

THE CITY OF STREETSBORO, OHIO
SERVICE COMMITTEE MEETING MINUTES

Monday, June 13, 2022

This Service Committee Meeting was called to order on Monday, June 13, 2022 at 7:32 p.m. by Mike Lampa, Vice Chairman.

PRESENT: Mike Lampa, Justin Ring, Jennifer Wagner, Anthony Lombardo, Julie Field, Steve Michniak

ABSENT: Jon Hannan

ALSO PRESENT: Glenn Broska, Mayor
Frank Beni, Law Director
Patricia Wain, Police Chief
Kevin Grimm, Fire Captain
Matt Miller, Finance Director
Bill Miller, Service Director
John Cieszkowski, Planning Director
Patrick O'Malia, Economic Development Director
Shawna Lockhart-Reese, HR Manager
Caroline Kremer, Clerk of Council

MOTION: TO EXCUSE MR. HANNAN.

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

Disposition of Minutes

None.

Old Business

Discuss E-Waste Collections

Mr. Lampa said he had brought this up months ago because he was interested in getting a collection site in Streetsboro; it would be the first e-waste collection site in Portage County. There were sites in Summit County. Mayor Broska said the City was waiting for some follow up information from Summit E-Waste regarding security of the items left in the collection bin after the last meeting. The City had heard from Summit E-Waste a couple days after the last meeting, but nothing since then, so the Mayor had sent an email to ask them for an update because he thought it was a great idea to have a collection bin here in Streetsboro. It could be located at the police station where there was video monitoring.

MOTION: TO FORWARD THIS ITEM TO THE NEXT SERVICE COMMITTEE MEETING.

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

Discuss State Fireworks Legislation

Mr. Lampa noted that Mr. Beni had drafted a report about what the towns around Streetsboro were doing regarding the new State fireworks legislation. Mr. Lampa thought Council should discuss what the City of Streetsboro would do regarding the new State fireworks legislation, if anything.

Mr. Lombardo said he was against allowing fireworks to be set off on these holidays in the City for a couple of reasons. He didn't want untrained people blowing off fireworks in a neighborhood where it could fall on a neighbor's roof, especially if drinking was involved. He understood people did it now, even before the State law authorized it, but if it was allowed by law, it would be more of a problem and cause more injuries and/or fires. He felt the holiday firework shows that were monitored by fire departments were enough.

Mr. Ring said the City's current ordinances, if one line was removed, would allow people to fire off fireworks because the City ordinances follow the State Code; but if the City wanted to dis-allow it, Council would have to pass new legislation. Mr. Ring didn't want to pass new legislation; he was personally for people's freedom and for people taking personal responsibility for their actions. He added that the Supreme Court had ruled over and over again that it was not the government's job to keep us safe. He wanted to let adults make their own decisions about taking risks regarding potential injury. He suggested taking no action and leave the ordinances as is.

Mr. Field agreed with Mr. Ring. She supported people having liberty and freedom to shoot fireworks. She suggested maybe reviewing the noise ordinance to make sure there was a time of night when the fireworks would have to stop, but she realized it would probably be difficult to monitor or enforce.

Mr. Lampa wondered which ordinance took priority, the fireworks laws or the noise ordinance? Mr. Beni said the noise ordinance would apply, but it was very hard to measure the noise of a firework. He added that if there were fireworks at 3 a.m. the police would be able to go tell them to stop. Mr. Lampa said he would take direction from the City safety officers and the Police Chief and the Fire Chief did not want the City to allow the fireworks, so Mr. Lampa did not want to allow fireworks.

Mr. Ring said the safety officers were looking at the issue and just considering the safety factor, but the Council Members had to look at the issue with a broader lens when it came to liberty, etc. He understood why Mr. Lampa wanted to follow the recommendation of the safety professionals, but there were other things the legislators needed to consider.

Mr. Lombardo said the ability to express your freedom didn't mean you had to be allowed to light something on fire in the woods or on the road or by another's house to celebrate. For years this had not been allowed, and now there was this proposed change. There were veterans and others with certain sensory issues or disabilities that could not tolerate fireworks explosions and if the City allowed this there would be a lot of people that would be negatively affected by this.

Mrs. Field clarified that the State of Ohio had passed legislation to allow people to do certain

fireworks on eight specific holidays, and now the City was reacting to that legislation. Mr. Ring said if the City did nothing, the fireworks would be allowed on the listed holidays. The City would have to vote on legislation to make them illegal again.

Mr. Lampa asked for input from the Mayor who offered no comments on the issue. Mr. Lampa asked for input from Chief Wain and Captain Grimm. Chief Wain said she held a neutral opinion; she understood both sides of the argument. She said the Police Department chased fireworks calls a lot and regardless of the days they were approved or not approved, the more people that were allowed to do it, the more people that would do it, and the more calls the department would be responding to with their limited resources, especially in the summer months when the officers like to take their vacation time. Even if fireworks were allowed there would be complaints of noise disturbing the neighbors, or their dogs, or people with PTSD, etc. She didn't think prohibiting fireworks would solve the problems, the Police Department would still have to deal with fireworks calls. She thought allowing fireworks on the days the State allowed in their law would have the Police Department dealing with more fireworks calls. She said it was up to Council to determine what they wanted to do with the limited resources the City had.

Captain Grimm noted that there were not a lot of injuries from fireworks every year, maybe one every other year, but it was still a concern. When the professionals set up for a fireworks show they are supposed to have 70 feet of clearance for every inch of shell, but he did not think anyone would do that in their own yard. He noted that untethered sky lanterns were already in the Code as illegal once they were released because they could start a fire. He said there were a lot of different things to consider. He couldn't be sure if injuries from fireworks would increase or not if the State law was allowed to stay unchanged.

MOTION: TO HAVE THE LAW DIRECTOR WRITE UP LEGISLATION TO NOT ALLOW FIREWORKS IN STREETSBORO ON THE HOLIDAYS LISTED IN THE STATE LAW.

Moved by Mr. Lombardo, seconded by Mr. Lampa. Mr. Lombardo said many other cities were not allowing their communities to do fireworks. He felt, if they were prohibiting it, there must be a reason. He was afraid that if it was opened up to everyone there would be a lot more people doing fireworks than there was now because there would be some that would do it anyway because there was already. Upon roll call vote, **motion failed 2-4 with only Mr. Lombardo and Mr. Lampa supporting the motion.** Mr. Michniak said the topic could be brought up again at any time.

The Clerk asked what Council wanted to do with the draft legislation that had been prepared for today's packet setting some restrictions on age and time of day for exploding fireworks. Mr. Beni clarified that the state did not regulate the time; fireworks could go on all day. Council took no action on this topic and moved on to the next agenda item.

New Business

T-7252 Award Contract for Road Paving Program

Mayor Broska said there was an issue with this because the bids for all kinds of paving/infrastructure projects all across NE Ohio were coming in 15% to 20% higher than the engineer's estimate. This

project was 11% to 12% over expectations. The Law Director had advised that the City could still accept a bid. The City considered re-bidding, but was concerned the bid might come in even higher. As of this morning asphalt prices had gone up \$6/ton and if the City waited any longer to do this project the prices might go up significantly more. Mayor Broska asked Council to approve a contract so the City could move forward on the paving program. He added that AMATS would vote this week to help towns supplement the bids because there were so many projects coming in higher than anticipated.

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

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

T-7253 Accept Charter Review Commission Recommendations

Mayor Broska described the two recommended Charter changes the Charter Review Commission sent forward to City Council. 1) One had to do with the Core Concept not having to go for referendum for approval. Mayor Broska said the Core Concept was something that had come to the administration very favorably and they wanted to exempt the proposed Downtown District from referendum (voter) approval for zoning district classification changes and changes to density regulations. 2) The other had to do with contract purchasing as far as if the City could stop someone from bidding. Mr. Janis, the Assistant Law Director, felt there were adequate safeguards in the City ordinances already so the City did not always have to take the “lowest bid,” but had to take the “lowest and best bid.” The City’s system of purchasing was antiquated and came into being when the Service Director was the City’s only full time staff person. This proposed amendment was an update of that process to more closely follow what the City actually did now.

Mr. Lampa noticed as he read through these recommended Charter changes that there were references to the Board of Control approval level of \$5,000, but Council had raised the Board of Control authority to \$20,000. Mr. Ring added that his concern was that any dollar amount was referenced in the Charter; he thought the Charter should say whatever dollar amount was set by ordinance of Council. Because if Council wanted to change the Board of Control limits again, it would then require a Charter amendment to do it because a dollar amount was listed in the Charter. Mr. Beni said \$5,000 was the minimum the Board of Control had to approve (purchases of \$5,000 to \$20,000), but Mr. Ring said if that was in the Charter, if Council wanted to change that minimum (to \$2,000 or \$10,000 or whatever) it would require a Charter change and a vote of the people. Previously no dollar amount was listed in the Charter, it just said as shall be determined in a Section of the Code, which could be changed by motion or ordinance. Mr. Ring thought with this proposed Charter change any change to the Board of Control minimum approval level would require a Charter amendment and have to go to the voters, which was just ridiculous.

Mr. Ring said he would like to send this back to the Charter Review Commission. Mr. Beni said Council couldn’t; it had to be sent forward to the Board of Elections/voters. Mr. Ring said Council could send it back to the Charter Review Commission and they could bring it back to Council as long as it got to the Board of Elections by the cut-off date in August; there was time to do that. He said they could go back, meet again, amend it and send it back to Council to forward to the voters. Mr. Ring really wanted to have them reconsider adding specific dollar amounts or any kind of

specificity to the Charter itself; it should be listed how it was before as a reference as opposed to a hard dollar amount. He didn't really want to pass this proposed legislation with that specific dollar amount in there; he thought it was irresponsible and not appropriate and put a burden on future Councils and future administrations and the residents.

Mr. Ring clarified for Mr. Lombardo that currently \$5,000 was the limit to trigger to go to Board of Control and \$20,000 was the maximum amount Board of Control could authorize before the expenditure had to get City Council approval. Mr. Lombardo agreed the Charter shouldn't mention a specific number and be more ambiguous. Mayor Broska said the Charter Review Commission Members had been dismissed from their duties, but he could try to contact them by email to try to have them convene for another meeting. He thought the Charter Review Commission members would be understanding and amenable to the concern Mr. Ring had expressed. Mr. Ring said he would be willing to attend the Charter Review Commission meeting to explain his thoughts on this issue. Mayor Broska thought Mr. Ring had made a valid argument and he liked it. The Charter Review Commission was just trying to mirror the process that currently existed and that's why they presented this proposal. He said he would try to get the Commission together for one more meeting. Mr. Ring asked that Council be informed when the Charter Review Commission meeting was scheduled so he or other Council Members could attend. Council took no action on this agenda topic tonight.

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 Mrs. Field, seconded by Mr. Lombardo, this meeting adjourned at 7:58 p.m.

ATTEST:

Caroline L. Kremer, Clerk of Council

Michael Lampa, Vice Chairman