

THE CITY OF STREETSBORO, OHIO  
**SERVICE COMMITTEE MEETING MINUTES**

Monday, December 12, 2022

This Service Committee Meeting was called to order on Monday, December 12, 2022 at 7:06 p.m. p.m. by Julie Field, Chairman.

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

**ABSENT:** None.

**ALSO PRESENT:** Glenn Broska, Mayor  
Frank Beni, Law Director  
Tricia Wain, Police Chief  
Kevin Grimm, Fire Captain  
Matt Miller, Finance Director  
Bill Miller, Service Director  
Justin Czekaj, Municipal Engineer  
John Cieszkowski, Planning Director  
Greg Mytinger, Parks and Recreation Director  
Shawna Lockhart-Reese, HR Manager  
Melissa Procop, Mayor's Executive Assistant  
Caroline Kremer, Clerk of Council

**Disposition of Minutes**

**MOTION: TO ACCEPT THE SPECIAL SERVICE COMMITTEE MEETING MINUTES OF SEPTEMBER 26, 2022 AND THE REGULAR SERVICE COMMITTEE MEETING MINUTES OF NOVEMBER 14, 2022 AS WRITTEN.**

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

**Old Business**

None.

**New Business**

**Executive Session**

**MOTION: TO RECESS INTO EXECUTIVE SESSION TO CONSIDER PENDING LITIGATION.**

Moved by Mr. Hannan, seconded by Mr. Lampa. Upon roll call vote, **motion carried unanimously and the meeting recessed at 7:07 p.m.**

**MOTION: TO RECONVENE FROM EXECUTIVE SESSION.**

Moved by Mr. Lampa, seconded by Mr. Ring. Upon voice vote, **motion carried and the meeting reconvened at 7:32 p.m.**

T-7338 Contract w/F & B Engineering, CBO/Plan Review/Inspections

Mr. D'Agostino, City Building Official, asked Council to approve this contract to help make the commercial plans examinations more efficient and reduce the turn around time. This company had more accessibility and had people with knowledge that would contact the City staff and discuss any issues. Mr. D'Agostino said he'd know Mr. Flanik of F & B Engineering for a number of years and Mr. Flanik was well connected with the International Code Council and the State Board of Building Standards in Columbus. Mr. D'Agostino said he was looking to Mr. Flanik and his partner Mr. Bowman to achieve the service the City was not getting now.

Mr. Ring wondered if the building permit rates, that were recently increased, would cover the costs of this new service. Mr. D'Agostino said Mr. Flanik would act as the CBO of the Building Department under the same situation that existed now, and Mr. Flanik's remuneration would come through the fees for the plans examiner; there would be no increased cost to the City. The building fees charged to the customers would cover the cost of this service, but Mr. D'Agostino planned to reevaluate the fees after the first of the year. He felt this would be a better overall situation for the City.

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

Moved by Mr. Hannan, seconded by Mr. Lampa. Mr. D'Agostino introduced Mr. Jerry Flanik and Mr. Dennis Bowman. Mr. Flanik said they had been around a long time and specialized in building department operations; they both had been CBOs for counties and had plenty of experience doing this work and were able to communicate with Planning, Zoning, Building, Engineering, and Water departments. Mayor Broska added that this firm could give the City more personalized priority attention compared to the current process with CT Consultants where Streetsboro's work was just added to their pile and they got to it when they could. F & B Engineering was excited to work with the CitizenServe software. Upon voice vote, **motion carried.**

T-7339 Contract w/Rick Loconti, Back Up Inspector

T-7340 Contract w/Inspection Solutions, Back Up Inspector

Mr. D'Agostino said Rick Loconti and Dave Hocevar of Inspection Solutions were the two back up inspectors and said they were very qualified with a lot of certifications and they were very good at what they did, and the City needed them. The City had used their services for many years. They were both CBOs and were independent contractors for a number of different cities. Streetsboro was lucky to have them because people with their skills and abilities were hard to find.

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

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

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

Moved by Mr. Ring, seconded by Mr. Hannan. Upon voice vote, **motion carried.** Mrs. Field thanked Mr. D'Agostino for doing an excellent job for the City.

Discuss Zoning Text Amendment re Pool Fences

Mr. Cieszkowski said this was a very minor text amendment to Section 1151.22 relating to regulations regarding pools. This amendment was to eliminate a conflict between the Zoning Code and the residential Building Code. The Zoning Code currently required fences with no greater than a 3" maximum gap, and this would be a text amendment to change that to a 4" maximum gap to be in line with the Building Code.

Mr. Ring asked if the residential Building Code was change at some point to make this conflict; it should be aligned. Mr. Cieszkowski didn't know when a change might have happened; he thought the last change was 2019. This proposal was to make the Codes match.

Mrs. Kremer mentioned that a Public Hearing had been scheduled for this topic since it was a zoning text amendment on Monday, January 9, 2023. Mr. Cieszkowski asked that this issue be moved to the December 19, 2022 Regular Council Meeting for first reading to allow for 10 days between readings as required in the Charter.

**MOTION: TO MOVE THIS TO THE DECEMBER 19, 2022 REGULAR COUNCIL MEETING FOR FIRST READING.**

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

T-7345 Amend Code Section 509.10 Unlawful Noise; Prohibited

Mr. Beni said he'd been asked to review the City's Unlawful Noise ordinance to see if it could have more teeth added to it. The first offense was currently a minor misdemeanor, if it was persistent it was a fourth degree misdemeanor. Mr. Beni researched other cities' unlawful noise ordinances and a lot of them were unclassified, punishable up to \$1,000 fine with various degrees of incarceration. What he had drafted for today's discussion was: if they were convicted twice within a year, it would be an unclassified misdemeanor punishable by a fine up to \$1,000 and 60 days in jail. The jail time would actually be the province of the court, but a sentence of jail time was very unlikely.

Mr. Ring thanked Mr. Beni for working on this. It had been discussed a few weeks ago. Mr. Ring thought there was some confusion earlier and the Council Members were getting conflicting

information about how enforceable this law was, so they asked Mr. Beni to look into this. Mr. Beni confirmed a fourth degree misdemeanor was already punishable by \$250 fine and 30 days in jail, so the State already allowed a jail term if the judge saw fit to apply it. Mr. Ring didn't support adding this harsh of a penalty to what he considered a minor crime. 60 days in jail was a long time to lose your freedom, and maybe lose your job, and was kind of an overreach just for being too loud.

Mr. Lombardo also thanked Mr. Beni for working on this because he had discussed the topic with him often in the past. Mr. Lombardo said there had been some confusion in the past and felt it had been clarified and he recommended this draft be set aside, maybe to be revised later if necessary.

Mayor Broska noted that this draft said a fine of \$1,000 and up to 60 days in jail, but that did not mean that is what the judge would impose. He thought Council wanted something with a punishment of more than \$250 for making unlawful noise. Someone may think it was worth it to make noise if it was only going to cost them \$250. He thought it would be best to put teeth into this law to actually deter people from making the unlawful noise and up to \$1,000 fine and up to 60 days in jail would be for something truly egregious, not just for a couple noisy parties.

Mr. Ring felt that fines and 30 days in jail was already on the books and if someone wasn't deterred by that they wouldn't be deterred with 60 days in jail and bigger fines. He thought maybe a minimum fine of \$500 (instead of "up to \$1,000") if someone was convicted a second time.

Mrs. Field wondered what initiated the concern with this topic. Chief Wain explained that there was a resident that was often shooting off large fireworks anywhere from midnight to 4 a.m. and the randomness made it difficult to catch him doing it, so it became a noise ordinance violation because with noise they didn't have to prove who was doing it but could cite the one responsible for the home. The individual had already been cited 7 times because the problem just continued. He would just shut the door when the police arrived. He was well aware of the disturbance he was creating with these large explosions. Currently the minimal fines were not enough teeth for an individual who didn't really care, and there was nothing further the City could really do about it. Chief Wain thought the draft prepared for tonight had more teeth.

Mr. Michniak confirmed jail time was very unlikely, unless it was maybe a day to get the point across. He suggested adding jail time for a third conviction instead of second conviction for someone who continued to have noise issues. He thought without some jail time, this ordinance was not a deterrent at all. Mr. Ring said the ordinance already allowed for 30 days of jail time for persistent noise offenses, so he didn't think the City needed to increase the jail time penalty and 60 days was egregious; and if no one ever got sent to jail, why even bother having it in there? Mr. Ring thought it would be fine to raise the fine to a minimum amount for repeat offenders.

Mr. Lampa said Council should give the Police Department whatever they needed to deter anyone from continually violating the noise ordinance. Although this individual was in Mr. Lombardo's Ward, Mr. Lampa had also received call about this problem, but there was nothing they could do about it, so they asked Mr. Beni to draft something and he wanted to move this forward.

Chief Wain said the fine was what the police hoped to be the deterrent, not the jail time. Currently this person had been cited 7 times and the police could only fine him \$250 each time, which did not seem to be a deterrent, so she thought the \$1,000 fine might work.

Mr. Lombardo said this problem had been going on since July 2022 Monday through Sunday and the neighbors had finally been able to set up cameras, and the 7 violations Chief Wain mentioned were just from the cameras that were now in place. The neighbor was using commercial grade fireworks. Mr. Lombardo agreed 60 days in jail was probably too much, but that much jail time was unlikely to happen, and the City needed to do something. Mrs. Field liked the 60 days option.

Mr. Michniak explained his reading of the ordinance, a warning, and a fourth degree misdemeanor. He would support the 60 days in jail on a third offense, not the second offense, because he knew no judge would impose a 60 day sentence, but it could be a deterrent.

**MOTION: TO MAKE AN AMENDMENT TO SECTION G2 TO READ “IF WITHIN 12 MONTHS OF THE VIOLATION THE OFFENDER HAS BEEN CONVICTED OF OR PLEADED GUILTY TO TWO VIOLATIONS OF THE CITY OF STREETSBORO...”.**

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

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

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

T-7341 Authorize Contract for Stormwater Needs Analysis

Mr. Czekaj said this contract was with Strand and Associates. The proposed work was for an assets needs evaluation. The City had done a similar evaluation for water, and if the City had a sanitary sewer system, it would have to do it for the sanitary system. The City had been audited by the Ohio EPA in 2022 (and was still waiting on their report) and Mr. Czekaj was working on the individual pieces needed to bring the stormwater program into compliance, and this was another one of those pieces that was needed. This analysis was budgeted in 2022 and he’d like Council to authorize this contract for the work.

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

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

T-7342 Authorize Annual Subscription for Brightly Web Based Software

Bill Miller said this was for the annual fee for this subscription which was due in January. If Council could approve this now, as soon as the budget was set for 2023 he would be able to get the Purchase Order and pay this subscription. This was for the work order program for the Service Department and the Water Department.

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

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

T-7343 Authorize Purchase of Trench Shoring Equipment/Trailer

Bill Miller said this was to upgrade the shoring equipment for water digs and Service Department digs. They planned to put the equipment all on one trailer so it would be easier to get the proper tools out to each job. This was a newer system so it was easier to put together and easier for everyone to work with. The money was available in the 2022 Equipment account line because a pickup truck wasn’t available this year.

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

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

T-7344 Attend City Hall Lease Agreement

Mayor Broska said the renewal for the lease on 555 Frost Rd was due in March 2023 for another three years. The cost did increase substantially from when the City first moved in. When the offices moved in May 2018 it was not thought the City offices would stay as long as they had and the owner had given the City a substantial discount over market rate at that time. It was now about \$11/sq. ft. (about a \$3.25 increase) which was still considerably less than the market rate. In addition to renewing the lease for the current space, he requested Council approve the lease of additional 1,700 square feet of space two doors down in the same plaza. The current space was running out of room and space was needed for some additional personnel. Mayor Broska said with the rent for the McMichael building to go away when the new Parks and Recreation Department offices/Community Center was built the net increase in costs would be about \$10,000 for the additional space.

Mayor Broska mentioned that the current space situation made the administration realize that the design of a new City Hall should be more than 10,000 square feet; probably closer to 13,000 sq. ft. or 14,000 sq. ft. to accommodate City staff into the future.

Mrs. Field asked if the additional 1,700 sq. ft. would need to be remodeled to accommodate City staff. Mayor Broska said it already had offices created. It would need to have Internet run, but any work needed could be done in-house; there would not be any additional cost for any remodeling. It may need some security features added. The additional space was two doors down, not directly next to the current City Hall space; that space was being used by the owners for storage purposes.

Mrs. Procop added that the additional space had similar layout and paint to the current City Hall space. It was much smaller, but it had offices, bathrooms, space for a conference table, and a kitchenette space. The cost for the additional space was the same as the cost per square foot for the current City Hall. For 12 months the total cost would be \$18,700 plus the CAM of \$4,200. Mrs. Procop said the City currently paid \$6,316/month for the current space and it would increase by \$4,207, so it would go up about \$4,000/month. Matt Miller said the new lease would cost a total of

\$10,523 for the current space and the additional 1,700 sq. ft. space per month; \$126,276 for the year, with the new rate increase to take effect in March 2023 when the existing lease renews. Matt Miller said he had figured the 2023 budget to cover two months at the old rate and ten months at the new rate plus the twelve months for the additional 1,700 sq. ft. space plus the CAM which would be about \$152,000 total for the year; the City normally budgeted about \$140,000 each year for the rent. He added that they had negotiated heavily to get the rate down and were pleased with the \$11/sq. ft. for both units.

Mrs. Field wanted to know specifically what was going into the additional space. Mayor Broska said it would be used for the Building Department (inspectors, two clerks, and all the accoutrements the Department needed). The space in the current City Hall vacated by the Building Department would be used by a new Engineering Department clerk and a possible new clerk to assist Economic Development, the Law Department, and HR. The Zoning Inspector actually worked out of walk-through area (he didn't have a cubicle), the Assistant Planner needed more space, and so did John Wood, the Inspector. Mrs. Field thought putting cubicles in Council Chambers for daytime office use might be more economical. Mayor Broska explained that Council Chambers was used for some public meetings, training sessions, and the auditors in the daytime during various days of the year, so making work space in Council Chambers was not feasible. He added that the administration held off as long as it could for adding personnel, but more space was now needed. Every person that had been hired had made a very significant contribution to the City.

Mr. Ring agreed with obtaining the additional space for future growth. He said there were other new buildings in town that didn't plan for that and were already nearing capacity; he was glad the City offices were planning ahead. He also commented that \$11/sq. ft. for commercial/retail space was a low rate compared to the going rate of \$13-\$15/sq. ft.

Mr. Lombardo thought the price increase was not a lot of money for the employees to have the space they needed to be comfortable and do a good job. He visited the City Hall building often and observed the frustrations of a crowded workspace with multiple conversations and phone calls all happening in the same space.

Mr. Lampa commented that the City staff had grown in the last few years since the pandemic had lessened and the revenue had increased, and the City needed to plan for future growth to service the citizens. Mr. Lampa hoped the new City Hall building which was to be built in the next three years (this lease renewal was for three years) would also plan for future additional growth as well. He noted the discussions about the Community Center ended up expanding the size of that building too for future growth.

Mr. Hannan commented that he also liked the plan for the additional space. He liked that the Building Department would occupy the additional space instead of pieces of different departments. He thought that might improve the safety at the current City Hall if fewer customers had to enter the building to visit the Building Department.

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

Moved by Mr. Hannan, seconded by Mr. Lampa. 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. Ring, seconded by Mr. Lampa, this meeting adjourned at 8:25 p.m.

ATTEST:

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Caroline L. Kremer, Clerk of Council

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Julie Field, Chairman