

THE CITY OF STREETSBORO, OHIO

**SERVICE COMMITTEE MEETING MINUTES**

Monday, July 13, 2020

This Service Committee Meeting was called to order on Monday, July 13, 2020 at 7:54 p.m. by Julie Field, Chairman.

PRESENT: Jon Hannan, Justin Ring, John Ruediger, Chuck Kocisko, Jennifer Wagner, Julie Field

ABSENT: Mike Lampa

ALSO PRESENT: Frank Beni, Law Director  
Darin Powers, Police Chief  
Rob Reinholz, Fire Chief  
Shawna Lockhart-Reese, HR Manager  
Caroline Kremer, Clerk of Council  
[by Zoom video conferencing:]  
Troy Beaver, Police Lieutenant  
Jenny Esarey, Finance Director  
Bill Miller, Service Director  
Joe Ciuni, City Engineer  
John Cieszkowski, Planning Director  
Patrick O'Malia, Economic Development Director  
Greg Mytinger, Parks and Recreation Director  
Sara Fagnilli, Assistant Law Director

**MOTION: TO EXCUSE MR. LAMPA.**

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

**Disposition of Minutes**

None.

**Old Business**

Discuss Golf Carts / T-6869 Enact Chapter 377 Golf Carts

Mr. Ring said this had been discussed at the last meeting regarding legalizing golf carts on roads with 25 mph speed limit or less. He had asked the Law Department to prepare legislation to see what it would look like. The draft legislation mentioned all 25 mph roads and Mr. Ring wanted to narrow it down to be 25 mph roads within subdivisions and exclude roads with variable speed limits (where only a portion of the road is 25 mph). Mr. Beni clarified that the golf carts could not be used on the portion of the road that was 35 mph or more. Mr. Ring wanted to specifically exclude Page Road and SR 303.

**MOTION: TO AMEND THE LEGISLATION TO EXCLUDE PAGE ROAD AND STATE ROUTE 303 THAT ARE 25 MPH.**

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

Mr. Hannan mentioned a typo (“gold” instead of “golf”) and said the headlights requirement was listed twice. He said since people were going to use golf carts anyway (they already were), the City should have some regulations in place for safety considerations.

Mrs. Field said she could see both sides of this issue, but when the Police Chief was asked for his opinion, he did not support this proposal, and that was influential to her. She noted that most other communities that allowed golf carts on the roads were gated communities or were near bodies of water (a resort or island). She said the Meadow View community (which may have initiated this topic) was a fun place to live and they could still have fun without golf carts on the roads. She planned to vote No on this issue, and some people may be disappointed in her because Meadow View was in her Ward.

Mr. Ruediger said he was also very torn regarding this issue. When it was first presented he thought it might be OK, then the Police Chief expressed his concerns which made Mr. Ruediger think again, then the Mayor presented some thoughts which Mr. Ruediger thought actually supported allowing the golf carts on the roads, so Mr. Ruediger had needed more time to consider the idea. Mopeds were legal on the roads ridden by licensed 14 year olds and golf carts may actually be safer than the mopeds because they were bigger (more wheels) and especially if all they had all the safety features that were included in this legislation. Mr. Hannan thought that bicycles on major roads (which was legal) were less safe than golf carts and the golf carts would only be allowed on 25 mph roads.

Mrs. Field said people could compare safety items forever, but this was actually legalizing something which was a different connotation.

Chief Powers said he was still concerned about safety. If he had been asked years ago when they allowed bicycles or moped on streets, he would have opposed that also. He spent many years as a crash investigator and had seen what cars could do to bicycles or smaller cars. He was concerned about the seats at the back of the golf carts where kids might ride with their legs exposed as dangerous in a rear end collision. He did not want to endorse something that could get people seriously hurt or injured. He said it would be nice if there were bike lanes on all the streets for some separation. He mentioned that he ran for exercise, but not on the streets, he ran on bike paths or trails to protect himself from encounters with cars.

Lt. Beaver, who would become the Interim Chief when Chief Powers retired at the end of the month, agreed with Chief Powers on safety. Lt. Beaver had talked with County Prosecutor Viglucci at the Portage County Fatal Crash Review Meeting and Mr. Viglucci has expressed that he thought it was exceptionally dangerous to have the golf carts on the road. Lt. Beaver said if this legislation was to move forward he had some suggestions: the State Code (ORC 4501-30-02) required the tires be

inspected so perhaps that could be added to this legislation, the draft legislation mentioned the windshield be of “glass or safety glass” and Lt Beaver said to remove “glass” and just have “safety glass.” He said the Code referred to the local law enforcement doing the inspections which he supported, with a nominal fee, and the Department could keep a master list of the golf carts that had been inspected and approved (like they do with the snow plow permits). Inspection by the Chief of Police or his designee was already in the draft ordinance, but a fee could be added. Mr. Ring said to amend the legislation to include Lt. Beaver’s suggestions.

Chief Powers said when this was proposed he was not in favor of the Streetsboro Police Department doing the inspections; he thought the State Patrol in Ravenna could do them. But after Lt. Beaver did some research they found that they did not do the inspections in Ravenna and the golf carts would have to go to Warren to get inspected, so if this were to pass the SPD could do them and keep the list of those that had passed inspection. The SPD would have to have a couple people certified by the Ohio Department of Public Safety to do the inspections and Chief Powers wasn’t sure of the criteria for that.

Nicholas McEnhill, 1512 Crescent Drive, added that inspection would be needed for lighted license plates on the golf carts. He said that the golf carts in the neighborhoods had been referred to as “luxury” items for resorts or “gated” communities, but Streetsboro could have these luxury items too. The golf carts were like another car on the street, especially with all these required safety features. He noted that kids skateboarded in the streets and that wasn’t a problem. Chief Powers responded that golf carts were not cars especially with seats in the back where the person’s legs were exposed hanging over the back. He added that skateboards were not legally allowed on the road.

Mr. McEnhill said it was already being done without incident and this ordinance was being put in place to make it safer. This issue had been brought up by the citizens to the legislature because they wanted it to be something safe and fun in their neighborhood. He said the State allowed golf carts to be legal, as determined by the community, and there were members of the community that wanted it.

Chief Powers remembered that he had a Meadow View resident in his office a while ago, for other reasons, but they did talk about golf carts, and that citizen was opposed to having golf carts on the streets. He had said there was a very small number of people that had the golf carts and the legislation was geared toward a small group of people, not the majority of the people that lived in the neighborhood.

Mr. Ring clarified that while a few people from Meadow View had contacted him about this issue there were five residents from other areas of the City that had contact him too with an interest in allowing the golf carts; this ordinance was not just for Meadow View. Mr. Ring asked if Council wanted to add a fee schedule to this ordinance.

Mr. Ruediger felt a fee schedule would be appropriate. He added that this was not written as emergency legislation; it would not be voted on tonight but would go through three readings which would give everyone more time to get more information and more citizen input and to consider the topic thoroughly.

Mr. Hannan mentioned that he had seen a golf cart on his street, Hale Drive, which was not part of a subdivision, and even on Stone Road, which was 35 mph, so that would not be allowed but the golf carts were being used in various parts of town.

Ms. Wagner said she had seen the golf carts in the Saunders Creek subdivision too. He said this ordinance was to clarify the rules and how to handle golf carts on the streets because there were people using the golf carts already. Being a 911 dispatcher she had heard about all kinds of accidents of all kinds of vehicles.

Mrs. Field commented that there were probably quite a few people with golf carts that would go ahead and make sure their golf carts had the proper equipment and were inspected, but she wondered how many people would not make the required upgrades and make the effort (and expense) to get their golf carts inspected because they had already been driving them for so long without doing any of that. She also said this was not just providing more safety it was actually legalizing the golf carts on the roads, which she felt was taking a pretty large leap. She asked Council to remember that. She said she didn't want to take away anyone's fun, but there were other options and the golf carts weren't needed.

**MOTION: TO SEND THIS TO TONIGHT'S REGULAR COUNCIL MEETING AS AMENDED FOR FIRST READING.**

Moved by Mr. Ring, seconded by Mr. Ruediger. Upon voice vote, **motion carried with Mrs. Field and Mr. Kocisko opposing the motion.** Mr. Ruediger asked the Interim Police Chief to meet with the Law Department regarding a fee schedule for inspections which could be amended into the legislation at the second reading.

Mrs. Field added another item to the agenda under New Business regarding the Forest Valley Development (Ruediger).

[T-6853 and T-6854 were removed from this agenda at the June 22, 2020 Special Service Committee Meeting per the applicant's request.

b. T-6853 Zoning Map Amendment to Rezone 6 Parcels and Zoning Text Amendment to Chapter 1130A R-OS Overlay Residential-Open Space Overlay District and Submission to the Voters (Cieszkowski)

c. T-6854 Amend Future Land Use Map within the Comprehensive Master Plan (Cieszkowski)]

#### Update on Hometown Heroes Banners

Mr. Mytinger reported that the Department had sold an additional 12 banners since the initial 19 that were installed and hoped to get them installed before the next wave at Veteran's Day. Mrs. Field asked about hanging flower baskets under the banners. Mr. Mytinger said he'd met with the Beautification Committee Chair, Josh Lampa, about flower baskets but there was an issue with the maintenance and daily watering. There were self-watering units that were about \$200-\$250 apiece plus the brackets to mount them to the pole, but it would still require about a full day of someone

taking the water truck around every third or fourth day. With only a two man crew in Parks and Recreation that would be difficult to manage. Mrs. Field said the banners looked great and there had been a lot of positive feedback, but she felt the flower baskets would emphasize them more since they seemed to be rather high. She wondered how other communities cared for their hanging baskets. Mr. Mytinger said Aurora had a two person crew, 4 hours per day, 7 days a week designated toward watering hanging baskets. He suggested adding hanging baskets to the new light poles opposite the flags at the center of town, but he was concerned the street signs may block the flowers from view.

Mr. Kocisko said the Hometown Heroes Banners were beautiful but the names were rather difficult to see and suggested a larger font on the next batch to be printed. Mr. Mytinger said to get bigger banners the City would need to trade out or purchase longer hangers/poles. Mr. Mytinger would look into printing a larger font for future banners.

Mr. Ruediger agreed the hanging basket would be gorgeous, but understood it would take someone in a water truck hours to water them, and didn't think that was how the City wanted to spend its resources at this time.

#### T-6857<sup>Amended</sup> Declare Certain Properties a Legal Use

Mrs. Fagnilli said this ordinance had been amended based on the discussions at the last meeting. The ordinance was adjusted to allow for any properties that were two families that the City did not know about right now, but in fact were in existence at the time the ordinance were to pass so the Planning Director would be able to go back and likewise declare those as a legal use like the two family properties that the City knows to exist. That was the only substantive change other than a couple of small corrections.

#### **MOTION: TO MOVE TO TONIGHT'S REGULAR COUNCIL MEETING.**

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

#### **New Business**

##### Discuss Multiple Vehicles Parked on Residential Property

Mrs. Field had brought this topic up to the Law Department months ago because there were some locations in town where people were parking multiple vehicles (up to 15-20) in their front yard and the Code didn't seem to have enough teeth to really disallow that, so she was looking to have something drafted up to remedy the situation. She understood that if the vehicles had tags and a license plate they could be stay parked.

Mr. Beni said they were looking into it but the City couldn't legislate how many cars a resident could put in the driveway. Mrs. Field thought the cars weren't in the driveway, they were parked in the front yard. Mrs. Fagnilli said there were some different situations she had looked at with the Police Department. Cars parked on a front lawn may be a property maintenance issue, cars that may be junk or abandoned was another issue, so the Law Department needed to know exactly what the issue was to address it adequately because the department had been asked about all these issues.

Mrs. Field felt multiple cars park on someone's lawn for a length of time was an eyesore and it would help clean up the City to not have that, especially if they were broken down. Since she was told by email that the Code didn't have enough teeth to stop it, she had put this on the agenda. Mr. Beni said the Law Department had investigated an issue where someone had covered their front yard with gravel and was parking there, which was not a violation because it was not on the lawn. Mrs. Fagnilli suggested Mrs. Field contact the Law Department when constituents expressed complaints to her so the specific issue could be investigated. Mrs. Fagnilli said there were different avenues for some of these issues and the Law Department had to pick the right avenue based on the situation to see if anything could be done. Mr. Cieszkowski mentioned that the Zoning Code prohibited lot coverage for buildings (10% of the rear yard), but nothing for front yards. Mrs. Fagnilli said the issue of junk motor vehicles was something that needed to be looked at and the Law Department was working on strengthening the Junked Motor Vehicles and Abandoned Motor Vehicle ordinances and would bring it to Council when it was ready.

#### T-6866 Purchase a Utility Vehicle for Parks and Recreation Department

Mr. Mytinger said the department was considering the purchase of a Polaris Ranger 500 side by side to replace the department's 1993 golf cart that needed the transmission repaired, but repair parts were difficult to get. This was in the 2020 budget, but he had wanted to check with Council regarding any Capital Improvement purchases during the COVID-19 pandemic and resultant financial concerns.

Mrs. Esarey clarified that this had been part of the 2020 budget, but because no further funding was going into the Capital Fund with the reallocation of the income tax revenue, this may require a transfer from the General Fund to the Capital Fund to complete the purchase.

Mr. Hannan had visited the City Park and agreed this equipment was needed. The Polaris Ranger was a lot more substantial and appropriate than a golf cart for transporting things that were needed for jobs throughout the parks, but more cost effective and maneuverable than using their pickup trucks.

Mr. Mytinger confirmed for Mr. Ruediger that he had collected two other quotes and this one was the best price. It could be delivered to the City or the staff could pick it up in the pickup truck. Mr. Mytinger would have to look into what warranty was offered.

Mr. Ring emphasized that the City needed to spend carefully during this health crisis because the tax revenue situation was still uncertain. He was not against the purchase, but wanted to be sure it would meet the Parks' needs now and into the future. Mr. Mytinger said this vehicle was a little more versatile than a golf cart, but it was not as heavy duty as the John Deere gator the department had. The current gator would probably need to be replaced in the next 2-3 years because it was starting to have issues and show wear and tear. The gator would cost \$12,000-\$15,000 up to \$20,000 depending on the size and features wanted. Mr. Ring thought the gator at only \$1,000 to \$2,000 more was a more versatile machine than the Polaris, so maybe the department should replace the golf cart with a new gator instead of a Polaris and have two similar larger machines. Mr. Mytinger said he would suggested getting a Polaris now and then replace the old gator in a few years with the next

size up Polaris (750 or 1000 model) and then everything would be a similar make and model for the City mechanics; that's what the mechanics had recommended. Mr. Ring wanted to do two larger more versatile gator vehicles. He thought they would be more useful to the department since it was only \$1,000-\$2,000 more although the City should be careful spending money at this time.

Mrs. Field supported that thought. She asked if the existing gator would really need replaced in a couple of years. Mr. Mytinger said its transmission was starting to go. He wasn't sure how old it was, but it was in operation when he started with the City the first time in 2008.

Mr. Kocisko suggested that Mr. Mytinger get a cost on a gator machine as Mr. Ring had wanted to be reviewed at the next meeting. Mr. Mytinger would look into a couple different options. The one he presented tonight had seemed to be the most cost effective to meet all of the department's needs, but he would look into more options.

**MOTION: TO MOVE THIS TO THE AUGUST 10, 2020 SERVICE COMMITTEE MEETING FOR MORE INFORMATION.**

Moved by Mr. Ruediger, seconded by Mr. Kocisko. Upon voice vote, **motion carried.**

#### Forest Valley Development

Mr. Ruediger said he'd had a resident contact him about some issues that were going on at the Forest Valley development of 22 homes on Frost Road. Mr. Ruediger thought Mayor Broska had some information on this issue, but he was not in attendance tonight and Mr. Ruediger wasn't able to get the information from him. Mr. Ruediger thought there was an issue with the grading and drainage, but the developer had said the grading was approved by the City. Mr. Ruediger said sidewalks and street lighting were supposed to have been installed, and when the developer realized there needed to be sidewalks, he had them put in but didn't alert the homeowners, especially the residents that already had sprinkler systems installed in their yards and put the sidewalks over the sprinkler system.

A resident had told Mr. Ruediger that they had paid nearly \$10,000 to have their property properly graded and have drains installed. Mr. Ruediger was also told that the developer was now in the midst of trying to get their bond released. Mr. Ruediger couldn't get much more out of the Mayor other than they were working on it, so he brought the issue to the City Council Meeting.

Mrs. Fagnilli said she had been handling this matter with Mr. Cieszkowski and Mr. Ciuni for the last six months. She said some of what Mr. Ruediger had been told was true--there were some issues with the developer not doing the required sidewalks, fencing around the retention ponds, street lights, etc. Mr. Cieszkowski and Mr. Ciuni had attempted to have the developer complete his obligations, but were unsuccessful other than some promises, so the City sent a letter to the bonding company and therefore got some attention from the developer who was now working to get these things done. Mr. Ciuni had been able to get an inspector out to see the installation of the sidewalks, but this was the first Mrs. Fagnilli was hearing about any issues regarding sprinkler systems. The bonding company was kind of keeping tabs on the work that was being done to ensure that it got done. She said the City was seeing some progress the last couple of months on the things required under the development agreement, once things opened again after the COVID-19 shutdown in March. The

electric company still needed to connect the service for the street lights. Mrs. Fagnilli said there was a dispute between the developer and the builder over whose responsibility it was to install the sidewalks. The City's position was that they could work out their dispute at some other time but according to the development agreement, the sidewalks were the responsibility of the developer, so they took action to get the sidewalks put in.

Mr. Cieszkowski added that street trees were not mentioned. Also the detention pond needed maintenance and cleaned out in addition to the fence being added around the detention pond, as well as supplementing the landscaping around the detention pond to be in line with the Planning Commission approved landscape plan.

Mr. Ruediger asked specifically about the grading, which the resident said was not done properly although the developer said it was approved by the City, and therefore the resident had to spend nearly \$10,000 to regrade his property and have drains installed. Mr. Ciuni answered that the only thing he knew about the grading and drainage was that the developer did everything he was supposed to do according to plan. There were storm sewer easements surrounding the entire subdivision behind the houses and there were storm sewers back there. The home builder, K. Hovnanian, came in and he did mess things up. So now there was another dispute between the home building and the developer about who will fix it. If the homeowner took it upon themselves to fix it, Mr. Ciuni wasn't sure about that. He did say everything was done according to the plan before the houses were started and basements dug, etc. The sidewalks were almost complete and would be prepared to connect when Frost Road was widened with sidewalks put in.

Mr. Ring asked if the grading of the lot was part of the building inspection when a home was built. Mr. Ciuni answered that when the individual houses were built they submitted a grading plan (house topo) which was approved by the City, but it seems the builder didn't grade it according to the plan, and it never got corrected, except when the homeowner took it upon himself to correct it. Mr. Ring wondered how the City signed off on occupancy if it wasn't appropriate. Mrs. Fagnilli said if the homeowner took it upon themselves, they may have recourse as to the builder or the developer depending on the situation. She said an occupancy permit would probably not be held up because of drainage changes because an occupancy permit had to do with construction of the house itself. She said one would have to look at the timing and the facts and circumstances on each situation to determine how or who might be responsible. Mr. Cieszkowski commented that what Mr. Ciuni and Mrs. Fagnilli had said were accurate.

Mr. Ring wondered what was checked during building inspections. Mrs. Fagnilli said when the builder built the homes, if they did something not to the grading plan, it wasn't something the inspector would necessarily catch; it would be an issue between the homeowner and the builder, not necessarily the City. Mr. Ciuni commented that a lot of time homeowners take occupancy before landscaping was done, and he didn't know what the arrangement was with K. Hovnanian and the fine grading. Mr. Ring thought it was the rough grading not the fine grading that was messed up. Mr. Ciuni said he may be interested in seeing what the \$10,000 was spent on because the complaints he heard from a few of the neighbors was not that it was a major issue.



Mr. Ruediger said he wasn't able to get answers from the Mayor on this topic, so he had brought the topic to the Council Meeting to learn what was going on. He said he had copies of the receipts for the work the homeowner had done and could forward them to the Law and Engineering departments. Mr. Ruediger had wanted to see what could be done to resolve the problems for the residents. Mrs. Fagnilli said she would be glad to keep Mr. Ruediger up to date since she was directly in contact with the developer and the bonding company. She hoped to have this all pretty well wrapped up by the end of July.

**MOTION: TO MOVE TO THE AUGUST 10, 2020 SERVICE COMMITTEE MEETING.**

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

**Citizens' Comments**

None.

**Announcements**

The Finance Committee Meeting will immediately follow this meeting.

There being no further business to be addressed by this committee, and upon motion by Mr. Ruediger, seconded by Mr. Ring, this meeting adjourned at 9:15 p.m.

ATTEST:

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Caroline L. Kremer, Clerk of Council

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Julie Field, Chairman

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