

THE CITY OF STREETSBORO, OHIO
SERVICE COMMITTEE MEETING MINUTES

Monday, April 12, 2021

This Service Committee Meeting was called to order on Monday, April 12, 2021 at 7:19 p.m. by Mike Lampa, Chairman.

PRESENT: John Ruediger, Mike Lampa, Jennifer Wagner, Chuck Kocisko, Julie Field

ABSENT: Jon Hannan [joined at 7:55 p.m.]

ALSO PRESENT: Glenn Broska, Mayor
Sara Fagnilli, Assistant Law Director/Prosecutor
Rob Reinholz, Fire Chief
Rich Polivka, Police Lieutenant
[by Zoom video conferencing:]
Justin Ring, Council Member
Jenny Esarey, Finance Director
Bill Miller, Service Director
Matt Glass, GPD Group
Tony Burgoyne, GPD Group
John Cieszkowski, Planning Director
Mark Majewski, Northstar Planning and Design
Patrick O'Malia, Economic Development Director
Greg Mytinger, Parks and Recreation Director
Shawna Lockhart-Reese, HR Manager
Caroline Kremer, Clerk of Council

MOTION: TO EXCUSE MR. HANNAN.

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

Disposition of Minutes

MOTION: TO ACCEPT THE REGULAR SERVICE COMMITTEE MEETING MINUTES OF FEBRUARY 8, 2021 AS WRITTEN.

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

Old Business

Update on Moving Memorial Day Parade

Mayor Broska said at the last meeting he had talked about possibly moving it to the same weekend as Streetsboro Family Days; the fourth full weekend in July each year. He wasn't sure something could be put together for this year. Streetsboro Family Days was cancelled again in 2021 due to the

COVID-19 pandemic. He didn't want to have no parade at all and he thought supporting Streetsboro Family Days with a community parade was a good idea. He hoped to have Streetsboro Family Day and a parade in 2022, plus the bicentennial celebrations. There was no Council action needed; the Mayor would keep Council updated on this issue.

Mrs. Field would like to have the parade connected with something, preferable something other than Streetsboro Family Days because Streetsboro Family Days was its own entity, but something for a weekend of celebrating to honor our residents and creating a community feeling. Mayor Broska thought having a parade on Saturday morning of Streetsboro Family Days would be a good segue to get people into the park to enjoy the festival. Streetsboro Family Days was an institution that had been held every year except for 2020 and 2021 because of COVID-19, so he thought it would be good to be a part of it. July 4th was not a good option because of Stow's huge parade, other weekends also conflicted with people's scheduled events. He was concerned the high school band may not be able to participate in a parade at the end of July because school would not have started yet, but others felt the band would have started practicing by then.

Discuss Streetsboro Bicentennial

Mr. Lampa said the Bicentennial Committee had a kick off meeting last week. The logo was launched (see attached). There would be monthly meetings moving forward and subcommittees would also be formed and start meeting. Mayor Broska would lead the Fireworks Subcommittee. Mr. Lampa said they would meet with Deb Bower Covert and the Chamber of Commerce to work up sponsorships for the businesses to help promote the bicentennial.

Ms. Wagner, a member of the Bicentennial Committee, said she and others had started reaching out to the residents to get stories and information about the history of the City for a potential Bicentennial publication. Jim Boardwine, from THRIVE, had offered to work with his video-editing team to put together a narrated bicentennial video clip that may be shown during the weekend of the bicentennial celebration. Ms. Wagner and Mike Kuhstos had reached out to a couple pyrotechnic companies, and also to LiveNation regarding getting musical groups to perform for the weekend.

Mrs. Kremer asked if the Bicentennial logo and other information would be included as a page on the City website or did the Bicentennial Committee have their own separate website. Mr. Lampa said he would add a page to the City website for updates on the Bicentennial Committee activities. Mayor Broska said the Bicentennial logo would probably be added to City correspondence late this year for the whole of 2022.

Discuss AECOM Water Rate Study

Mr. Lampa said the City needed to do something with this because it had been discussed at several meeting already. Mr. Ring said this topic had been moved to this meeting knowing Council would need to make a decision on the design of the waterline project and how it would be paid for. Mr. Ring had Ms. Esarey run some estimates including the 3% water rate increase (2% annual increase + 1%) over the next few years. It would include funding for the design as well as the project itself and it also took into account the Water Fund fund balance. He said the City needed to decide if it wanted to pay for the design upfront out of the Water Fund, which the City could do, but it would lower the fund balance available which had been calculated into the increase necessary to maintain the

payments for the waterline project, but it would reduce the overall liability of the loan for the project by the amount of the design. Mr. Ring said the other thing that needed decided was if the City wanted to increase the water rate by maybe an additional 0.5% to have money for the future water projects. This waterline project package covered the most critical and crucial water projects, but it did not cover everything that needed to be done, which would still need funding into the future. He said there was still a little time to decide that. He felt the main discussion today was to find out what GPD needed from the City to be able to begin the design process part of the project, which needed to be started fairly soon.

Tony Burgoyne, GPD Group, clarified that the loan request that was made by March 3 included the design loan and the construction loan (total \$8.4 million). The design loan was a 0% interest loan that could roll into the construction loan. If the City decided to keep it as principle the City would have to pay interest on it over the term of the loan (most likely 20 years). He also clarified that it was a total of 9 projects that were all identified in the AECOM Rate Study as priority 1, except for one area. These projects included the watermain replacement on Frost Road, other watermain replacements on David, Diane, Greenhaven, Edmond, Raymond, Rodney, Stewart in the neighborhood adjacent to Frost Road which weren't priority, they were secondary. Cherokee Trail, Apache, Kickapoo, Navaho, Seminole, and Shady Lake Drive were on the list. Also watermain installations or extensions that could help with expanding service for the community included Stone, Hale, Harper, SR 303 W (Market Square to Walters), SR 303 E (Police Dept to Page), Walters and Olga (with another extension on SR 303) for a total of 9 actual projects bundled into one package to take advantage of historically low interest rates. Mr. Burgoyne said what needed to happen was to finalize the application. The EPA was preparing their project determination packet that would list all of the projects that all the communities in the state had applied for, which should be out in about a month. To finalize the loan application the City needed to bid the project because without a construction contract cost, the City could not enter into a loan agreement (which was based off the contractor's bid cost, not any estimated cost). Before getting there, the City needed to design the improvements, and bid the job to get the contractors on board. He said their planning was always to get these 9 projects moving forward by spring of 2022, which means the design process needed to begin pretty quickly. He thought the goal should be to move quickly enough to take advantage of contractor competition in late fall when the contractors were planning their work for 2022.

Mrs. Field said his description clarified things. She wanted to move forward because all of the projects listed needed to happen and we had a great way to do it. She mentioned that there were people on some of these roads that did not have usable water because their wells were failing. She wanted to get this moving tonight.

Ms. Esarey asked, if the City was to move forward with the design, was that loan component approved? Mr. Burgoyne said no because they had not finalized the application process for design loan because he thought the City still needed to decide if it wanted to finance the design portion or not. He said it was nominated, which was the first step. In the application the cost of the design was a total sum of \$800,000, but it may be less. If the loan came through, the City would have the option of paying GPD for the design and then being reimbursed by the State, or the State could hold the money and make direct payments to GPD with the City's authorization. It was the same for the construction portion too.

Mayor Broska mentioned that the federal government was looking at an infrastructure program/plan (American Recovery Plan (ARP) from President Biden's administration). He wondered, if the City was awarded money from the federal government, could that reduce the amount the City would have to borrow from the State. Mr. Burgoyne said that money, from what he understood, could be used for water or sewer infrastructure improvements, and broadband expansion, as well as COVID-19 related responses. He said answering the question was difficult because the City had an option. He wasn't certain when the money would be available; it could be in phases over time. There were a lot of unknowns with the federal program, so the best bet the City had right now to finance this project in the timeline that had been laid out was to move forward with this State financing program with WSRLA and the EPA. The option the City would always have, assuming proper funds do come to Streetsboro, is the City could just pay off the principle with that cash, or apply it elsewhere. Mayor Broska thought if the ARP money came before finalizing the loan, the City would not have to take the loan from the State for the entire amount if the City got grant funding from ARP.

Mayor Broska also wanted to move forward with this and hoped something would come from the ARP program that would help the City defer the cost later.

Mr. Kocisko also wanted the waterline projects done, but was uncertain about the federal money. He was very apprehensive about borrowing, although it was "cheap" to borrow right now, because it would have to be paid back. He was still concerned about the need for a City Hall and how that would be funded; he didn't want to go back to the taxpayers again. Even though the City Hall was separate funds and a separate revenue source than the water projects, he said they were kind of the same because either way the City would have to go back to the taxpayers and ask for more money and it would cost the individuals more money. He asked Ms. Esarey how this waterline project would affect the bottom line.

Ms. Esarey said this was a water project so it was out of the Water Operating Fund and Water Reserve Fund, separate from funds for a City Hall. She said with the latest round of stimulus money (ARP), there was no clear information on how the cities could use those monies, so no matter what, to pay for this type of loan for this construction project, the City would have to raise water rates. She wanted to be sure the estimated annual \$450,000 would cover construction and also this extra \$800,000 in design costs, which could be planned for with the proposed 3% annual water rate increase. She suggested maybe considering adding a little more of an increase because there were other water projects to be done beyond this group of 9 projects being discussed now. She didn't want to take the fund balance to the point where the City couldn't pay for an unexpected project or something else that was needed.

Mr. Lampa commented that to him, getting a City Hall was not as important as the City drinking water.

Mayor Broska confirmed for Mr. Ruediger that there were no lead pipes in the water system. It was mentioned that the first item the federal program was to take care of was lead pipes. Mr. Ring said no one was certain about the federal money to come, so he wanted to move forward with the plan the City had right now, that was feasible and responsible, without the federal program, and was very

minimal to the customers, and very necessary. If the federal money came through, and could be used for this, then the City could use it to pay off this loan. He wanted to have legislation prepared for the next meeting to authorize the Mayor to enter into a contract to have this project bundle designed and arrange what needed to be done to have that paid for. Mr. Lampa agreed with Mr. Ring because there was a need to improve these waterlines and the City could take advantage of very low interest rates, and if the government came through with money, the City would use it also.

Mayor Broska confirmed, to move forward the City would need the proposal for the design work from GPD and legislation for the next Council Meeting. Ms. Esarey wanted to know if the City would pay for the design work out-right or take a loan; that needed to be decided. She also wondered if the annual \$450,000 took into account the construction and the design cost. Mr. Ring said when he asked her to put the figures together it did include the design cost, which Mr. Burgoyne confirmed. Mr. Burgoyne said the \$8.4 million ask included the design services as well as construction inspection services, as an estimate right now, and the debt service for a 20 year loan, based on current interest rates would be \$447,000 annually. Ms. Esarey wanted clarification on, if the City did not want to pay the \$800,000 design cost out-right and use the 0% interest design loan right now, and then put that into the construction loan that the City would then have to pay interest for. Mr. Ring said the City could also decide next year to pay off the 0% interest design loan before rolling it into the construction loan because it would not have cost anything until then, but the City would use the 0% interest design loan until then and not pay for it up-front.

Mr. Burgoyne summarized: the City would most likely decide to make the design loan application, to take advantage of 0% interest for designs, and most like roll it into construction and add it to the capital principle and pay the debt service on the full freight, but before making the construction loan application the City would make the decision on whether or not to pay off the design loan at that time or keep it in the construction loan. He stated GPD's design services would include the loan application for not only the design but also the loan applications associated with construction. The construction inspection services would not be included then because they would wait to see durations and things like that from the bid.

Mr. Glass confirmed GPD's proposal had been forwarded to the City administration with a timeline, cost for each project, and the total cost. He would review it again to make sure it matched what was just discussed tonight and resubmit it, if necessary, for the Law Department to prepare legislation for the next Council Meeting. Mr. Burgoyne confirmed the actual work would ideally begin spring 2022.

Mrs. Field looked forward to this because she had constituents whose wells were drying up and they were using bottled water right now because their water was unusable, so this needed to be taken care of as a top priority. [Mr. Hannan joined the meeting by Zoom videoconferencing at 7:55 p.m.]

MOTION: TO MOVE LEGISLATION FOR AUTHORIZING THE CONTRACT TO DESIGN THE PROJECT(S) TO THE APRIL 26, 2021 REGULAR COUNCIL MEETING.

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

The Chair agreed to move this agenda topic to the April 26, 2021 Finance Committee Meeting for further discussion regarding potential water rate increases.

New Business

T-7024 Zoning Text Amendment Regarding Keeping Chickens in Selected Residential Districts

Mr. Cieszkowski said this was the recommended text amendments to the O-C, R-R and R-1 zoning districts from the Planning Commission regarding keeping backyard chickens. He said this issue had started at the Council level with some input from residents, and then was sent to the Planning Commission to work through all the provisions. Mr. Cieszkowski hired Mark Majewski from Northstar Planning and Design (who was also helping with the zoning for the Core Concept Plan) to assist with putting together the regulations. Council had wanted Planning Commission to clarify and revise the setbacks for agricultural uses, specifically chickens in the O-C and R-R districts, and also to look to permit “backyard” chickens elsewhere in the City. Currently the setbacks for agricultural uses in the O-C and R-R districts were 200' from all property lines. This proposal would change that to 100' from all property lines, and add restriction on lot sizes, number of hens, setbacks, coops and runs for backyard chickens that would be an accessory to a principle dwelling in the O-C, R-R and R-1 zoning districts. Mr. Cieszkowski had submitted copies of the motion sheets from Planning Commission, a cover letter from Mark Majewski, and a cover letter from himself with the draft regulations. Mr. Cieszkowski thanked Mr. Lampa and Mr. Hannan for presenting some questions earlier via email so he had time to respond to them.

Mr. Lampa thanked Mr. Cieszkowski and Mr. Majewski for developing these proposed changes and said he was happy with what they had come up with because it seemed to be a good compromise between the City and neighbors that may not want “backyard” chickens.

Mr. Hannan said he'd had questions about the setbacks for the R-1 district because it was currently not allowed in R-1. Mr. Cieszkowski clarified that in the R-1 district Mr. Majewski had written the proposal for Section 1151.33(d) Yards and Setbacks: in R-1 they were proposing to permit backyard chickens on lots greater than .7 acres in size, and the setbacks in the R-1 district would be 10' from all property lines and 20' from all dwellings for the coop and the run associated with the chickens, with proper fencing. There would be a maximum of six hens allowed, with no roosters permitted, in the R-1 district on a lot great than .7 acres in size as sort of hobby keeping of chickens in the backyard of your home. If the resident wanted more than six hens or a rooster and some hens, then they would have to be located in the R-R or O-C district with 100' setbacks from all property lines.

Mrs. Field was concerned that roosters were allowed in the R-R and O-C districts, which were sometimes right next to greater density areas, and roosters were incredibly loud, even with the 100' setback, and could disturb those neighbors. Mr. Cieszkowski answered that the R-R and O-C districts already permitted agricultural uses/farms and over time they had determined that the 200' setbacks were not reasonable and the 100' setback was much more reasonable. The smaller lots in R-1 (but at least 0.7 of an acre) had lesser setbacks but also fewer chickens (maximum of 6 hens and no roosters) and other restrictions including fencing of the coop and the run and it couldn't be visible from adjacent properties. Mrs. Field thought 0.7 of an acre was not a lot of property and 10' off the property line was incredibly close to a neighbor who may not want a chicken coop that close. Mrs. Field said she support residents that wanted to keep hens, but also wanted to be really cautious to

protect all the residents that did not want chickens near their home. She was glad the City was considering making adjustments to allow backyard chicken for the people that had the space and the property to do it in a way that would not intrude on their neighbors.

Mr. Cieszkowski clarified that the minimum lot size was a minimum of 0.7 acres, but if the majority of the lots in the subdivision were less than 0.7 acres, it would still not be allowed; i.e. if a cul-de-sac lot was great than 0.7 acres in a subdivision that was mostly 0.5 acre lots, then that one house could not keep backyard chickens. He said the lots on Hale and Harper would comply with the 0.7 acre minimum but the lots on McCracken would not. He added that they tried to permit chickens on a hobby-keeping level, but not open the floodgates to have chickens in every yard.

Mr. Ring wanted clarification on what R-1 developments would conform to the regulations and which R-1 developments would not. He said most of the City population lived in R-1. Mr. Cieszkowski answered that the parcels adjacent to Harper, north of Harper fronting on Stone Road, the parcels fronting on Hale Drive, and the parcels on the east side of Page Road north of Saunders Creek with larger R-1 parcels.

Mr. Ring felt this legislation might just include four streets and a couple parcels on Page Road, and it didn't do much for the rest of R-1. He wasn't against people having backyard chickens, but there would need to be regulations. He felt this legislation felt like a big thing, but was really just for four streets. Mr. Cieszkowski said the reason they decided on the 0.7 acres was because if it was lowered to 0.5 acres, keeping of backyard chickens would be permitted everywhere in the City and there would be chickens everywhere. The places chickens would be allowed with this legislation were the places where the people who had brought this issue up lived. Mr. Ring didn't want to create legislation for one or two parcels or one or two people. He wanted to have a discussion about allowing backyard chickens in the City, and not just create legislation for a few people. He was against the legislation as presented.

Mrs. Field said this legislation had come about after months of conversation and discussion; it wasn't just geared toward a few families that wanted to have backyard chickens. It was also to clean up what was in place because it needed updated. The existing legislation allowed chickens but required 200' setbacks from all property lines which was very difficult to meet except for the larger parcels in the O-C and R-R zoning districts, so this proposed legislation did change things for the people in the O-C and R-R districts and allowed them to do more with the smaller setbacks, and it also allowed some residents in the R-1 zoning district to keep backyard chickens. Mr. Ring said adding the few areas in the R-1 zoning district didn't really do anything in reality.

Mr. Hannan disagreed. He said that one person from Harper Road had contacted him representing other neighbors that also wanted to keep chickens. Harper Road was kind of a rural area; they couldn't control that it happened to be zoned R-1. It was different than the homes in the Briar-Root area with smaller lots. Mr. Hannan said some of the Harper Road residents already kept chickens, so having regulations was a good thing. He said he was in favor of this proposed legislation and wanted to see it proceed. He had been talking with residents and Mr. Cieszkowski about this issue multiple times over the last few years.

Mr. Ring said he wanted to have further discussion to allow chickens in more R-1 locations than just four streets. He said he knew there were people in other areas, including his neighborhood [Meadow View] that wanted chickens, but there were HOA regulations the residents needed to follow also. He wanted to have a discussion about allowing backyard chickens in other places, if it could be done responsibly. If it couldn't be done, so be it, but he wanted to have the discussion.

Mr. Hannan wondered if there were other towns that allowed keeping chickens in every district of their town, or not. Mr. Majewski said it was different in different communities; it really needed to be tailored to the community. There are communities with smaller lots where keeping of chickens at a hobby scale was permitted, but it all depended on the community's tolerance for that hobby in the backyard. Streetsboro needed to make some decisions on what was appropriate for its own community.

Mr. Ring said he wasn't lobbying for or against access to chicken keeping everywhere in town, he just felt Council had not had a real conversation about it yet or made a decision if that was something Streetsboro wanted to do. He agreed with cleaning up the R-R and O-C regulations, but the proposal was very narrow and didn't actually change much in practice for the rest of the residents in the City, so he wanted to have the conversation. He wasn't saying he wanted or didn't want chickens anywhere, he just wanted to have the conversation. Mr. Cieszkowski said they set up this proposed legislation to avoid opening the floodgates. He said he worked closely with Bob Senvisky and his property maintenance and zoning violations and he felt that if chickens were allowed in every R-1 parcel in the City, there would potentially be an enforcement nightmare on our hands very quickly without the staff to address it adequately. This way it would be opened up to the R-1 district with reasonable restrictions without opening it to every single parcel. Mr. Ring responded that it wasn't really opened up to the R-1 district, just a very small section. He said the enforcement would have to be part of the discussion he was requesting. If the City wanted to create this opportunity for our residents, why not have a conversation that allowed Council to determine if that was a real possibility for more of the citizens and not just a select few.

Mr. Lampa understood Mr. Ring's request to have further conversation, but he also did not want to open the floodgates to every property in the City having chickens. Mr. Lampa said there were already pigs in Ward 1, which was an issue, so how many chickens would there be in Ward 1 if it was opened to all? He suggested moving forward with this and also talk further about the R-1 district, but was concerned it would open the floodgates.

Mr. Ruediger understood Mr. Ring's concerns because creating new legislation for just a few people was usually not a great idea. But in this instance he understood the proposal because it seemed there were properties that would fit as R-R type property, but were actually located in the R-1 zoning district. He also saw this proposal as a good test run that may be able to be expanded to other types of properties without "opening the floodgates" all at once. Mr. Ruediger preferred to do it slowly to see how it went before doing more.

Mr. Ring emphasized that he just wanted to have the conversation, and going slowly may be ok. He gave an example of properties on Page Road that were larger than the properties on Hale and Harper that were zoned R-2 and wondered why those properties that had the same or more land that the R-1

properties shouldn't also be allowed to have chickens. He suggested restrictions by size of lot (0.7 acres minimum and the development can't have more than 50% of smaller lots) anywhere in the City. Mr. Cieszkowski said the parcels on the east side of Page Road would be the only parcels in R-2 that would comply with the greater than 0.7 acres limitation. He felt if it was kept to the minimum size of 0.7 acres or greater, he didn't have an issue with opening it up to other zoning districts. Mr. Ring said his point was there were other things that could be done without "opening the floodgates" but Council had not even had these discussions yet, which wasn't fair.

Mrs. Field said this was before Council now to have the discussions, and she hoped to continue the discussions, and to get some more input from residents. She said she wasn't opposed to opening it up to properties in the R-2 district as long as they were on a certain amount of property (0.7 acre or greater). She said the more properties that could have chickens, the more crazy things could get. She didn't see this as creating legislation for just a few roads, she saw it as an update to the existing Code and as opening it up to areas that probably should be included if they had enough property and could follow the guidelines.

It was confirmed the legislation did not need to move on to first reading at the Council Meeting tonight, if Council was not ready to move it forward. Mayor Broska said Council and the administration had heard from the folks that wanted to keep chickens, but wondered how many people in Meadow View, Tinker's Green, and the subdivisions with smaller lots wanted chickens in their subdivisions. He said if 70% or 80% of the neighbors did not want chickens, why would the City create legislation to allow people to have chicken in those areas? He hoped to hear input from both sides of the issue. Mr. Lampa said he didn't want to keep chickens, but said his neighbors could as long as the chickens stayed on their own property. Mayor Broska believed the overwhelming majority of people that lived in the subdivisions did not want chickens, pigs or goats, etc. in their neighborhoods, and he felt the proposal Mr. Cieszkowski had presented with the requirement that the lot be at least 0.7 acres but not allowed in a subdivision in which 50% or more of the lots in the subdivision were smaller than 0.7 acres was a good compromise to protect the silent majority of people that did not want chickens in their neighborhoods. He did not want to open the floodgates and felt a restrictive initial ordinance was the way to go. He expected a lot of complaints if this was allowed and worried about then trying to reduce what had been permitted.

Mr. Kocisko commented that City Council had dealt with this type of issue a couple of times over the last two decades and had not decided to make any changes because of the same reasons that were being discussed tonight. If chickens were allowed, then what about horses because that had been a request in the past that was denied.

Mrs. Field suggested moving this forward for first reading tonight and continue the discussion also and hope to get input from residents on both sides of the issue. She like the legislation but felt further discussion was definitely needed.

Mr. Ruediger commented that the current draft of the legislation mentioned R-1, but did not include R-2, and he preferred to only move forward with this if included R-1 and also R-2. Mr. Cieszkowski said he could add R-2 but would want to maintain the 0.7 acre minimum, to which Mr. Ruediger agreed. Mr. Ring suggested adding R-T also, but he was not suggesting to allow chicken in every

subdivision in town. Mr. Cieszkowski said he could add the residential zoning districts mentioned and reference the general provisions that would set forth the limitations on lot size. Mr. Ring was fine with the limitations that had been talked about. Mr. Ruediger wanted to see the revisions discussed tonight put into the draft legislation before moving this legislation on to first reading. Mr. Cieszkowski said there was time for further consideration as the legislation worked its way to adoption.

MOTION: TO SEND THIS TO THE MAY SERVICE COMMITTEE MEETING FOR ADDITIONAL DISCUSSION.

Moved by Mr. Ruediger, seconded by Mrs. Field. Upon voice vote, **motion carried**. Mrs. Kremer mentioned that this topic had been set for a Public Hearing on April 26, 2021 and it had already been advertised. Mrs. Fagnilli confirmed it was appropriate to have the Public Hearing while the topic was still in Committee. Mr. Cieszkowski noted that if there were changes made at the Council level that differed from what the Planning Commission had recommended, then it would require 2/3 approval of City Council [5 of 7].

T-7019 Contract w/ODOT to Purchase Road Salt

Mr. Miller said this was the yearly contract to get road salt with the State through the ODOT contract. He asked that it be passed as emergency legislation tonight so he could get it submitted to the State to start putting his orders in for the next salt season.

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

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

T-7020 Purchase Snow Plow Blades

Mr. Miller said the cost of snow plow blades was expected to go up by 20% to 30% soon, so he wanted to get his order in before the prices went up. This was a yearly expense that was budgeted every year. Mr. Ruediger said this type of purchase had been discussed in the past and it was usually cheaper to buy the plow blades in the spring.

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

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

T-7021 Go to Bid for 2021 Road Paving

Mayor Broska said this was the request to advertise for bids for the 2021 road resurfacing program. He had sent an opinion email regarding what to do if the City should get stimulus money within the next 60 days or so. If the City did not get stimulus money, it still had money in the carryover to put toward the paving program. There was originally \$400,000 budgeted for the paving program and he suggested adding another \$600,000 and the Council Members seemed supportive, so he asked GPD to redo the list of roads to be resurfaced.

What had originally been budget was the OPWC repair and resurfacing of collector streets (Pike Parkway, Aurora-Hudson Road, and Wellman Road) for a total of \$1,083,850 with the City's share at (\$715,000) (66%). With the additional \$600,000 funding there were a lot more streets added to the 2021 paving program list for a total cost of \$994,200. There were catch basins repairs to be done from the Service Department budget and paved parking at Thomas Heritage Park as requested by Mr. Mytinger. The grant total for all the projects was estimated to be \$1,776,141 [see attached list].

He mentioned that the capital improvement projects being bid so far had come in lower than the Engineer's Estimate, so GPD listed three additional roads that could be paved if the bids came in favorably.

Mayor Broska had talked to Congressman Ryan on the phone about when the \$3.23 million of stimulus money would be allocated. Congressman Ryan said the Feds had 30 days to get it to the State and the State had 30 days to get it to the communities. There was still some question on whether that money could be used for roads. If this money could be used to replace items in the General Fund, then the City could take the money that was allocated in the General Fund and move that to the Capital Fund to cover the roads. Mayor Broska wanted to go to bid right away because he felt the City was already late in the year for this. One way or another he felt the City would be able to afford this program this year. This would take care of all roads rated to a 3 and then Streetsboro would have some of the best roads of any municipality in the County.

Mr. Hannan was concerned if the City went out to bid and then learned it wasn't getting the stimulus money or the money couldn't be used for roads, but the Mayor had explained that General Fund money could be moved to the Capital Fund. Mayor Broska was confident the City would get the money, it was just a matter of time; everyone was just waiting to see what the Treasury would say the money could be used for. He expected to be able to use the money for salaries or other things that would enable the City to move money from the General Fund to the Capital Fund. Ms. Esarey added that if the money was so restricted, Council would have the option to make a transfer, like it did last year, from the General Fund carryover to the Capital Fund in order to accommodate these expenditures.

Mayor Broska commented that the OPWC projects could not be signed and started prior to July 1, 2021, so there would be some time to learn what money would be allocated to Streetsboro and what the money could be used for.

Mr. Ring agreed with the Mayor on pursuing this road program. It had been discussed in the past to get the most needy roads on a 4-5 year program. He said the City was pretty secure on being able to do that even without extra money, but adding this in and getting these roads done a little ahead of schedule was a good thing. He was comfortable, regardless when or if the stimulus money came in or what it was earmarked for, that the City had mechanisms to utilize for this project.

Mr. Kocisko commented that he would prefer to wait until the City knew for sure it would get the stimulus money and what it could be used for before going ahead with this. Mayor Broska noted that even if this was sent to bid, the City had the right to reject any and all bids received. He was

concerned that if the bidding was delayed any long, there would not be many bids submitted or they would be high because most communities had already bid their road programs. Last year the bidding was a little late and paving work lasted until September or October. The worst case scenario was that the City would have to go into the carryover to pay for it; the best case scenario was that the stimulus money would come through and the City could utilize the money for roads and it wouldn't hurt the City at all. Mr. Kocisko said he was very conservative and didn't want to touch the carryover at all if possible; he was apprehensive until he was certain the money would arrive and what it could be spent on. Mayor Broska repeated there was time to make the final decision on funding.

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

Moved by Mrs. Field, seconded by Mr. Ring. Upon voice vote, **motion carried with Mr. Kocisko opposing the motion.**

T-7022 Enact New Chapter 705 Garage, Yard, and Household Sales

Mrs. Fagnilli said last month an ordinance was presented for discussion purposes, and there was lively discussion. The administration made some revisions as Council had requested and presented this proposal tonight.

Mrs. Field thanked Mrs. Fagnilli for doing this. Mrs. Field felt the City needed to move something along relatively quickly because it was becoming the garage sale season. She felt this proposal was a little less restrictive than the previous proposal. She was still a little wary of restricting people from having garage sales, but she understood the intent of this legislation since there were a few homes that seemed to have perpetual yard sales. She didn't like the restriction of no sale before 8 a.m. or after 7 p.m. and wasn't sure how it would be enforced. Mayor Broska said there would not be "garage sale police" but if a complaint was filed, the City would respond, like any other complaint.

Mr. Ring appreciated the adjustments in response to Council's requests. He said he was comfortable with setting a frequency and length standard which most communities had, he had just been opposed to a permitting process with fees which he felt was overreaching. He felt most of what was included in this legislation was fair.

Mr. Ruediger said he noticed some garage sales were held on long weekends, so the requirement of each garage sale not to exceed 72 consecutive hours may be too short and it should be 96 hours. He felt the set up and tear down when some of the items may be visible to the public should be accounted for and not included in the 72 (or 96) hours. The legislation listed a penalty of a minor misdemeanor for the first offense, and he wanted to see a warning for a first offense. Mrs. Fagnilli said, "then you might as well take it out." She this was to try to stop people from having multiple garage sales in a year, so by the time this would wind its way through the system even with a minor misdemeanor ticket, it wouldn't have the desired effect of being able to stop people. Mr. Ruediger said then he would be a No vote. Mr. Lampa thought the current proposal was fair. He said he had not ever seen a garage sale on a Thursday, Friday, Saturday, and Sunday.

Mr. Kocisko confirmed the fee had been eliminated. He also did not like the penalty and felt it was too strong and overreaching, but didn't know how else to deter people that were doing it wrong. He suggested not having a penalty and wait and see how the current year worked to see if there was abuse and a need for a penalty. Mr. Ring said if there was no penalty there was no point to the legislation. Mrs. Fagnilli clarified that a minor misdemeanor was the same thing as a speeding ticket; the ticket was to deter people from speeding, so this would be out there if garage sales became a problem. She noted, people often got warned before a speeding ticket was issued. She also noted that with new legislation, that had potential criminal penalty, the first objective should be education. Mrs. Fagnilli explained, as someone who had tried to prosecute matters that were merely minor misdemeanors, you have a ladder system where they have to have a prior conviction before you escalate. It made trying to enforce whatever the issue was almost impossible, particularly when the offender looked at the issue and felt a fine was no big deal. It didn't give the City any leverage to stop the things it wanted to stop.

Lt. Polivka said usually with non-traffic related minor misdemeanors and the quality-of-life type of things (noise, etc.) the police officers gave a warning first.

Ms. Wagner said she did not agree with the penalty either because for garage sales people wouldn't go to court for a ticket, and a misdemeanor ticket would become a warrant if they didn't pay it or deal with it, which could become very expensive in the court system. She said a misdemeanor ticket could cost as much as they may have made at their garage sale. She didn't agree with having legislation at all.

Mrs. Field said in her 17 years' experience living in Streetsboro, she felt most garage sales were held by regular, every-day people who maybe had a garage sale once or twice or year for a weekend, so this proposed legislation would not impact them. This legislation would impact those residents who had stuff in their yards for months at a time, and this was a way to clean up the City. She felt the City needed to have some regulations with a penalty established by legislation; and this would not really impact the every-day garage sale person. This would impact habitual offenders. Mrs. Field thought most residents would agree they did not want the months long sales with stuff in the yard all summer; and this is a way to solve that, so she supported this legislation.

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

Moved by Mr. Lampa, seconded by Mrs. Field. Upon voice vote, **motion carried with Mr. Ruediger and Ms. Wagner opposing the motion.**

T-7023 Contract w/CIVICA (CMI) for Upgrade of Server, Computers and Software

Ms. Esarey explained that in 2020 the City bought the server because it was cheaper to do it then. This year the City authorized TTx to perform the services needed for the new server, and this was the final component. CIVICA (CMI) was the finance software and authority utility/water billing software, so this \$5,255 was to cover the rehost of the application onto the new server. It moved files from the old to the new server, but also had configuration, testing, and validating the applications on the new server. This quote was provided by CMI. She asked for emergency passage tonight in order to be able to start integrating everything onto the new server as soon as possible.

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

Moved by Mr. Lampa, seconded by Mrs. Field. Upon voice vote, **motion carried.**

Citizens' Comments

None.

Announcements

A Regular Council 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 Mrs. Field, this meeting adjourned at 9:16 p.m.

ATTEST:

Caroline L. Kremer, Clerk of Council

Michael L. Lampa, Chairman