

THE CITY OF STREETSBORO, OHIO
SERVICE COMMITTEE MEETING MINUTES

Monday, May 13, 2024

This Service Committee Meeting was called to order on Monday, May 13, 2024 at 7:03 p.m. by Anthony Lombardo, Chair. Mr. Hannan welcomed the high school students in the audience and explained the evening's proceedings to them.

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

ABSENT: None.

ALSO PRESENT: Glenn Broska, Mayor
David Nott, Law Director
Patricia Wain, Police Chief
Kevin Grimm, Fire Captain
Matt Miller, Finance Director
Justin Czekaj, Municipal Engineer
John Cieszkowski, Planning Director
Patrick O'Malia, Economic Development Director
Greg Mytinger, Parks and Recreation Director
Rick Shaffer, Shaffer Branding Co.
Shawna Lockhart-Reese, HR Manager
Andrei Nova, Zoning Inspector
Caroline Kremer, Clerk of Council

Disposition of Minutes

MOTION: TO ACCEPT THE REGULAR SERVICE COMMITTEE MEETING MINUTES OF DECEMBER 11, 2023 AS PRESENTED.

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

Old Business

Update on New City Logo

Mr. Mytinger had distributed a copy of the latest edition of the City Logo. It had gone through a couple of different versions after some feedback from social media. D5d was the latest version with THE CITY OF STREETSBORO, a blue road, green on the side to indicate the ruralness of Streetsboro, the sun, and Est. 1822. Mr. Shaffer had provided some possible samples of the logo on letterhead, business cards, envelopes, and shirts as examples after the chosen logo was selected. This was an update on where the City Logo process stood and Mr. Mytinger asked for comments.

Mrs. McDaniel asked if there would be more opportunities for public comments. She noted that in the website address, the word Of was capitalized on the letterhead and envelope samples, but not on the business cards and it should be consistent. She suggested the personal email addresses on the individual business cards be more visible and bolder than the City website address. She felt this was good progress and thanked Mr. Mytinger and Mr. Shaffer for their work on this project.

Mr. Mytinger clarified that this was just an update on where the logo stood at this point. He asked Council if there were to be any other changes, or if this was acceptable and needed Council approval to be adopted, or what the next step would be. Mr. Ring said he thought since Council had just received this tonight, the Council Members could review it and email any suggestions or comments to Mr. Mytinger and then the administration could bring forward some formal legislation when they were ready.

New Business

Discuss Wayfinding Signage for City Park

Mr. Mytinger said this was just a discussion point as well. Since the City Park and school area off of Kirby Lane had become a busy area with lots of activities and new amenities, it was felt that some directional/wayfinding signage might be useful for people arriving to the area from Kirby Lane. He had proposed a sign board and he had come up with a name for the area: "Streetsboro Community Campus," but he wasn't sure the area needed a name and if he had the authority to give it a name. The proposed signage could be installed at the end of Kirby Lane, but that was School property, so permits, approvals, etc. would be needed.

Mr. Ring didn't feel the area needed a name: it had the school property and the park property (two different entities (not one area to be named)) and a wayfinding/direction sign would be enough. Mr. Hannan suggested, since it was school property and City property, that the rocket (the school's logo) not be used on the back of the sign as proposed in the sample rendering and the script text be enlarged and changed to an easier to read font. Mrs. McDaniel suggested the wayfinding/directions be repeated on the back of the sign in case people came to it from Anna Lane instead of Kirby Lane. Mrs. Glenn agreed.

Mr. Lombardo agreed a wayfinding sign was needed for visitors that were unfamiliar with the area. Mrs. Glenn also liked the idea of a sign. She suggested the school buildings be listed on the sign in the order that you would encounter them as you passed the sign. Mr. Mytinger would take the suggestions under consideration.

T-7606 Adopt First Quarter 2024 Code Updates

Mrs. Kremer said these were the usual updates. The codifying agent had done them for the City and Council needed to adopt them every quarter to make the State Code changes official so the Police Department could officially site under the State Codes that then become part of our City Code. She had the hard copies to distribute to everyone that had a hard copy of the Code Book.

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

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

T-7612 Amend Code Regarding Nuisance Properties

Andrei Nova, City Zoning Inspector, said this was to update the language of some existing City ordinances to improve the process for cutting the grass and cleaning up properties that were messy. One property in town had actually taken 9 months to a year to get it cleaned up by going to court. They had also added language to declare branches that overhang a public right of way and could cause a hazard to the public as a nuisance. Mr. Nova said overall this nuisance properties ordinance would be like a last resort. It wouldn't matter if the property was residential, business, or industrial, the process would still include an advisory notice to inform the owner of the issue and if they didn't address it, the City would issue an official notice of violation and give them time to resolve the issue, then the Zoning Inspector and Service Director would discuss whether to move forward in declaring it a nuisance.

Mr. Ring commented that it was going from a residential Code to a City-wide Code for "any parcel" and it was pretty specific on things owners could not have visible on their property, like landscaping equipment and bulk machines, but Mr. Ring was concerned that businesses should be treated differently than residential properties with close neighbors. Mr. Michniak questioned the definitions in Section 531.01 because he felt it used to have a pretty good definition of private premise or premise, dwelling house, building, etc. and now it was being changed to "parcel of land but didn't include the City's properties" and he wondered why it was changed.

Mr. Nova answered that the existing Code language was not allowing the administration to address some of the issues in the business district; for example high weeds in the business district could not be addressed because it could only be declared a nuisance on residential properties, but tall grass needed to be addressed in any district. The Code was also not addressing high grass in R-R. Mr. Nova said overall these procedures were very common for most communities in the United States, and they were to be the last resort option in case the property owners were contacted and did not respond to the issues.

Mr. Michniak was concerned because the definition change affected much more than tall grass, it affected people that stored equipment, etc. on their property and had been doing so for years. Mr. Nova said that was also being address in the Zoning Code with Outdoor Storage based on the district, but there was nothing on the books until that got done, so this was being proposed so problems wouldn't have to go on for a year with court dates to finally get resolved by a judge. He said these things were based on State law, it wasn't anything new, but Mr. Michniak thought it was some drastic changes for some people that kept equipment for their business or their farm, and would now have to cover it with some sort of structure that they would have to get permission from the City to build. He was concerned this would affect a lot of people. He suggested finding a way to separate out each issue, like tall grass, storing a boat, parking landscaping equipment, etc. Mr. Michniak also questioned why the government exempted itself from the same rules. He didn't want to take a general concept of protecting the residential neighborhoods from messes mostly in the front yards to "any parcel of land."

Mr. Nova said this all happened anyway, either through the courts or on our own as a City, but if the City went through the courts it took a really long time to address an issue that needed addressed.

He clarified that the City property would not be exempt, it's just that a tax lien could not be put on City property. Mr. Michniak said the ordinance language did not say that, so it needed adjusted; the ordinance language seemed to be saying that the entire Code section did not apply to the City. He noted that a future administration may interpret the language differently than Mr. Nova was saying or enforce it differently and then the City would be like a big HOA. Mr. Nova said some things would also be addressed with the Property Maintenance Code, but this was beyond that in case people didn't comply with the Property Maintenance Code, this was like an extra tool to address the issue, otherwise Streetsboro would have to go to court while most other communities didn't have to go to court for these kinds of issues because they had a nuisance chapter in their Code.

Mr. Ring said he didn't mind the City having a nuisance chapter in the Code, but he felt this was overly broad. Mr. Michniak read it so that it seemed the long-term outdoor storage of building materials like at Walmart, Lowes, and Home Depot would be banned because it applied to "every parcel of land in the City" except the City-owned parcels, and could even apply to a homeowner with a pile of mulch sitting in their driveway for a couple of weeks until they could get time to spread it. Mr. Nova said it would have to be a problem for over a year, not just a couple of weeks for this Nuisance Code to apply. Mr. Cieszkowski said this Nuisance Code would be for a situation where the City had gone through the property maintenance enforcement process and the property owner was unwilling to do anything to fix the property. The administration was in the process of finalizing the revisions to the property maintenance provisions and that process would have been gone through well before anything in this Nuisance Code would be invoked. This was sort of a last resort option and gave the City the ability in-house to address the issue instead of going through the court system.

Mr. Michniak wanted to know why they wanted to change the root definitions then. Mr. Cieszkowski said those decisions were done by Mr. Janis in the Law Department. Mr. Michniak felt these were major changes the code was telling the residents they could or could not do, and it was not in the direction of more freedom, it was in the direction of more restrictions. Mr. Michniak felt if the City was going to change the regulations of people's behavior that they had been doing their whole lives, it should be done more carefully and make sure it was what the residents wanted. Mr. Michniak and Mr. Ring were not comfortable in the way it was currently written. Mr. Ring added that it may be intended to be a last resort, but it didn't say that and could be used as a first resort if the administration wanted to, which he didn't like.

Mayor Broska thought this came about because of a recent situation on Diane Drive that took 12 years to get cleaned up with multiple citations from the City. He kind of agreed this language may have gone a little bit too far and he was willing to listen to any suggestions for more specific requests for changes. He said there were multiple properties in town with junk in their yard that had been there for years and there wasn't really an avenue to get the properties cleaned up. He thought there might be somewhere in between this proposed legislation and the current Code where the City could address those things. There were people that ran businesses out of their homes, which he understood, but they had to be mindful of their neighbors too. The City had received more than a few complaints from residential subdivisions where a neighbor was running a business out of their house. The Zoning Code states that if a resident runs a home-based business, it needed

to be approved by the Planning Commission and had to be registered in the City and be bonded and insured, but these businesses were popping up all over the City and they didn't have a concern for the neighbors that were keeping up their properties. There was a need for the City to have more tools to get properties cleaned up in a timely manner (not 12 years), but this may be somewhat of an overreach and may need to be reconsidered and reworked. Mayor Broska said this was a negotiation session and this was the first presentation to Council and the administration could work on something to meet in the middle that everyone could agree on that would still give the City the tools needed to enforce the Zoning Code. He realized there were many people in the audience that probably had issues with this proposal too. That's why there were discussions at the Council Meetings: to get Council's and the public's input and ideas and then refine the proposals. Mayor Broska emphasized that there were property owners in town that didn't worry about their next door neighbors, and that was who the administration was trying to address. The goal was to make sure the neighborhoods were clean and habitable for all of the neighbors, not just the individuals who wanted to keep stuff in their yards. The grass needed to be kept at reasonable heights in the residential areas and in the business areas and property owners would be notified of the issue with time to resolve the problem before the City would mow it for them and charge them. Mayor Broska said the administration was trying to make sure all of the residents of the City had the ability to live in a clean environment. The administration was just trying to find a way to clean up junk cars and other messes that had been in someone's front yard for years.

Mayor Broska mentioned that all the elected officials and staff had emails listed on the website and were able to take messages/input from residents regarding these issues.

MOTION: TO TABLE T-7612 FOR FURTHER REVIEW AND NOT FORWARD IT TO TONIGHT'S COUNCIL MEETING FOR FIRST READING TONIGHT AS INDICATED ON THE COUNCIL AGENDA.

Moved by Mr. Michniak, seconded by Mr. Ring. Upon roll call vote, **motion carried unanimously**. Mr. Michniak hoped to talk about this topic in future Committee meetings with citizen input and determine what was to be targeted and what should not be included to avoid being over broad. Mayor Broska suggested scheduling a Work Session on this topic.

Mr. Lombardo thanked Mr. Nova for bringing this topic to Council to help clean up some issues throughout the town. The proposal did need looked at further especially because there were citizens that kept campers, trailers, boats, etc. at their home in good condition and the city needed to make sure it looked after those individuals too that were doing everything right and were considerate of their neighbors. Mr. Nova mentioned that boats weren't on the list. Mr. Hannan mentioned that he kept a trailer at his home for his own use. He wondered what exactly was considered a nuisance. Was it whether it was used periodically or not? Was it only if a neighbor complained? Mr. Nova said it was mainly if the trailer or equipment was abandoned or in disrepair or in unusable condition, not just any trailer as was mentioned on Facebook earlier today. A nuisance was kind of a health issue (attracts rodents or mosquitos) or an eye sore to the neighborhood if it was unusable and falling apart. He said the administration and Law Department would work on the language so there were no misunderstandings. Mr. Hannan was concerned that the determination of whether things were usable, operable or "stored neatly" were subjective, and

who would actually determine if a situation was in violation and could be declared a nuisance. Mr. Lombardo said they could work on the language at a future meeting to refine it. Mr. Nova agreed.

Mr. Lombardo invited any residents who wanted to speak to come forward.

John Ward, 573 David Drive, said he had tried to get a 3-car garage built behind his house but was having issues with the City getting that worked out because he couldn't put in a second driveway on his property and these rules may make it even more difficult for people to store stuff on their property. He also mentioned that he had received a nuisance violation for a dog barking at 5 o'clock on New Year's Day and had to pay a fine in court. He also said he'd been cited by the City for snow tires in his front yard and the snowplow that he used to plow driveways for his elderly neighbors that had been there for 15 years but the notice was because it had been there more than a week. He wondered who determined how long an issue had existed, or who decided it was an issue/mess, before there would be a citation. He noted that he had an old car in his driveway that was plated, but sat for two years before he had the time and money to restore it and he had received a warning for it. He said what's junk to one person may not be junk to someone else. As a taxpayer in Streetsboro, he didn't think it was fair for one person to determine something was junk when the owner maybe couldn't afford to fix the flat tire or whatever made it look bad. He understood there were some things that looked bad and needed addressed in the City, but this proposal needed revised and refined so it wasn't arbitrary.

Mayor Broska noted that Mr. Ward had been cited by the Police Department for the barking dog and that was completely different than the Nuisance Property zoning issue being discussed here. He said the City was trying to come up with a way to be able to clean up properties without having to go to court. Mr. Ward agreed there were issues and high grass that needed addressed in the City but in his neighborhood the neighbors helped each other take care of their homes. He was concerned that what might be a nuisance to one person might not be a nuisance to others and this proposal needed clarified.

Mayor Broska said most things were a check and balance and the administration had presented something to Council and Council had responded with concerns, so the proposal would be reconsidered and refined and amended and presented to Council again for review and approval. Mayor Broska summarized that if a citizen complained that a neighbor was driving down their property values, then the City had a duty and obligation to that citizen to check and make sure things were within Code. When the Zoning Inspector checked properties, 99% of the time it was because a neighbor made a complaint to the City. Mr. Ward thought maybe the issues should go through the courts and not have the City put more restrictions on all the citizens, or be left up to a person on the City staff to make the decisions.

Mrs. Glenn thought the proposal made it seem like a City-wide HOA, which she did not want. She felt a lot of people had the things listed, like trailers, in their yards. She wondered how someone with a car that was plated got cited. Mr. Nova responded that if a car wasn't operable or couldn't be safely driven on the road, it should be stored in a garage or removed from the property; he could only do what the Code said. He said he had to investigate when complaints were made, but it didn't mean he would always cite someone, he would just tell the complainant that it wasn't in the Code and he couldn't do anything about it. He didn't really decide it, the Code decided it. Mr.

Nova gave some examples. Mr. Michniak said Mr. Nova had a tough job, but the Code as this proposal was written was too subjective and a Work Session or two was needed to clarify things. Mr. Nova noted that the administration was currently reviewing the Property Maintenance Code too because it needed updated. There had not been a full-time inspector in the past and things were not enforced for many years, so it was difficult for him now to try to work with people to enforce Code that was written in the 1990s that didn't want to change what they had been doing for years. He tried to work with people, not just cite them, and there was an appeal process too.

Pearl Pullman, 6203 Stone Road, asked why it took 12 years to get something done for the property on Diane Drive. Mayor Broska said every time they went to the home the owners said they would get it cleaned up and the City had to give them 90 days, and maybe they did a little, but it continued to exist, and they would get another 90 days, and it continued over time. Finally, the neighbor next door had enough and the City was able to get the property deemed a nuisance by the courts, and it was a court order for them to clean it up. The City didn't want to take anyone to court; it would rather have people cooperate and clean the property up. Mayor Broska wasn't aware of any other time a resident had ever been taken to court over a zoning issue.

Ms. Pullman said there were so many variables in this proposal because it included grass, trailers, equipment, snowplows, etc. and some of those things were seasonal. Would people be cited for things in the yard that weren't used for a few months? She wanted Council and the administration to consider these questions while working on revising this proposal.

Mary Malek, 10180 Page Road, said she had lived in Streetsboro since 1991 and lived on Page Road since 2006. She said she had an angry neighbor who was in violation and harassed her for making a complaint, and she had even gone to court. The issue had never been resolved after almost 20 years and she remained under threat by the neighbor. She appreciated that this zoning topic was not an easy situation because zoning was only enforced when a neighbor made a complaint, but to live in a peaceable kingdom somebody had to enforce the rules. She was glad the language of this proposal would be clarified so there was not an overstepping on anyone's part. She was thankful for the efforts and that it would be brought back to Council so everyone could interact reasonably about it to be a more effective community.

Bruce Alexander, 8056 Seasons Road, said he kept his property immaculate. He had two trailers that he used periodically to haul things stored on his three acres with no near neighbors. He didn't feel he should be subjected to the same rules as someone who lived on a quarter acre lot in a subdivision. He disagreed immensely with the way this proposal was written.

Joseph Unfeter, 1336 Shawnee Trail, said he liked the work being done on SR 43 to improve the road. He asked if there could be signs added along SR 43 from Frost Road to SR 14 for "No Jake Brake" because the semi-trucks used the loud jake brakes near the residential homes and it was disturbing to the neighbors, and there was really no need for the jake brakes there. He understood that people with multi-acre lots wanted to be able to store their trailers, equipment, etc. on their lots, but in the subdivisions the RVs, and business equipment stored in the driveways or worked on in the driveways was not appreciated by the neighbors. Mr. Unfeter thought you were not allowed to burn in your backyard unless it was for cooking, but it seemed that many people were

burning garbage in their yards. This may have started when Streetsboro was a rural area, but the City was built up into subdivisions now and this was not appropriate any longer. Mr. Hannan thought Mr. Unfeter's concerns could be addressed by a noise ordinance complaint or the Fire Department, but tonight's topic was to focus on the Nuisance Property issue.

Tyler Thompson, 9015 Diagonal Road, said he was a lifetime resident of Streetsboro and his and his sister's property backed up to the City's property where the Service Department trucks and trailers were parked. He said the proposal was requiring people to put their equipment inside a building out of sight, but the City did not put their equipment inside. He could see trucks and pallets and skid steer attachments next to the garages. Mr. Ring and Mr. Michniak said they were also not comfortable with that. Mr. Thompson said he also owned property at 9098 Diagonal Road that he purchased in October 2022 and was trying to clean up, but he knew it looked terrible. He had asked for some support from the Zoning Office to be able to split the lot, but said he was having trouble getting a response from Planning or Engineering.

Nate Horsfall, 8084 Seasons Road, said Code section 531.01 through 531.01 and 531.99 as proposed was very overreaching. It mentioned long-term storage of trailers, fencing, bins, and tanks, but lots of homes had propane tanks in their yards as their heat source, so this really needed clarified; the verbiage was way too broad. He understood there would be work sessions to refine the language and he wanted the citizens to be able to be a part of the work sessions. He knew that a lot of people that lost their jobs and needed to work chose to do landscaping and needed the ability to store their trailers and equipment outside and didn't have the ability to erect a barn or shed for all the equipment they needed for their business. He understood there were a few problems in the City, but the way this proposal was listed would put some people out of business, like Allen Alloys. Mrs. McDaniel noted that when a Work Session was scheduled, it would be open for the public to attend.

David Gentile, 1629 Frost Road, said he lived across the street from Frost Road Mini Storage which had trailers and stuff stored in the back. He had no problem with that or with people storing trailers in their driveway; he had a trailer in his driveway for hauling lawn equipment to his elderly parents' home. He wondered if this proposal would only apply to residential properties or would it apply to businesses too because it would not be fair to make them have to store their things inside a building. He didn't think it was fair to all homeowners to make them have to store their equipment inside either because most people couldn't afford to build sheds for their things. He asked Council and the administration to look at this closely and figure out who decides what is a nuisance, and if it should apply to businesses too, even storage businesses.

Ms. Wagner noted that people who lived in HOAs couldn't keep certain things at their homes, so they used the storage businesses, like Frost Road Mini Storage, and if the Mini Storage had to build cover for those things, the storage prices would go up even more, which would make it even more difficult for people to store their things.

John Ward added that everyone on the City staff was doing a great job. They and the citizens all cared a great deal about the community and their neighbors. There were a handful of people that did not and the City needed to find a way to address those people and not punish all the residents.

The Chair thanked everyone for their input and moved on to the next agenda item.

T-7607 Amend Ord. No. 2024-53 Plow Kit Purchase

Matt Miller said this was a General Ledger account line correction for an ordinance that had passed earlier in the year. The account number would be changed to #401-61-5745.

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

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

T-7608 Authorize Temporary Construction Easement

Mr. Czekaj said RB&W was putting on an expansion to their facility and needed additional room (not to put their storm water management pond on) but needed additional room to slope toward the pond. The back property line of the Floyd North Bicentennial Park was full of a lot of scrubby material that was not very attractive, so RB&W asked the administration if they could grade on City property. The City would approve it if RB&W would do some landscaping. This legislation was for was a temporary easement for them to grade on to Floyd North Bicentennial Park and to plant six Norway Spruce evergreen trees.

Mr. Ring wondered how much land this would be. Mr. Czekaj said it was minimal and it was only temporary just to do some grading so they didn't have to put a retaining wall in.

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

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

T-7609 Authorize City Center Lot Consolidations

Mr. Czekaj said at the City Center site there were three separate parcels that were not part of the City Center parcel. One was previously owned by Portage County Board of Commissioners, and City Council had approved the transaction twice already. Two parcels were at the front of the property along SR 43 and the City wanted to consolidate them all into the one main parcel, which would help with set back requirements for City Hall and the things the City planned to do with the rest of the property.

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

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

T-7610 Approve CHIP Partnership Agreement

Mr. O'Malia said this was an agreement between the Portage County Commissioners, the City of Ravenna, and the City of Streetsboro. This would allow the group to apply for a Community Housing Impact and Preservation Program Grant. None of these members could go on it alone, but by combining the resources of the three agencies, they had the opportunity to get about \$350,000 over a two year period. There were a lot of different grants but this one was for low or

moderate income people to be able to get a new hot water tank or new roof or to rehab their housing to put in a wheelchair ramp, etc.

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

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

Discuss Sale of One Acre of Thomas Heritage Park to TowerCo for Cell Tower Site

Mayor Broska said he had sent Council an email at the end of April regarding TowerCo's request for a "perpetual easement" for the cell tower site on Thomas Heritage Park on SR 303. The Law Department had advised against giving them a perpetual easement but said it would be cleaner if the City just sold the property to them so the Mayor proposed that to TowerCo. It would relieve the City of a lot of responsibilities for that site. TowerCo made an offer on one acre of land and they would pay all the costs associated with the transfer of the property, i.e. the survey, the lot split, etc. The tower was on a portion of Thomas Heritage Park that the City did not use and did not have any plans for. The City couldn't do anything around the site anyway because it couldn't do anything within the fall zone of the 150' tower. The administration felt the offer TowerCo made was a legitimate offer and was about 15 times what the property was actually worth because an unapproved site in the City of Streetsboro right now went for about \$15,000/acre and they were offering \$280,000 for one acre. They would fence it and maintain it and finance the transfer.

Mayor Broska had provided a map of the property TowerCo wanted to buy. Mayor Broska said there was an existing driveway, so it would be an easement of the driveway and a one-acre parcel around the cell tower, which would be fully fenced.

Mr. Michniak asked what TowerCo would gain that was worth \$310,000 to them. Mr. Michniak was concerned the City would lose out on something that was worth \$310,000 if it went ahead with the sale. Mayor Broska said right now the City gets about \$17,000/year (about \$1,400/month) (\$250 additional if they added tenants to the tower) for a lease. That revenue went to the 403-Parks Capital Improvement Fund. Mr. Michniak was concerned that TowerCo may add additional technology to the tower and make more money that the City would miss out on. He felt if TowerCo was willing to pay almost \$310,000 for this property, they probably felt they were going to make more than that, so Mr. Michniak wanted to know what the City might miss out on before agreeing to sell the land. Mayor Broska said TowerCo was going to be willing to give money for a perpetual lease too before the sale of the land was proposed to them.

Mayor Broska had not seen a downside for the City when considering the sale of the land. Even if they co-located other companies on the tower they could not go outside their one-acre parcel or do another tower, so it didn't matter to him what they did on the tower.

Mr. Ring said TowerCo would recoup their \$280,000 in about 20 years so they'd be saving money in the long run. Mr. Michniak didn't know if the City could get more money out of that parcel; he just didn't feel the City should sell that land until the City knew what it was selling. He felt TowerCo wouldn't give that much money for no reason. It might have something to do with the status of the landholder. He wondered if they would have to be the land owner to apply to put

certain things on the property. He wondered if they had plans for new or different technologies that would require them to be the land owner to do, which may be worth a whole lot more, or could be worth a whole lot more in the near future. Mr. Michniak was hesitant to sell the land until he understood what the City was missing out on. Mr. Ring noted TowerCo didn't originally want to buy the land, they had requested a perpetual lease and the City offered to sell the land. Mr. Michniak wondered why they even requested that, why not just continue as is? Mayor Broska thought maybe because they could co-locate equipment on their tower. Mr. Michniak felt there was a lot of new technology coming out and changes in FCC regulations and law changes happening, so maybe there was something of additional value the City wasn't aware of. He asked if the Mayor could inquire with them about why it was worth it to them, or what their plans were, and why they were willing to spend that much money.

Paul Yupa, 8749 Seasons Road, said the tower had been there 8-10 years and the City had already earned about \$170,000. He was also curious about why TowerCo would want to buy the land, so he looked on the Internet to see if anyone who had a lease with a tower company had sold their property to the tower company. He couldn't find any. He found where people had sold the leases, or sold the property the tower was on and kept the lease and kept the income, or sold the property and lease to someone else. The lease was probably worth more over time. Mr. Yupa thought even if TowerCo wanted a lease in perpetuity, it didn't mean the City couldn't negotiate another lease for another 10 or 15 years at a better rate and get money for the City and still own the property for when the tower went away someday when the technology changed to something completely different.

Mr. Michniak said selling the land would extinguish the City's ability to have a long-term (99 year) lease and he felt they were looking to keep their costs down to keep their profit margins higher for when new technology came out. He thought someone in the industry would know what TowerCo was after, even if it cost a small fee to get their input. Mr. Yupa suggested the City might make more money off the site over time if the City still owned it.

Council had more questions about how long the current lease was and why TowerCo came to the City for a perpetual lease if the current one wasn't up soon. Mr. Nott clarified that TowerCo had actually requested a perpetual easement across City land (not a perpetual lease). Council wondered what was the point of or need for a perpetual easement. Mr. Michniak felt there were too many unknowns about what was to come in the future and why TowerCo might prefer to own the land. He did not want to lose money in the future. He wanted to know why TowerCo had requested a perpetual easement and why they would be willing to buy the land.

Mr. Michniak wondered, if Streetsboro did not give TowerCo the perpetual easement or sell them the land, then what would happen? Mr. Nott said the existing lease would just go on. He didn't know the length of time of the existing lease.

Mr. Ring thought the City would make more money with the lease over time. Mr. Michniak agreed a lease was a money maker and he didn't want to extinguish that unless another option was just as profitable. He didn't want to give up something the City didn't need to give up. Mr. Yupa said TowerCo was not in business to lose money, and maybe the City could gain money by keeping the

land instead of selling it and losing control of it. He suggested the City investigate a little further before making a decision.

Mayor Broska said he would reach out to TowerCo and get some answers but he wished that Council would have expressed these questions to him when he initially sent the email about the topic so he could have gotten the answers instead of waiting until this meeting and embarrassing him in front of everyone. Mr. Michniak didn't feel the Mayor should be embarrassed, he had worked out a pretty profitable deal, but that's what these public meetings were for. They were to work through the issues and concerns in public; it could not have been done by emails. The Mayor did nothing wrong. Council Members agreed that some questions spin off of other people's questions and lead to further discussion that had not been considered before. Mr. Hannan agreed the City could use the money, and this sounded like an interesting idea, but Council wanted to have a clearer understanding about the options to decide what the City should do.

MOTION: TO MOVE THIS TO THE NEXT SERVICE COMMITTEE MEETING FOR FURTHER INFORMATION.

Moved by Mr. Hannan, seconded by Mrs. Glenn. 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. Hannan, seconded by Mrs. McDaniel, this meeting adjourned at 8:36 p.m.

ATTEST:

Caroline L. Kremer, Clerk of Council

Anthony Lombardo, Chairman