

THE CITY OF STREETSBORO, OHIO

SERVICE COMMITTEE MEETING MINUTES

Monday, October 9, 2023

This Service Committee Meeting was called to order on Monday, October 9, 2023 at 7:01 p.m. by Julie Field, Chairman. Mrs. Field gave an invocation, then Mayor Broska led the Pledge of Allegiance.

PRESENT: Jon Hannan, Justin Ring, Anthony Lombardo, Marianne Glenn, Jennifer Wagner, Julie Field, Steve Michniak

ABSENT: None.

ALSO PRESENT: Glenn Broska, Mayor
Frank Beni, Law Director
Patricia Wain, Police Chief
Rob Reinholz, Fire Chief
Matt Miller, Finance Director
Bill Miller, Service Director
Justin Czekaj, Municipal Engineer
John Cieszkowski, Planning Director
Patrick O'Malia, Economic Development Director
Greg Mytinger, Parks and Recreation Director
Shawna Lockhart-Reese, HR Manager
Matt Coffman, IT Network Administrator
Caroline Kremer, Clerk of Council

Disposition of Minutes

MOTION: TO ACCEPT THE REGULAR SERVICE COMMITTEE MEETING MINUTES OF JUNE 12, 2023 AND SEPTEMBER 11, 2023 AS WRITTEN.

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

Old Business

None.

New Business

Discuss Pet Rodent Protection Act Proposal

Mitchell Edgecomb, 57 Chelmsford Drive, Aurora, explained that he was proposing an initiative to City Council to regulate the retail sale of domestic rodents because there was an overpopulation crisis that was currently unfolding within Portage County and within northeast Ohio. He said there was a shelter in Hiram that specialized in guinea pigs. Just last week there was an emergency

intake of about 20 guinea pigs that were found abandoned; some of the guinea pigs were in bad condition. Mr. Edgecomb said this was not an unusual occurrence; it happened every couple of weeks or months either where dozens of guinea pigs were abandoned in isolated incidents or in mass occurrences such as this recent one. He said the shelter in Hiram usually operated with around 100 guinea pigs annually because it was the only guinea pig shelter in the county, but was now at full capacity and could not accept any more guinea pigs in need of adoption this winter.

He said this tied into business operations in Streetsboro because the retail pet sales industry kept bringing in new animals for sale from abroad and because of this the shelters and rescues could not deal with the current influx of guinea pigs or other rodents. Guinea pig abandonment was up 25%, more than any other domestic animal in this country.

Mr. Edgecomb said Pet Supplies Plus was the only retail pet sales business that operated within Streetsboro. They sold about 96 guinea pigs and over 100 hamsters every year. Mr. Edgecomb said this was a problem because the shelters and rescues were at full capacity at 100 and the store was bringing in around 100 rodents every single year. So, what he proposed was not an attack on Pet Supplies Plus, but he wanted to collaborate with Pet Supplies Plus to have them no longer pull their rodents for sale from breeding facilities because they currently took in all of their domestic rodents from APet Inc., which was a mass housing facility centered in Illinois that housed thousands of rodents in factory like conditions to send them to retail stores all across the country.

Mr. Edgecomb explain that what he sought City Council to do was to have Pet Supplies Plus pull all their guinea pigs, rodents, hamsters from shelters or rescue organizations so the animals will be able to receive homes more quickly and the number of animals in shelters will decrease so the shelters could take in more. This would prevent unnecessary euthanizing of healthy animals and will prevent people from simply abandoning their animals outside because shelters had turned them away. He asked that his proposal that had been distributed at a previous meeting be sent forward from today's Service Committee Meeting to the Council body to be drafted into an ordinance to be enacted at a future Council Meeting. He noted that he had not contacted Pet Supplies Plus yet, but he intended to talk with them this week to start collaborating on this issue.

Mr. Hannan thanked Mr. Edgecomb for the explanation. He understood that Mr. Edgecomb was not against the sale of rodents by Pet Supplies Plus, just where they were getting their supply from. Mr. Edgecomb said he felt his proposal was a more ethical way to do it because the overpopulation crisis was expanding at an unmanageable rate, and the animals bred in the factory-like conditions ended up having health conditions and lived less long than guinea pigs that would be bred on a smaller scale with a local breeder.

Mr. Ring appreciated Mr. Edgecomb bringing awareness to this issue. Mr. Ring felt a lot could be done with education efforts. He did not feel it was the government's role to dictate to a private business where they should get their product; that was an overreach. He thought an educational effort would be much more effective; he agreed people should be aware of the issue. He didn't even know if the City had the power to tell a business where to get their product.

Mr. Michniak asked what the supply cost would be to a retail store depending on where they purchased their product. Mr. Edgecomb was not certain of the cost difference, but had included in his proposed ordinance that if shelters and rescues transferred animals to Pet Supplies Plus, they would not have to pay a fee or fine.

Mr. Edgecomb understood the concern about the City putting its hands in a private business's operation, but education efforts had been tried (and could be continued) but the population crisis was only getting worse and more and more animals were being abandoned and the euthanizing rate was increasing. He said the only reason the euthanizing rate for other animals like dogs and cats had been curbed and had been decreasing across the country was because other states and jurisdictions had taken action and had banned retail pet stores from selling their animals from breeding facilities/mills. Mr. Edgecomb said the City would have power to regulate the retail sale of guinea pigs in the State of Ohio. Five jurisdictions had already done so by banning the retail sale of guinea pigs, such as Andover, MA. The State of Ohio did have a preemption law prohibiting local jurisdictions from regulating the sale of cats and dogs, but did not prevent cities from regulating the sale of rodents.

Mr. Michniak asked, what would happen if the shelter ran out of pet rodents or went out of business, if that was the only source from which the stores could buy the pet rodents? Would there be an exception where they could then buy from a mill or a breeder? Mr. Edgecombe said the end goal was to have people reassess the role that retail pet sales plays in their lives, specifically for domestic rodents because domestic rodents were sort of an exotic pet. Dogs and cats were more mainstream. He would eventually like to phase out the sale and distribution of rodents because the retail pet sale industry, specifically breeding facilities (which were mainly overseas), were inherently cruel in the way they treat the rodents in addition to the overpopulation and many animals became sick and had to be euthanized after being imported to the United States through APet Corp. in Illinois.

Mr. Michniak asked if Mr. Edgecomb had considered how the pet stores would deal with the situation, if the City ordinance he was contemplating was enacted and the pet shelters became the only source to buy the pets, and then the shelters shut down because their real goal was to shut down the trade. Mr. Edgecomb said he had thought about that situation and the industries were inherently cruel and he did seek to shut them down because the shelters were a more ethical alternative. He said the shelter would obviously get business from this arrangement initially but they would have to pay fees to transfer the animals (which would be a very small amount), and it would affect the shelter's business too because it would mean less animals would be taken in and therefore less animals they could sell. He said county shelters more often euthanized animals than small scale or local shelters which prioritized animals over profits. Mr. Michniak wondered if the five jurisdictions Mr. Edgecomb had mentioned that had passed similar legislation had ever been sued by the big box breeders. Mr. Edgecomb was not sure about guinea pigs specifically, but he knew that there had been big legal battles over puppy mills and cat mills. Specifically, to guinea pigs and other rodents, the issue was very recent and there were not a lot of statistics on how this had affected the trade or guinea pig population rates nationwide. He said what he was trying to put forward was a very new issue/new proposal and had not been tried on a large scale; in the long-range goal he was just trying to protect the animals.

Mr. O'Malia commented that his role for the City was to try to attract businesses to Streetsboro and also to try to retain businesses. He felt it would be very bad if the City just started implementing new regulations out of nowhere. He noted that Mr. Edgecomb had said he had not yet engaged with the Pet Supply Plus corporate offices. Mr. O'Malia felt this proposal for City Council action might be premature before there was any interaction, even at the local level, because this was a corporate structure and the local manager would not have the authority anyway. Mr. O'Malia agreed to assist Mr. Edgecomb in trying to track somebody down at the corporate level, or to determine who Mr. Edgecomb could talk to; and then if that did not work, maybe he could return to City Council for action. Mr. O'Malia said he also needed to consider the Streetsboro residents with dogs and cats because this was the only pet store in Streetsboro and he didn't want to cause trouble for them. He also needed to consider that some of the vacant locations (the old Giant Eagle on Market Square) in town would need to be taken by a corporation (not Mom and Pop type owners) and the brokers that represent the corporations all talked to each other, so he would like Streetsboro to not "jump the gun" without first being able to explain to a broker that Streetsboro had tried to work with Pet Supplies Plus corporate offices and do things in the right sequential order before passing any legislation. Mr. O'Malia appreciated Mr. Edgecomb's passion for the issue, but needed to present his viewpoint regarding "economic development" for consideration tonight. Mr. Edgecomb understood. Mr. O'Malia committed to helping Mr. Edgecomb find someone at the corporate level to whom he could make this pitch, and then everyone could learn the other side of the issue too.

Mr. Michniak asked the Streetsboro Law Department to prepare a memo, for the next time this issue was brought up for a committee discussion, on what the City could or could not do from a legislative perspective; could the proposed legislation even be adopted as drafted? Mr. Beni noted that the state had enacted legislation in 2017 that ended by concentrating on dogs, but it started with "any regulations with regard to regulation of pet stores was deemed to be a state-wide issue." Mr. Beni thought it was enacted because of puppy mills. Mr. Beni felt Mr. Edgecomb's efforts should be directed toward the state. Mr. Michniak still requested a memo from the Law Department. Mrs. Field agreed the legislative efforts should be directed toward the state. She appreciated Mr. Edgecomb's research and his ability to present all this information to make Council aware of the problem. Mr. Beni thought there had been some discussion at the state level regarding regulating the sale of rabbits.

Mr. Ring said Mr. Edgecomb had said there were five other cities that had enacted a ban on sales, but this proposal was not a ban, but to require the retail stores to buy from someone specific, which was different. Mr. Ring was not comfortable with asking a business to buy from a specific supplier. Mr. Edgecomb said the five jurisdictions he had mentioned did not ban it entirely, he may have misspoken, they just required them to pull from shelters or rescues, as he had proposed for Streetsboro.

Mr. Edgecomb thought the state preemption only affected puppy mills and cat mills, per his research. Mr. Beni said that was not actually how the legislation read, it was very generic at the beginning. Mr. Michniak said that was why he asked for a memo and an opinion from the Law Department, maybe with a copy of the statute. He suggested Mr. Edgecomb be given a copy of

the memo when it was prepared.

Council thanked Mr. Edgecomb for coming tonight and he agreed to contact Pet Supplies Plus and other shelters/rescues in the county. He agreed this proposal may be premature, but it was a start toward education and awareness of the situation.

Ms. Glenn ask specifically about the facility in Hiram that Mr. Edgecomb had mentioned. He explained that the Hiram shelter was small and specifically for guinea pigs, it was called The Heart of Ohio Guinea Pig Rescue and it was open to the public. It was one of the only guinea pig shelters in the state. Ms. Glenn suggested Mr. Edgecomb try to get the word out about this shelter (because she and others did not know that it existed), as an option for people to acquire guinea pig pets instead of people thinking big pet stores were their only option. Mr. Edgecomb agreed to take Council's suggestions. He did want to make it more voluntary instead of having to legislate something.

T-7484 Zoning Text Amendments (Fences, Site Plan Review, Parking, Temporary Signs)

Mr. Cieszkowski had provided a cover letter outlining the text amendments being considered this evening addressing: 1) fences to ensure the decorative element of fences faced outward and to increase the height of fences in residential front yards; 2) temporary sign reviews to clarify that the Planning and Zoning Department receives funds and reviews temporary sign permits, not the Building Department, and to change "permit" to "certificate" throughout the paragraphs; 3) clarifying the modifications to an existing parking lot that would trigger site plan review. Currently any change to an existing parking lot, even restriping that would decrease the number of spaces by one would trigger site plan review at Planning Commission, which seemed burdensome to applicants, so changes were being recommended. And 4) to remove the landbanked parking regulation and replace it with a deviation to be granted by the Planning Commission through site plan review. Mr. Cieszkowski had spoken to a couple Council Members about these text changes and Mr. Ring had brought up a couple of changes to this proposal.

The next two agenda items were further changes to the Codified Ordinances to make Code §1327.02 Property Line Fences and §149 Fees match the proposed Zoning Code changes in T-7484.

Mr. Ring suggested a couple changes to the proposed ordinance. He noted that Section 3a, regarding parking, spoke to a reduction of the number of spaces or size of the spaces, but he felt an increase to the number of spaces should also trigger a review of the site plan because it would increase the asphalt and maybe affect the stormwater management. The goal of what Planning wanted to accomplish with these text changes would still be possible, but Mr. Ring felt his change should be included. Mr. Ring also had a concern with completely removing the landbanking; he felt it was a good tool to protect future property owners who may have a different use and different need for parking. He said the landbanking situation only happened when a deviation was granted to put in a smaller parking lot than was required in the first place, so it actually seldom occurred. Mr. Ring said he would still like to put a deviation in that would allow the Planning Commission to not require the landbanking if there was a very good reason why the landbanking should be forgone in a unique situation. He said it would be the best of both worlds where it was still

required, but in a unique situation the Planning Commission could allow it to be forgone.

Mr. Cieszkowski said he would work with the Law Department on the final language, but he felt the suggested changes were reasonable and fair. He said there had been a couple of cases where the property owner repaved their lot and the new striping resulted in the addition or reduction in one or two spaces, which, as it was currently written would require them to go to Planning Commission. These text changes as proposed and amended tonight would still allow the Planning Department to administratively approve a minor change to parking lots.

Paul Yupa, 8749 Seasons Road, said he had commented at the Planning Commission meeting when this was discussed. He had concurred with the comments that Mr. Ring mentioned. Mr. Yupa also noted that a change to the traffic flow within a parking lot could also affect the traffic flow (entrance/exist) on the street. He felt changes to parking spaces and not traffic flow in a parking lot could be handled administratively, but changes to traffic flow may affect the traffic beyond the parking lot and should probably be reviewed by Planning Commission. Mr. Yupa also said he was against eliminating landbanked parking. He agreed with Mr. Ring's comments about future use of buildings. He also thought what business may do would be to look for a smaller site and fill it with a building and parking spaces and no green space would be gained. He liked the idea of keeping landbanked parking to keep options open for the future and not restrict future uses of the parcel. Mrs. Field agreed with the thoughts presented regarding landbanking.

Mrs. Field asked if traffic flow was considered in the text language. Mr. Cieszkowski said they were proposing to take out "alteration of traffic flow by way of ingress and egress" or within the site itself, but he noted that even if there was a change to an existing parking lot and it was something that could be administratively approved by the Planning Department, it was not done without input from the Engineering Department if traffic flow, onsite circulation, or curb cuts were part of the change.

Mr. Ring summarized that these changes didn't remove requirements, it just allowed the Planning Department to review and approve minor changes, if appropriate. Inappropriate changes proposed by the applicant could be declined if they were not a good idea or not a good plan; this just made the review of minor changes a little quicker for the applicants.

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

Moved by Mr. Michniak, seconded by Mr. Hannan. Upon voice vote, **motion carried**. The requested amendments would be added to the draft legislation for the second reading in two weeks.

T-7485 Amend §1327.02 Property Line Fences

Mr. Cieszkowski said this was a change to the Building Code section of the codified ordinances to match with the above proposed change to the Planning and Zoning Code text regarding the decorative side of the fences.

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

FIRST READING.

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

T-7486 Amend §149.11 Zoning Fees for Temporary Signs

Mr. Cieszkowski said this was the same as the previous ordinance; to make the Fee section of the codified ordinances match with the above proposed changes to the Planning and Zoning Code text for temporary sign permits/certificates.

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

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

T-7481 Approve Contract for City Hall Design

Mr. Czekaj said at Council's request the administration had sent out for RFQs and had received five responses to build the new City Hall. After evaluation of the responses, the administration had unanimously chosen levelHEADS, Inc. and had a contract prepared. Mr. Czekaj said the administration was looking forward to moving forward with levelHEADS. They were the architects for the Community Center and had been fantastic to work with. They had saved the City a lot of money by finding small ways to save money in various ways throughout the construction of the Community Center. Mrs. Field supported this choice; levelHEADS had done a great job with the Community Center.

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

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

T-7482 Authorize Temporary Easement for City Center

Mr. Czekaj said this would be on the east end of the City property. There was an existing mound on the neighboring property and the City Center Site Master Plan had anticipated building a mound topped by trees in that area so the City asked to expand the existing mound onto the City property and add the plantings instead of having two mounds next to each other. Mr. Czekaj had approached the neighboring property owners to see if they would give the City a temporary construction easement to continue that mound onto the City Center property. The property line would stay intact, they would maintain their end of the mound and the City would maintain its end, but there would be one continuous mound that the City could plant landscaping on top of. The City had started moving material to that place and he wanted everyone to know that the City had not encroached onto the neighboring property yet. It would probably be a part of the Amenities package that may come forward at the next Council meeting. This arrangement would save some money and would look better too.

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

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

T-7483 Allow Alcohol in the Park – Leadership Portage County Beer Festival

Mr. Mytinger said this was for a one-day permit for Leadership Portage County to host their Beer Festival in City Park on October 14, 2023. Mrs. Field noted the Beer Festival was this upcoming weekend, so this was very late notice. Mr. Mytinger explained that there was a new leader of Leadership Portage County and this request had slipped through the cracks while arranging this event and processing the necessary paperwork.

Mr. Ring asked why this type of legislation had not been done for Streetsboro Family Days, which also sells beer in City Park. Mr. Mytinger said City Council used to authorize it annually for Streetsboro Family Days, but then a few years ago one ordinance was passed for all the future Streetsboro Family Days events. Mrs. Kremer noted that in the past legislation was passed to allow a one-day event for Leadership Portage County to sell beer and wine in City Park.

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

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

MOTION: TO ADD ANOTHER AGENDA ITEM TO TODAY’S SERVICE COMMITTEE MEETING REGARDING T-7487 OPWC APPLICATION FOR PAVING.

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

MOTION: TO ADD AN ADDITIONAL ITEM TO TODAY’S SERVICE COMMITTEE MEETING REGARDING EXPANDING THE COMMUNITY CENTER PARKING LOT.

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

T-7487 OPWC Application for Paving

Mr. Czekaj said this was the final application for almost \$400,000 of matching funds that he would be submitting this week for paving of Page Road, Luke Road, Bartlett Road, and Elliman Road. It was a 50% matching grant from OPWC and he needed Council approval to submit the final application.

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

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

Discuss Expanding the Community Center Parking Lot

Mayor Broska said when the Community Center was originally planned out this parking lot was part of the site plan; it was postponed because they had thought the parking in front of the Community Center would be adequate for the time being but it had always been planned to eventually move forward with the additional 19 spaces. He said at about 50% through the project

they found that the contingency fund was still very adequately funded and they could afford to add the additional parking spaces now and still have contingency fund money left.

Three proposals had been prepared and he asked for Council's consent to go with the mid-priced proposal. The cost would be \$71,204 and would come out of the unspent funds in the contingency fund and still leave about \$105,000 in the contingency fund to finish the project. It would be \$30,000 to \$40,000 more expensive to do the additional 19 parking spaces later after the current project was completed.

Mayor Broska said the Law Department had said legislation was not needed because the money had already been approved, but he wanted to keep Council in the loop and get their feelings on doing the additional parking now. Matt Miller explained that the money was in the fund, so it could be used; it was not over the contingency amount, so it wouldn't require any additional authorization of funds for the contract.

Mr. Michniak asked how the parking lot would be redesigned. Mayor Broska said 19 parking spaces would be added on to the west end of the already planned parking lot toward Field 7. Due to the cost, the design team opted to not include these additional spaces as part of the bid package, but it was part of the site plan as landbanked parking. The architect had drawn out this additional parking as part of their fee so it could be done now. Mr. Mytinger noted that space for this additional parking was already dug out, so there would be no further decrease in grass toward Field 7 if you were to look at the construction site today.

Mr. Michniak said it seemed very expensive for 19 parking spaces, but it was explained that the project would include lighting, an extension of the sidewalk to reach this area, asphalt for the parking spaces and traffic flow around the spaces, curbing, landscaping, and striping. Council did not express any opposition to the proposal once the reason for the significant cost was explained.

Citizens' Comments

None.

Announcements

A Special Finance Committee Meeting will immediately follow this meeting.

There being no further business to be addressed by this committee, and upon motion by Mr. Hannan, seconded by Mr. Lombardo, this meeting adjourned at 7:57 p.m.

ATTEST:

Caroline L. Kremer, Clerk of Council

Julie Field, Chairman