

THE CITY OF STREETSBORO, OHIO
SERVICE COMMITTEE MEETING MINUTES

Monday, December 11, 2023

This Service Committee Meeting was called to order on Monday, December 11, 2023 at 7:17 p.m. by Tony Lombardo, Chairman.

PRESENT: Justin Ring, Jon Hannan, Lisa McDaniel, Jennifer Wagner, Anthony Lombardo, Marianne Glenn, Steve Michniak

ABSENT: None.

ALSO PRESENT: Glenn Broska, Mayor
Frank Beni, Law Director
Tricia Wain, Police Chief
Kevin Grimm, Fire Captain
Kara Dolansky, Asst. Finance Director
Bill Miller, Service Director
Justin Czekaj, Municipal Engineer
John Cieszkowski, Planning Director
Patrick O'Malia, Economic Development Director
Greg Mytinger, Parks and Recreation Director
Shawna Lockhart-Reese, HR Manager
Matt Coffman, IT Network Administrator
Dan D'Agostino, Residential Building Official
Caroline Kremer, Clerk of Council

Disposition of Minutes

None.

Old Business

Update on New City Logo

Mr. Mytinger said Mr. Shaffer of Shaffer Branding had provided an update to the new City logo that was reviewed at the November 13, 2023 Service Committee Meeting. He said the updated logo revised the shape of the "r"s in Streetsboro to look less like "v"s and added a centerline in the blue portion to more clearly represent a road.

Ms. Glenn liked the centerline distinction in the road space. She felt the "r"s needed to be more slanted, they were too straight up compared to the other letters.

Mrs. McDaniel also like the addition of the centerline in the road space. She was concerned how it would look in black and white because that line kind of disappeared. Mr. Mytinger noted that there might be very slight variations/versions of the logo for different applications, like to be in

print, or on a shirt, or on a car, or on the website. Rick Shaffer said a brand guide would be developed which would have things like specifics for a black and white logo for greyscale applications; there would be an optimal logo for signage, for embroidery, for RGB applications (social media), etc.

Mr. Mytinger said they would look at a timeline for adoption of a new City logo and for Rick Shafer to create the marketing piece and the brand guide, and then the City would slowly start updating things throughout the City with the new logo over time. Mr. Hannan summarized that after Council officially adopted a logo, Mr. Shafer could develop the brand guide with all the variations and uses, and then the brand guide would come back to Council too. Mr. Shafer said the brand guide was created to have a consistent standard in place to refer to and to adhere to for the City's specific vision even after current staff members may move on to other positions. Mr. Mytinger mentioned that there may appear to be variations in colors with different printers and monitors, but yellow and blue was determined to be the selected colors.

New Business

T-7510 Annual Contract w/Verizon Wireless Services

Mr. Coffman said this was the annual expenditure with Verizon. There wasn't necessarily a contract, but this was for the monthly expenditures for the City staff cell phones, iPads, and tablets.

MOTION: TO MOVE THIS TO TONIGHT'S REGULAR COUNCIL MEETING.

Moved by Mr. Hannan, seconded by Mr. Ring. Upon voice vote, **motion carried.**

T-7511 Contract w/Loconti for Back Up Inspections for 2024

Mr. D'Agostino said Mr. Loconti was one of the back-up inspectors. Mr. Loconti had worked with the City for a few years and there had been no increases for the new year.

MOTION: TO MOVE THIS TO TONIGHT'S REGULAR COUNCIL MEETING.

Moved by Mr. Ring, seconded by Mr. Hannan. Upon voice vote, **motion carried.**

T-7512 Contract w/Inspection Solutions (Hocevar) for Back Up Inspections

Mr. D'Agostino said this contract was for Mr. Hocevar who had worked with the City for years. The agreement was still the same with no increases for the new year.

MOTION: TO MOVE THIS TO TONIGHT'S REGULAR COUNCIL MEETING.

Moved by Mr. Hannan, seconded by Mr. Ring. Upon voice vote, **motion carried.**

T-7513 Annual Contract w/Wildermuth for Back Up Plans Examiner

Mr. D'Agostino said Mr. Wildermuth had worked with the City for at least a year now and he was only called when needed. There was no cost unless his services were called for.

MOTION: TO MOVE THIS TO TONIGHT'S REGULAR COUNCIL MEETING.

Moved by Mrs. Glenn, seconded by Mr. Hannan. Upon voice vote, **motion carried.**

T-7514 Annual Contract w/F&B Engineering for Chief Bldg. Official, Plan Review, and Inspection Services

Mr. D'Agostino said there were two individuals from this company that had been working with the City for the past year. There were no changes to the agreement, no increases. There actually was no cost to the City because the applicants paid for this service for inspections, plan reviews, etc.

MOTION: TO MOVE THIS TO TONIGHT'S REGULAR COUNCIL MEETING.

Moved by Mr. Ring, seconded by Mr. Hannan. Upon voice vote, **motion carried.**

Liquor License Request of MAC Services Streets LLC

Mrs. Kremer said this application had arrived in the mail. It seemed to be a transfer. City Council needed to determine if they wanted to request a hearing or not. Mr. Ring said this was for Streets Tavern who had recently changed ownership and the new owner was applying for the liquor license in her business name.

MOTION: TO TAKE NO ACTION.

Moved by Mr. Ring, seconded by Mr. Hannan. Upon voice vote, **motion carried.**

T-7515 Apply for ODOD Water Infrastructure Grant

Mr. Czekaj said this was the grant for extensions of waterlines that the City had previously turned down. This application would be for the replacement of waterlines in Arrowhead Trails subdivision so hopefully the City could do the entire project in 2024.

MOTION: TO MOVE THIS TO TONIGHT'S REGULAR COUNCIL MEETING.

Moved by Mr. Ring, seconded by Mr. Hannan. Upon voice vote, **motion carried.**

T-7516 Go to Bid for City Center Amenities Package

Mr. Czekaj said this was for the next phase of the City Center development. This would include the restroom, the splashpad, trees in the oval, and reshaping of the mound. The next phase after this would be something Mr. O'Malia was working on to apply for a State Capital Improvement Grant.

Mr. Czekaj said, under Council's guidance to move forward with City Hall, the Engineering Department had amended what they were going to do with those trees, so now the whole site would work in concert with the new City Hall. So, there were two teams (levelHEADS would design City Hall and EDG had designed the City Center site) who would work together collaboratively to make sure that it all worked out. So maybe it was to our benefit that we didn't plant the trees this year because we would have had to take some out to put in the City Hall.

This legislation will let the administration move forward to go out to bid and then the construction contract would be awarded through the Board of Control.

MOTION: TO MOVE THIS TO TONIGHT’S REGULAR COUNCIL MEETING.

Moved by Mr. Ring, seconded by Mr. Hannan. Upon voice vote, **motion carried.**

T-7519 Proposed Zoning Text Amendments regarding Hotels/Places of Transient Accommodation, Car Washes, and Recreational Marijuana Facilities

Mr. Cieszkowski had provided detailed cover letters to Council with all the Planning Commission Motions to Consider and Motions to Recommend from their November 14, 2023 meeting. He said the draft ordinance covering all three categories was about 14 pages; Council could choose to separate out one item or another into a separate ordinance, if they wished. Mr. Cieszkowski said he had been able to address a few questions for some Council Members prior to tonight’s meeting.

Mr. Cieszkowski explained for Mr. Michniak that this ordinance attempted to regulate recreational marijuana facilities in the same way that the City currently regulated medical marijuana facilities. There are no more than two facilities allowed in the City, separation distance of 2,000 feet between facilities, permitted in a stand-alone building only would apply to both medical marijuana facilities and recreational marijuana facilities. He said they were also proposing to remove medical marijuana testing labs and processing facilities from the list of permitted uses in the I-1 District because the current state statute would allow for co-location of recreational marijuana facilities at any place that would currently have or in the future could get a medical marijuana facility license.

Mr. Michniak asked what the difference might be between a medical marijuana facility and a recreational marijuana facility now that recreational use and even home grow was legal per the voters of the State of Ohio, and people didn’t have to play the game of saying it was for treatment of a medical condition to get and use marijuana. Mr. Cieszkowski thought there would be a state permitting scheme that they were still working on, but his goal for the City with this legislation was to prevent the floodgates from opening and allowing recreational marijuana dispensaries just like any other retail establishment. He thought if starting with limiting the medical marijuana facilities to two, then it made sense to start the discussion there with the same limit of two for recreational facilities.

Mr. Michniak said his philosophy had always been to follow the voters’ will and respect that the voters had basically legalized recreational marijuana. He stated “the drug war on marijuana in Ohio is completely over.” He said the next thought was, “could the communities tax marijuana and raise revenue?” He didn’t want to limit the City from having businesses that generate that revenue on a lawful product. He said the end of alcohol prohibition didn’t end the world and the City did not currently restrict alcohol establishments to a number except by licenses, but there were still sales of alcoholic products at gas station, grocery stores, convenience stores, drug stores. Mr. Michniak asked what was the logic to restrict commercial enterprises from deciding where marijuana was going to be sold if you equate it to alcohol, a lawful product. He wanted Streetsboro to treat this new lawful product in the same way it treated alcohol, and if the City could make

money off of it through a tax, he would like to do that. He did not want to limit the City to two locations because then it would just create two monopolies. He also did not want the residents to complain like they had regarding too many car washes and chicken restaurants.

Mr. Cieszkowski said the tax question was still up in the air because the State legislature was working on where the tax dollars would go and if there was a limit or cap on the percentage of taxes a community could add, or what the total rate would be. Mr. Cieszkowski had wanted to be proactive and put some limit in place so Streetsboro would not have dispensaries on every corner, but he understood Mr. Michniak's point to treat marijuana the same a liquor.

Mr. Michniak said he would like to see Streetsboro mirror as close as possible whatever (he wasn't certain of the details) passed by 57% of the vote in November. As a local legislator and prosecutor, he was a little upset with the game being played in Columbus, which was "we respect the right of the voters, but we'll decide what that means" although it was pretty laid out by stating six plants per person per household, two ounces on yourself for possession, etc. But he was also hearing that Columbus would allow home rule local jurisdictions to essentially zone it out, even personal use in your own house. He wanted Streetsboro to reflect what had passed at the State level as close as possible and respect the will of all the voters of Ohio and not ban personal use and personal grow in our City. He thought Streetsboro should also take out of the local Criminal Code the provisions that were still in place, so that something that was legal in the State would not be outlawed here. Mr. Michniak wanted to do this because he didn't want to cede power to Columbus or Washington, D.C. who saw this vote of 57% of the people as just a suggestion. He wanted to put protections in place for the Streetsboro residents so that the City could not stop them from growing marijuana in their house or their backyard, or carrying it, or using it. Before moving into this minefield and eliminating things, he wanted the City's criminal code looked at to see if marijuana could be taken out of it. He commented that there was not a lab in Ohio that would test for marijuana on a personal possession case, so there was no way to enforce marijuana laws for the last 18 months anyway, unless people who got the ticket voluntarily plead guilty. Mr. Michniak hoped people would want to mirror what was passed state wide vs. trying to reign it in locally.

Mr. Hannan agreed that if it was passed by the people, it should be honored. In regard to the dispensaries though, he thought it made sense for the City to limit it to two to try to keep them from being on every corner. Mr. Hannan wondered if things would develop where a person would not need to go to a dispensary and just be able to buy marijuana at Walmart or any convenient mart. Mr. Michniak said "if it does, it does, let the market decide." Mr. Hannan agreed and felt Streetsboro should honor what the voters voted for; he didn't agree with what some cities were doing in trying to zone it out completely. He did want to limit it to two medical marijuana dispensaries in Streetsboro so the City doesn't get a bunch of them, and let it develop over time. He felt if there were medical marijuana dispensaries in town, and eventually marijuana was sold everywhere, the medical marijuana dispensaries would just be useless anyway. Mr. Michniak thought the medical marijuana dispensaries might go away because once the medical marijuana cards expired, the people would have no reason to go get another one, but other Council Members said medical marijuana was cheaper because it was not taxed.

Mr. Ring agreed fundamentally with Mr. Michniak's thoughts. Mr. Ring said the voters passed it,

whether each Council Members agreed with it personally or not, they had to respect the voting/legislative process. He didn't mind limiting it to a couple so the City didn't get a whole lot of them right away. Mr. Ring said he was not really a fan of government impeding the free market. He thought the way the medical marijuana regulations were written and adding it to this was pretty much hindering most possibilities for even one to open because there weren't many freestanding building locations that fit the criteria available, which he did not agree with; why did it have to be a freestanding building and not in a plaza? Mr. Cieszkowski said that was done when the medical marijuana was being discussed because they didn't feel it was appropriate given the security requirements they had to have for a medical marijuana facility. To put those requirements on a multi-tenant building owner would be overly burdensome. Mr. Ring thought it would be the people that run the facility not the owners of the building that would have to make the modifications and meet those requirements, so he didn't agree with that.

Mr. Ring understood security issues, but those modifications could be made to multi-tenant buildings so he didn't agree with it. He said if the City was going to allow it at all, and respect the voices of the voters in Ohio, then he didn't think Streetsboro should limit it to where it was really an impossibility to put one in, and really allow it.

Mayor Broska pointed out that the State did limit the amount of liquor establishments. The City only had one liquor store in town that could sell bulk quantities and that was in Giant Eagle. He wondered if eventually everyone could smoke marijuana in the same places they could now smoke cigarettes, outside bars and offices. Mr. Ring assumed the Ohio Department of Marijuana would do the same thing with licensing as the Ohio Department of Liquor does now.

Mayor Broska said this was something new that the City had never had to deal with before. Council could always go back and make changes to the ordinances to adapt over time. He said he kind of agreed with the requirement for the free-standing building. He understood that credit cards couldn't be used and they would be a cash-only businesses, so they would need a lot of security.

Mr. Michniak wondered how the City would stop the smoke shops that were already in place from selling marijuana because it's a legal product. Mr. Ring said it would be a state licensing thing, not the City, but Mr. Michniak said that wouldn't affect the people in their houses with their own plants. Mr. Cieszkowski said the regulations proposed to Council focused on the brick and mortar establishments (dispensaries, processors, and testing laboratories), mostly the dispensaries. This did not affect the current testing laboratory but Mr. Cieszkowski said that it could become a co-location opportunity for a potential recreational marijuana outlet. But the parking requirements in the I-1 district was not set up for the potential traffic that they might get from a potential retail dispensary, so he wasn't sure how that would play out. Mr. Cieszkowski said things may adapt as things progress, but he didn't want to be stuck in a situation where Streetsboro had nothing on the books to control it, at least initially.

Mayor Broska commented that for medical marijuana they wanted to limit the amount of THC that was in it so they could get a better handle on it for the people they prescribe it for. He wasn't sure what the future held for medical marijuana facilities, but the State had only allowed a certain number of licenses and the State would have to open up licensing before the City could do much

more. Even alcohol sold by the glass required a liquor license.

Mr. O'Malia offered to address Mr. Michniak's earlier question on taxation. Mr. O'Malia said, where there to be a recreational dispensary to locate in the City, the City would levy an additional tax on that, the rate would be set by the State and the City would get their collections. It was not expected to be a ton of money; it would be a fairly small but reliable revenue stream. He said the free-standing building vs. a location within a plaza, either way the facility still had to not be within 500' of a church, daycare, school, library, etc. (State law) so there weren't that many spaces left in town anyway whether it was free-standing or within a plaza.

Mr. Michniak asked how police officers would know if marijuana was bought at a dispensary or grown at home, and how would they enforce that. He thought some of the limitations being considered by the state to limit to two plants instead of six at home was to support commercial dispensaries.

Mayor Broska thought anything that the State would put through to change or in addition to what was passed by the voters would take some time, so he asked Council to act on this proposal this evening because the State legislature would take time to do legislation and there would be plenty of time for the City to react if Streetsboro needed to amend our ordinances to be in line with the State regulations. He liked the idea of getting something on the books right now with the presumption that things would be changed by the State and Council could amend the City ordinances at that time. He said this proposed legislation included adjustment to the car washes and transient accommodation regulations that needed to move forward to at least first reading, and the portions regarding marijuana facilities could be amended later if needed, or even adjusted before third reading if appropriate.

Mr. Hannan asked about the hotel section of this proposed legislation and how those regulations might affect Airbnb rentals. Mr. Cieszkowski said all transient accommodations were addressed and this legislation would prohibit Airbnb's, Vrbo's, etc. He wasn't aware the City currently had any. Bed and breakfasts were currently permitted in the R-R District only and conditionally; those conditional use requirements that were currently attached to a bed and breakfast in the Code were outdated and should be removed. Mr. Cieszkowski did not think there was a great demand for those type of peer-to-peer vacation rentals in Streetsboro. (Mr. Hannan just did a quick Google search and found a house right on Public Square that was advertised as rented out as an Airbnb; there was another house on Seasons Road, and a cabin also listed in Streetsboro.) Mr. Cieszkowski said this legislation started with wanting to address the issue with the hotels being treated as a permanent residence. The first thing to do to address that was to define "place of transient accommodation" and then only permit a transient hotel where the stay was 30 days maximum, no longer. The guest suite and guest living quarters were defined and were permitted if they were attached to a single-family dwelling only, and rental of those was prohibited.

Mr. Hannan wondered how this legislation would be enforced if people that rent out their homes didn't have to register. Mr. Cieszkowski said enforcement was not easy.

Mr. Ring asked about the guest suite that had to be attached to a single-family dwelling. Could a

basement space be turned into a living area and have someone live there? Mr. Cieszkowski said yes, if it was not rented out; it could be like a mother-in-law suite type of arrangement. Mr. Ring wondered why it couldn't be an in-law suite that was detached on the property and not rented out and not creating a transient environment. Mr. Cieszkowski said if Council wanted to make the policy decision to allow that, if there was room on the property, the Code would be changed to allow that. He noted that there were parking elements to consider, and understanding there was the difficulty of enforcement, and there were density issues too, so they thought it would open an unintended loophole to allow it to be detached.

MOTION: TO MOVE THIS TO TONIGHT'S REGULAR COUNCIL MEETING FOR FIRST READING.

Moved by Mr. Ring, seconded by Mr. Hannan. Upon voice vote, **motion carried.**

T-7517 Apply for State Capital Improvement Grant for City Center Project

Mr. O'Malia said the City has been told it could apply for up to \$1 million for funding for the City Center Project for Phase 3 (the connection path, the oval, and some picnic shelters and other amenities); this was separate from the splashpad area. Mr. O'Malia thought getting \$1 million from the State would be the best case, but it was possible the City would receive nothing, or more likely the City would get less than \$1 million; there was no harm in asking for \$1 million. He said he would need Council to approve the drafted legislation that indicated the City would match the funding and as keepers of the purse Council was aware and acquiesced to it.

Mr. Ring asked if the City actually had \$1 million to match if that much was awarded. Kara Dolansky said the Finance Department could look into it. Mr. Czekaj said the administration had been having Capital meetings weekly for quite a while and Matt Miller had been planning for this project in the five-year Capital Plan. The money already budgeted for the project could be considered a match.

Mr. Hannan asked for clarification of items in Phase 3. Mr. Czekaj explained that the playground had been pulled out of the amenities package because it would give the City additional points for the State Capital Improvement Grant application because the playground would be handicapped accessible. Phase 3 would include the playground, a connector path to Russel Drive, picnic pavilions and the development of the central oval area. In the Infrastructure Package the roadway and curbs would be installed for the oval, in the Amenities Package the trees would be planted, then later there would be walking paths and a gazebo in the oval. Mr. Hannan felt the connector path was a new item and Mr. Czekaj said it was part of the community connection piece for this grant to enhance this part of the project such that the match dollars that the City would get from the grant would allow the City to do those things. If the City did not get the grant, then the City would have to scale back the project and maybe lose that item. Mr. Ring was concerned that getting the grant might cause the City to spend more, like adding a connector path. The design estimate was \$2.5 million which included some potential for inflation, and design costs, etc. in this grant application. The only additional things that were included that had not been in the scope before were two additional pavilions and the connector path to Russell Drive. Mr. Hannan and Mr. Ring felt these were new expenditures that were going to be expensive just to get more grant

money and may take from the money for the future City Hall. Mr. Ring emphasized that Council did not want to bond the entire cost of a City Hall; the goal was to use cash to pay some of it down so the City would not have to pay so much in interest when it did bond out City Hall.

Mr. Hannan recalled that the City was to pay cash for the Amenities Package, and then the only thing the City would look for a grant for would be the playground, and everything else was to be used for payment on a City Hall. He didn't understand how the City could fit it an additional \$1.5 million and asked Kara Dolansky to have Matt Miller provide an updated five-year Capital Plan.

Mr. O'Malia clarified that he had not been in any of the weekly Capital meetings, but it was his understanding that the City would spend about \$2.3 million on this City Center Project and this was a way to get \$1 million and only spend about \$1.3 million. He thought the only thing that was added to the project to make it more attractive to the grant committee was the sidewalk from Russell Drive to the City property so it could be said that the project would help out a low to moderate income area and it would have the potential to fix up and improve housing values in the Pike Parkway/Evergreen Drive neighborhood.

Mr. Czekaj explained they had pulled the playground (\$400,000-\$500,000) out of the Amenities package because they wanted to use that for the State grant application. They had also considered developing the passive park at the SE corner of the City Center site, which they had now decided not to do because that would have been \$1 million. Mr. Ring wondered if this project had gone from \$500,000 to \$2.3 million, but Mr. Czekaj said the development of the central oval was always part of the plan. They didn't know if they would get any grant money, or have to revise the plan if they only got some grant money, but Mr. Czekaj said it was important to move forward with at least trying to get some grant money because the main goal was to get the all-inclusive playground to complete the Amenities Package portion of the project. Mr. Lombardo asked how the playground would get completed if the City did not get any grant money. Mr. Czekaj said they would revisit how to do that.

Mr. Ring said it still felt like the City was having to spend a lot more than originally thought just in order to ask for grant money. He understood it was good to use grants to pay for stuff, but it seemed it was all costing more in the long run, a lot more than Council had discussed in the past. Mr. Hannan and Mr. Ring were concerned that the further this project goes, the more it would affect the City Hall budget and the City would have to end up bonding the entire City Hall project, which would be a lot more in annual payments, and that was not what the plan was.

The deadline for this State Capital Improvement Grant was this Friday. Mr. O'Malia noted that Council could direct the administration to apply for a lesser amount. Mayor Broska asked to take a short recess so he could speak to his staff for a few minutes. He understood Council's concerns and wanted to come back with something that Council could support.

Council decided to go into the planned Executive Session while the Mayor spoke to his staff and the Mayor could join the Executive Session when he was ready; and then come back to this topic after Executive Session.

Executive Session

MOTION: TO RECESS THIS MEETING TO GO INTO EXECUTIVE SESSION TO CONSIDER EMPLOYMENT-HIRING AND PENDING LITIGATION.

Moved by Mr. Michniak, seconded by Ms. Wagner. Upon roll call vote, **motion carried unanimously and the meeting recessed at 8:24 p.m.**

MOTION: TO RECONVENE THIS SERVICE COMMITTEE MEETING.

Moved by Mr. Michniak, seconded by Mr. Hannan. Upon voice vote, **motion carried and the meeting reconvened at 8:51 p.m.**

T-7517 Apply for State Capital Improvement Grant for City Center Project (continued)

MOTION: TO MOVE T-7517 APPLY FOR STATE CAPITAL IMPROVEMENT GRANT FOR CITY CENTER PROJECT TO TONIGHT'S REGULAR COUNCIL MEETING.

Moved by Mr. Ring, seconded by Mr. Michniak. The topic could be further discussed at the Regular Council meeting tonight. Upon voice vote, **motion carried.**

T-7518 Hire Legal Counsel Regarding Labor Relations Matters

MOTION: TO MOVE THIS TO TONIGHT'S REGULAR COUNCIL.

Moved by Mr. Michniak, seconded by Mr. Ring. Upon voice vote, **motion carried.**

Citizens' Comments

None.

Announcements

A Special Finance Committee Meeting will immediately follow this meeting.

There being no further business to be addressed by this committee, and upon motion by Mr. Ring, seconded by Mr. Hannan, this meeting adjourned at 8:52 p.m.

ATTEST:

Caroline L. Kremer, Clerk of Council

Anthony Lombardo, Chairman