illegal under the driver's seat within reach of the driver. This magazine has 22 rounds in it, and it had one in the chamber. It was just beneath the driver's seat and he had access to it.

He had been arrested in Stark and Lorain Counties for drug trafficking and some violent crimes prior to us stopping him. But all of the ingredients were there for this situation to have turned out completely different than it did. So, it is not just luck I would like to suggest the skill it takes to calmly take a seasoned criminal likely high at the time into following the officer's instructions and safely being taken into custody really can't be overstated. It takes a talented officer to do that. We have many. The K-9 in this situation provided probable cause as I mentioned, but what I wanted you to know is this type of thing happens more often than you might think, and the Police Department just slowly and quietly goes about doing their business. We need to think more about what they risk and what they do for the City and its residents. I just thought you might want to know that. End of report.

Mr. Bozic: When did we start that Police Department study.

Mayor: October of 2021.

Mr. Bozic: We are not quite sure when we are going to get Phase I finished?

Dir. of Safety/Administration: The latest I heard was that it would be soon. That will be a written report.

Mr. Bozic: The recent Fire Department study that we had done, when did that one start?

Dir. of Safety/Administration: That was more than 18 months ago now.

Mr. Bollas: Being a part of the screening committee process and the compensation board process, I know that it was a pretty competitive process in terms of getting the Captain's position filled, and the offer had been accepted on May 2nd I believe. Is there any additional information that can be shared at this time on the announcement of the retirement?

Dir. of Safety/Administration: Just that his last day on the books is August 15th if you are talking about Captain Bohon. His replacement will occur with Dennis Eichler who is next on that same list very soon thereafter. Definitely within August. Is that what you meant?

Mayor: He is retiring from the F.O.P. from the police world. He is going to the private sector.

Mr. Bollas: It gave me a little pause to see that we had gone through an extensive process to fill that position that was roughly 3 months ago.

c. **Dir. of Public Service:** This report was given by the Mayor.

d. **Dir. of Finance:** Everyone has received my financial reports and I will be glad to entertain any questions, otherwise I don't have anything to report.

Mr. Loughry: So, Mrs. Gilbride, just for those that are watching, can you just give us a snapshot of how you think we are doing in August and for the rest of the year?

Dir. of Finance: Things are going well. Income taxes are going well. I had anticipated that we will start to see some lag due to the DD's finally moving their payroll away and some switchover but overall, I think we are in a good position right now.

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e. Dir. of Law: As you all know, last fall we had adopted the new zoning ordinances and we anticipated that we would have to make some tweaks and modifications as we had put it into practice. One of those areas that has come to light is the area of the sign regulations. While it is substantively solid, there are a few areas or a few things that need some revision in looking at it again. So, we are in the process of redoing that and what we have discussed is that we will convene a focus group of stakeholders to just kind of take one other look at that. We would be inviting Mrs. Kilway as the Planning & Zoning Chair to participate with us but if any other Councilperson is interested in signs and wants to sit in on that discussion you are welcome to let me know that, and we will see if we can add you to that. We want to keep the numbers fairly small so that we can have discussion, but we are looking at stakeholders that don't have any pending or imminently pending applications so that there is no creation of conflict of interest. We will just be looking at what we want and then just making those tweaks before we present it before Planning & Zoning and then it would come back before all of Council, and you will have the ability to look at it again.

Mr. Loughry: So, could the Chamber have a representative?

Dir. of Law: The Chamber will have a representative. Mrs. Allman will either be representing one or the other. So, think about that and you can reach out to me if you are interested and if you would do that shortly because we are trying to get that together for the beginning to the middle of September.

Mr. Sisak: For clarification is that for permanent signage or temporary or all of the above?

Dir. of Law: All of the above.

Mayor: I just want to clarify one thing. We talked about Captain Bohon retiring and I am happy for him retiring, but rest assured, the other two candidates that were on that list are just as qualified as Captain Bohon and so Dennis Eichler will do a great job for us as a Captain. We think we are being slighted because Doug is moving on from the police force, but we do have Dennis Eichler right behind him and he will do a great job for us.

Mr. Loughry: You said that you are promoting the one lady to replace Mrs. Blon. Will you then backfill that position?

Dir. of Safety/Administration: Yes, she was a part-time Records Clerk and yes that will be filled as well.

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, and public property.

Mrs. Kilway: I call the Planning & Zoning Committee to order. We have no legislation at this time. Is there anything else to come before Planning & Zoning. Hearing none, I will close committee.

i. 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.

i. Second Reading of Ordinances and Resolutions

A. Ord. 2022-62 – Exhibit A – Authorizing the Mayor to enter into a new management agreement with the Ohio History Connection for the Tallmadge Church State Memorial and providing for immediate enactment.

Sponsor: Mayor Kline

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Mr. Sisak: I call the Finance Committee to order. We have Ord. 2022-62 before us this evening. The ordinance was read into the record.

Mayor: Mr. Sisak, I know this is at 2nd Reading but let me just go over a couple of the highlights. It really hasn't changed that much. The contract goes from July 1st or 2022 to July 30th of 2023. So, it is really a short duration contract. If you recall, the City's responsibility; we are required for the exterior of the walkways and the janitorial services within the church. Any repairs for the church that are under \$250, the City of Tallmadge will pay for that up to \$1,000 per year. So, our cap is really \$1,000. The lights that I showed you earlier were almost \$7,000 and that was paid for by the Ohio Historical Society and also, we pay the utility bills, but the Historical Society's responsibility; we get paid for the operation and the management in the amount of \$11,960 to manage that per year. That helps offset the utility costs and those \$250 repairs and I think this is ready to go. I guess I will defer to Megan if she has any other comments about the contract.

Dir. of Law: There was really no substantive changes in this contract. A few minor revisions to it.

Mr. Sisak: I will take a motion.

Mr. Loughry: I move for the adoption of Ord. 2022-62. Seconded Mrs. Kilway. Roll Call: Mrs. Kilway, Mr. Loughry, Mr. Sisak, Mrs. Allman, Mr. Bollas, Mr. Bozic, Mrs. Gutman – unanimous. **Ord. 2022-62 is adopted by a vote of 7-0.**

i. First Reading of Ordinances and Resolutions

A. Ord. 2022-63 – Appropriating funds from the American Rescue Plan Act and providing for immediate enactment.

Sponsors: Mayor Kline
Dir. of Finance Gilbride
Councilperson Sisak

Mr. Sisak: Next we have Ord. 2022-63. The ordinance was read into the record. Let's just go ahead and give that a 1st Reading. Does anyone have any questions about that right now?

Mr. Loughry: I just wanted to thank you all for your work and again I thought . . . there were a lot of things that could be funded, but I thought what the three of you came up with with input from many was good and were things that we hear about, or that I hear about anyway, out and about in the community and will impact the most residents.

Mr. Sisak: I was critical of how we were going to fund the Comprehensive Park Plan a year ago and so we did put some money towards some of that planning as well to get that off the ground and moving forward. Any other questions or comments?

B. Ord. 2022-64 – Accepting donation of cedar siding to the City of Tallmadge from the Tallmadge Historical Society and providing for immediate enactment.

Sponsor: Dir. of Finance Gilbride

Mr. Sisak: We also have Ord. 2022-64. The ordinance was read into the record. Someone is giving us stuff so I would ask for a motion.

Mrs. Kilway: Mr. Sisak, I move for the adoption of Ord. 2022-64. Seconded Mr. Bollas. Roll Call: Mr. Loughry, Mr. Sisak, Mrs. Allman, Mr. Bollas, Mr. Bozic, Mrs. Gutman, Mrs. Kilway – unanimous. **Ord. 2022-64 is adopted by a vote of 7-0.**

C. Ord. 2022-65 – Authorizing the Director of Public Service to advertise for bids and the Mayor to enter into a contract for the maintenance or removal of trees and providing for immediate enactment.

Sponsor: Dir. of Public Service Rorar

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Mr. Sisak: Next we have Ord. 2022-25. The ordinance was read into the record.

Mayor: He said you can just give this a 1st Reading. This one and the next one. It is an extension of their contract. When we bid it out there were automatic renewals, but this is allowing us to do that. Just give it a 1st Reading.

D. Ord. 2022-66 – Authorizing the Director of Public Service to advertise for bids and the Mayor to enter into a contract for sewer line repair and providing for immediate enactment.

Sponsor: Dir. of Public Service Rorar

Mr. Sisak: Next we have Ord. 2022-66. The ordinance was read into the record. We will just give this a 1st Reading also.

E. Ord. 2022-67 – Creating the Opioid Settlement Fund and providing for immediate enactment.

Sponsor: Dir. of Finance Gilbride

Dir. of Finance: As stated in the ordinance, Council agreed to enter into the Ohio Opioid Settlement and so as part of this, we are required to establish a fund so we can track what we are spending. We did get our first distribution in July for \$5,019. We will get that much for the next 18 years. So, it is going to be a real thriller to spend. We have to go through the process of establishing the fund and identifying that through Council. We are not appropriating anything yet so there will have to be internal discussions about how we use those funds in accordance with the Ohio Memorandum of Understanding.

Mr. Loughry: I agree, and again, I don't know what our parameters are, but even though it is only \$5,000 it would be nice if we could show how we are putting that money back into the community to help or combat the problem.

Dir. of Law: Those are the parameters so we will be doing that.

Mrs. Kilway: Mrs. Gilbride, since we have already received this money would you like 1st Reading adoption on this?

Dir. of Finance: That's fine. First reading adopting would be great.

Mrs. Kilway: I would move for the adoption of Ord. 2022-67. Seconded Mr. Bozic.

Roll Call: Mr. Sisak, Mrs. Allman, Mr. Bollas, Mr. Bozic, Mrs. Gutman, Mrs. Kilway, Mr. Loughry – unanimous. **Ord. 2022-67 is adopted by a vote of 7-0.**

ii. **Additional Items:** None.

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 before us this evening. Does anyone have any questions or comments on the Personnel Committee?

Mr. Loughry: I just appreciate the update tonight from the Administration.

Mr. Bollas: Yes, I agree. It was a lot to chew on tonight. I just actually had a couple of questions myself. Back when we met with Civil Service on July 13th you provided this excellent list of the process for the Fire Chief's position, and I was just looking to see or provide an update. Right now, we have a meeting scheduled as part of the screening committee in a little over a week's time and as a part of that I just wanted to reconfirm again what is the confirmed date for closing the posting for the Fire Chief?

Dir. of Safety/Administration: Currently the closing posting date is August 17th.

Mr. Bollas: Then we are planning to meet the following Tuesday to begin the screening process?

Dir. of Safety/Administration: That is the current plan.

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Mr. Bollas: Are you able to say how many applicants we have at this point?

Dir. of Safety/Administration: Two.

Mr. Bollas: Lastly, as a part of the new process we have steps 14. And 15. here of candidates meeting with a technical panel and a public panel. Can you elaborate on the panel and the selection process for this panels? Is Council a part of the public panel?

Dir. of Safety/Administration: A member of Council and the President are asked to participate. The first part of the process is we receive application packages. Then the screening, by the ordinance, is a member of Council, a member of the Civil Service Commission, and Dir. of Administration. On the 23rd or so, we will meet, and we will screen those and apply the right number of points to each and will put them in order from the highest to the lowest. From there the top 5 on that list will be subjected to an assessment by an outside company that will do two things. They will evaluate their appropriateness for the position, and they will also establish what they call a "fit" with the City. Then they will score them, and they will give us a score for each.

Civil Service will then combine that score of the assessment with what the screening committee does into one score and so we will have a list. Those 5 top candidates will then be given written questions to respond to in very short order. That will be probably before the end of August. So, they will respond to the written questions and then from that everything that preceded that there will be 3 that are selected to go through the interview process.

The interview process will consist of two panels. One is a technical panel that will be people that are familiar with and have expertise in fire service and a public panel that has currently I think 11 people have consented to be on it. It is a diverse group of people from across the community who will get to select a couple questions each and then the Dir. of Public Safety will also set on that committee. Part of that committee is the Law Director, the Finance Director and someone from the Service Department will also be on that committee among other members from the community from the business community from a pastor to various business owners and things like that.

So, then there will be a series of questions that will be asked and there will be a scoring sheet that each one completes and there will be a discussion afterwards to kind of rank them and then once that is done then it is all given to the Safety Director who makes the determination of who is selected. So just 3 will go to the interview process.

There is one other step that I want to add. There will be a "meet and greet" of members of the community and that happens the day of the interviews. Either that day or the day before. It depends on some timing issues. Members of the community and all of Council will be invited, business leaders, religious leaders will be invited to basically meet and greet these candidates. The three that will be interviewed. You will have time to speak to them and meet them and so you might know a face then once we get to the point of actually selecting and then the panels will interview the candidates and the results will be determined and the announcement we hope to be made sometime around the beginning of October.

Mr. Loughry: Will either one of those panels be weighted. Will the scores be weighted either to the technical panel or to the public panel?

Dir. of Safety/Administration: So, the appointing authority is the Dir. of Public Safety. So, all of the information that they gather and the exchange and the discussion, the dialogue that they have will be in front of the Dir. of Public Safety with the candidates and they will also be asked to write down their thoughts and comments and observations and provide them to Dir. of Public Safety to enhance that decision. There will be no mathematical weighting of either. It is just a matter of getting feedback of people who are stakeholders in the community, and it is a very important part of that selection.

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Mr. Sisak: Mr. Cooper, you had said something about the Dir. of Administration and the Dir. of Public Safety, and it sounds like you are going to be wearing both hats during this. So, are those votes going to be duplicative in nature and are we concerned about being able to vote multiple times throughout the course of this hiring process?

Dir. of Safety/Administration: So, the only role for the Dir. of Administration is in the initial screening according to the ordinance and that role is just confirming the numbers.

Mr. Sisak: But then you are going to take that hat off and put on your Public Safety hat and then you are going to select again within . . .

Dir. of Safety/Administration: OK, so the initial screening is not subjective. It is completely objective. They meet the criteria and yes, right now I am serving as the Dir. of Administration, and I will participate in that screening. The 5 top scores will then be passed on for the assessment center to Civil Service and the written questions. So, my role after that has nothing to do with Dir. of Administration; it is all as Dir. of Public Safety.

Mr. Sisak: Right. I understand and that is my question. So, you get to choose again whereas if we just had two individuals in the two different roles you would be working independently, and you wouldn't be the same person voting at different places along the hiring process.

Dir. of Safety/Administration: So, it is not voting in either case.

Mr. Sisak: Well, making a decision.

Dir. of Safety/Administration: So, the final decision is up to the Dir. of Public Safety.

Mr. Sisak: And that's you; right?

Dir. of Safety/Administration: That is me.

Mr. Sisak: OK, you keep talking about yourself in third person. I mean, it is you.

Dir. of Safety/Administration: And as the Dir. of Administration right now and what I will be doing is just confirming . . .

Mr. Sisak: Right, I understand that, but then you also vote again so I guess it would be a question for the Law Director as far as the process.

Dir. of Law: So, I don't think that is a real issue because the first phase is just a scoring phase; do you have this criteria; did you get a college degree, and you get "x" amount of points. It is objective and that is done in conjunction with other people, and they do that at first and there are 5 people that . . . I don't think there is an issue.

Mr. Sisak: OK, I agree and then . . . but within the same hiring process he is still voting again essentially.

Dir. of Safety/Administration: It is not voting.

Dir. of Law: Ultimately the appointing authority; he makes the appointment.

Mr. Sisak: Right, but he is within the selection process from the very beginning. It is the same person, I guess. So, you start and finish with the same person and that is just very unique.

Dir. of Law: Well, it's just not one person in the beginning process in addition it is an objective criteria and there are 5 people that move on from that. So, I don't think that there is an issue there.

Mr. Sisak: It is very unique. Thank you.

Mr. Bozic: So, I heard you mention a couple of things so the top 5 is narrowed down to the top 3. What happens if we don't get 5? Do we just continue on the path that if we have 4, we take it down to 3 and if we have 2, we just continue with those 2?

Dir. of Safety/Administration: So, the ordinance says up to 5 move through the process. So, if we have 3 or 2, we can move those forward.

Mr. Bozic: Then it sounds like you have selected, or somebody has selected the 11 citizens for the panel?

Mayor: Correct.

Mr. Bozic: Do we get to know who those people are?

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Dir. of Safety/Administration: As soon as they are all notified and consent; yes.

Mr. Bozic: Are we selecting . . . I guess what method are we using in selecting those citizens? Are we picking individuals from different wards or from . . . what is the process?

Mayor: So, the process is basically my process of who is good in the community, and I will say like Chip Billows agreed to be on it, Dennis Loughry is on it, Mollie is on it, Megan is on it and so I know those have agreed. Someone from Summit Racing has agreed to be on it. A minister from the Ministerial Society has agreed to be on it. There are some Chamber members.

Mr. Bozic: OK.

Mayor: Again, that is a committee to vet them out and see how they interact with that type of situation.

Mr. Bozic: I guess I was just curious if we are getting a good representation across the community . . .

Mayor: I think we are.

Mr. Bozic: It sounds like it. Is it 5 people from one development in the community. Hopefully they are spread out because each little area of Tallmadge has its own unique issues. I guess my other question too because I had a chance to go online and review some of the documents relating to that position, and as I was going through it I noticed that I think there is something that I don't know for sure if it should be in there in the requirements but I know it is in the Charter for a requirement and that is that the Fire Chief has to be a resident of the City. I don't believe that that is a requirement on the job posting itself.

Dir. of Law: So, it was actually an Ohio Supreme Court decision that came out a few years ago that said that that is not something that is permissible and so I am looking at that issue right now. I believe that that had been dealt with several years ago and we had modified that, but we are . . . I'm taking a look at that right now.

Mr. Bozic: Meaning permissible in having that in the job posting?

Dir. of Law: As a requirement.

Mr. Bozic: To have it listed in the job posting as a requirement; OK. So, it still stands within our Charter . . .

Dir. of Law: If something has been deemed to be unconstitutional then it doesn't apply. So, I have to look at that issue.

Mr. Bozic: Sure, so then we should probably modify our Charter then; correct?

Dir. of Law: Correct. But I don't know that . . . I don't know that that is where that is at. So, I'm taking a look at that right now.

Mr. Bozic: I have Chapter 135.02 under residency is the title of that area.

Dir. of Law: That is in our codified ordinances; that is not in our Charter.

Mr. Bozic: OK, well my mistake. So, I guess if that is currently an ordinance; do we need to do anything with that?

Dir. of Law: Right and I was under the impression that that had all been taken care of years ago when the case came down and so it was a surprise that it was brought to my attention.

Mr. Bollas: I have one last question. Going back to the public panel; I want to make sure that I heard correctly; these individuals can bring in their own questions or are they selecting from a list of questions that they would like to ask, or how is the questioning . . . how are the questions being screened?

Dir. of Safety/Administration: So, the public panel will be asked to submit two questions that they would like to ask from their realms and through their perspective and expertise. Then we will vet those questions to make sure that they are legal to be asked and things like that and then I suspect most of the time they will be permitted, and they develop their own questions each member of that panel.

COUNCIL MEETING

Council Chambers @ 5:00 p.m.

August 11, 2022

Mrs. Gutman: I just have a question relating to the issue that Mr. Sisak raised that I wanted to just clarify. In that Phase I when you are verifying that you've met requirements or criteria, is there any discretion in any of that in that Phase I? Anything that you would be making a decision on something that wasn't a yes or no criteria? You have said things like do they have a bachelor's degree and those types of questions. Are they all questions that are like yes or no or are there things where you are deciding how many points to award?

Dir. of Safety/Administration: There is no subjectivity to the initial screening. So, the group of 3 will collectively decide the yes or no. It is pretty much . . . I can't think of anything that is not a yes or no off the top of my head. You can look at the packet and you can see for yourself. I think it is pretty straight forward. They have to show the evidence. The only thing that might come into question is is this adequate evidence for instance. But we have ways like for a degree; we have ways to vet that and determine if that is true or not even if they provide something that is inadequate, we can ask them for more or vet it a different way.

Mrs. Gutman: I see. Thank you. I just wanted to clarify that you are not actually making decisions twice or putting your foot on the scale as two different roles; this is really just screening in that phase.

Mr. Bollas: Alright. Anything else 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 the Community Issues Committee to order. We have no legislation before us at this time. Is there anything to come before the committee? Seeing none, I will close the committee.

i. **Additional Items:** None.

e. **Safety**

Adam Bozic, Chair

Craig Sisak, Vice Chair

The Safety Committee deals with disaster services, communications, fire, and paramedics, police, and health.

Mr. Bozic: I call the Safety Committee to order. We currently have no legislation in front of us. Is there anything for discussion? Hearing none, I will close committee.

i. **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.

Mrs. Allman: I call the Public Service Committee to order. We have no legislation before us. Does anyone have anything for Public Service? Seeing none, I close committee.

i. **Additional Items:** None.

COUNCIL MEETING

Council Chambers @ 5:00 p.m.

August 11, 2022

- 11. **Reports of Special Committees:**
Pres. of Council: The only thing I need is just to see when and who could be available Saturday morning at 9:00 a.m. If you are available; show up. Mrs. Allman and I will have the golf carts there and all of the materials and we will be next to the Old Town Hall.
 - a. **Council Operations Committee:** None.
 - i. **Additional Items:** None.
- 12. **Announcements:** None.
- 13. **Adjournment:** Mrs. Kilway moved to adjourn. Seconded Mr. Sisak. Roll Call: Mrs. Allman, Mr. Bollas, Mr. Bozic, Mrs. Gutman, Mrs. Kilway, Mr. Loughry, Mr. Sisak – unanimous. **The Council meeting of 8-11-15 adjourned at 5:59 p.m.**

sb

Adopted:

Susan E. Burton, Clerk of Council

Dennis K. Loughry, President of Council