

This Regular Meeting of Council was called to order on Monday, May 22, 2017 at 9:57 p.m. by Steve Michniak, Council President.

PRESENT: Bridget Pavlick, Jeff Allen, Julie Field, John Ruediger, Jessica Timmons, Steve Michniak

ABSENT: Tim Claypoole

ALSO PRESENT: Glenn Broska, Mayor
Paul Janis, Law Director
Robert Reinholz, Fire Chief
Tricia Wain, Police Lieutenant
Jenny Esarey, Finance Director
Bill Miller, Service Director
John Cieszkowski, Planning Director
Greg Mytinger, Parks and Recreation Director
Caroline Kremer, Clerk of Council

MOTION: TO EXCUSE MR. CLAYPOOLE.

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

Disposition of Minutes

MOTION: TO ACCEPT THE REGULAR COUNCIL MEETING MINUTES OF APRIL 24, 2017 AND THE PUBLIC HEARING MINUTES OF MAY 8, 2017-TAX BUDGET AS PRESENTED.

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

Citizens' Comments

SACC monthly report - Jimmy Shukys, of JimyZ Automotive, gave a recap of the Streetsboro Area Chamber of Commerce May activities: celebrated National Small Business Week with free events, monthly luncheon on how to hire people, held 19th Annual Golf Outing at Raccoon Hill. In June there will not be a monthly luncheon, but they will have Business After Hours. There will be 2 ribbon cutting events in June: UPS and Dr. Layman's new office followed by Business After Hours. On June 16 there will be a 15 mega-chamber night at Canal Park for an Akron Rubber Ducks baseball game. On June 22 Metis Construction will host a party on the patio in Kent with the Kent Chamber.

Kate Mullally, 1230 Cherokee Trail, had spoken to Council at the May 8, 2017 meeting regarding the flooding issues on her cul-de-sac and wanted to follow up tonight. She had talked with the City Engineer on May 16 who had done some research on Shawnee Trail and reported that the houses and the downspouts were currently connected to the storm sewer system, which was good, but there was still a problem. The storm sewers would be jetted/cleaned, but that was not expected to solve the problem either. She asked for some direction on how to move forward to get some options from the City to resolve this issue for all the neighbors in the area. She emphasized that she had \$30,000 in debt from trying to fix the flooding issue in the lower level of her house and the property values on her cul-de-sac were "null and void" at this point because the homes had flooded so frequently, and there was so much standing water there were health concerns. She appreciated the follow up from the City Engineer but wanted to know what to do because every time it rained, this was a huge concern.

Mr. Miller noted that Mr. Ciuni was going to do a surface study to see what kind of water was coming out of there. Mr. Miller said this was a 2-part problem and he was going to sewer jet the front lines which would help Ms. Mullally's sump pump, but there had been a delay in getting the rental equipment, which he would bring to the next Service Committee meeting. He said the back issue was totally different than the front issue.

Mrs. Field asked to have this topic added to the Service Committee agenda so Council could continue to monitor the issue and do what they could to move forward with this. Mr. Allen, the Service Committee Chairman, agreed to put it on the Service Committee agenda.

Introduction of Legislation Containing Statement of Emergency

T-6330 AN ORDINANCE AMENDING ORDINANCE NO. 2016-128, THE 2017 ANNUAL APPROPRIATIONS ORDINANCE. [#7]

Clerk read by title as directed.

MOTION: TO SUSPEND THE RULES.

Moved by Mrs. Field, seconded by Mrs. Pavlick. Upon roll call, **motion carried 6-0.**

MOTION: TO ADOPT ORDINANCE NO. 2017-62.

Moved by Mrs. Field, seconded by Mrs. Pavlick. Upon roll call, **motion carried 6-0.**

T-6331 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE REGIONAL INCOME TAX AGENCY TO PERFORM SUPPLEMENTAL INCOME TAX COLLECTIONS SERVICES, AND DECLARING AN EMERGENCY TO EXPEDITE COMMENCEMENT OF SUCH SERVICES.

Clerk read by title as directed.

MOTION: TO SUSPEND THE RULES.

Moved by Mrs. Field, seconded by Mrs. Pavlick. Upon roll call, **motion carried 6-0.**

MOTION: TO ADOPT ORDINANCE NO. 2017-63.

Moved by Mrs. Field, seconded by Mrs. Pavlick. Upon roll call, **motion carried 6-0.**

T-6332 A RESOLUTION AUTHORIZING THE MAYOR TO TERMINATE THE ENTERPRISE ZONE TAX EXEMPTION AGREEMENT BETWEEN THE CITY, PORTAGE COUNTY BOARD OF COMMISSIONERS, VIKING FORGE CORP., AND BPC REALTY HOLDINGS LLC, AND DECLARING AN EMERGENCY IN ORDER TO IMPLEMENT THE RECOMMENDATIONS OF THE TAX INCENTIVE REVIEW COUNCIL AS SOON AS POSSIBLE.

Clerk read by title as directed.

MOTION: TO SUSPEND THE RULES.

Moved by Mr. Ruediger, seconded by Mrs. Pavlick. Upon roll call, **motion carried 6-0.**

MOTION: TO ADOPT RESOLUTION NO. 2017-64.

Moved by Mr. Ruediger, seconded by Mrs. Pavlick. Upon roll call, **motion carried 6-0.**

T-6333 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AMENDMENT OF THE CONTRACT AUTHORIZED BY ORDINANCE NO. 2012-68, WITH THE PORTAGE COUNTY SOLID WASTE MANAGEMENT DISTRICT, TO EXTEND THE EXPIRATION DATE OF SUCH CONTRACT BY A PERIOD OF NOT TO EXCEED NINETY (90) DAYS, AND DECLARING AN EMERGENCY IN ORDER TO MAINTAIN CONTINUITY OF SERVICE.

Clerk read by title as directed.

MOTION: TO SUSPEND THE RULES.

Moved by Mr. Ruediger, seconded by Mr. Allen. Upon roll call, **motion carried 6-0.**

MOTION: TO ADOPT ORDINANCE NO. 2017-65.

Moved by Mr. Ruediger, seconded by Mr. Allen. Upon roll call, **motion carried 6-0.**

T-6334 AN ORDINANCE AUTHORIZING THE MAYOR TO PAY THE 2017 ANNUAL DUES FOR THE CITY'S MEMBERSHIP IN THE PORTAGE COUNTY REGIONAL PLANNING COMMISSION, AND DECLARING AN EMERGENCY TO EXPEDITE THE CITY'S PAYMENT.

Clerk read by title as directed.

MOTION: TO SUSPEND THE RULES.

Moved by Mrs. Pavlick, seconded by Mr. Allen. Upon roll call, **motion carried 6-0.**

MOTION: TO ADOPT ORDINANCE NO. 2017-66.

Moved by Mrs. Pavlick, seconded by Mrs. Field. Upon roll call, **motion carried 6-0.**

T-6335 AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE NO. 2017-46 TO ADD AN AUTHORIZED VENDOR TO THE LIST OF AUTHORIZED VENDORS ELIGIBLE TO SELL MATERIALS AND SERVICES TO THE CITY AS NECESSARY TO REMODEL THE DISPATCH

CENTER AT THE POLICE DEPARTMENT, 2080 STATE ROUTE 303, AND DECLARING AN EMERGENCY IN ORDER TO PERMIT REMODELING TO BEING AS SOON AS POSSIBLE.

Clerk read by title as directed.

MOTION: TO SUSPEND THE RULES.

Moved by Mr. Ruediger, seconded by Ms. Timmons. Upon roll call, **motion carried 6-0.**

MOTION: TO ADOPT ORDINANCE NO. 2017-67.

Moved by Ms. Timmons, seconded by Mr. Ruediger. Upon roll call, **motion carried 6-0.**

First Reading

T-6328

AN ORDINANCE AWARDING A NONEXCLUSIVE FRANCHISE TO _____ TO PROVIDE RESIDENTIAL CURBSIDE RECYCLING COLLECTIONS IN THE CITY OF STREETSBORO, FOR A PERIOD OF FOUR YEARS, AND AUTHORIZING THE MAYOR TO EXECUTE A FRANCHISE AGREEMENT.

Clerk read by title as directed. Mr. Ruediger commented that Council had asked Mr. Stiner from Portage County Solid Waste Management about discounts for Seniors, but did not ask Mr. Johnson from Kimble about their Senior rates. Mrs. Pavlick suggested they provide that information for the 2nd Reading at the next meeting. Mr. Janis clarified that this was not a formal bid, so the Council could ask for anything. Mr. Johnson said he provided that information in bids that asked for it, or RFPs that had a line item for it, and it seemed unusual to him to negotiate something after RFPs were submitted, but Kimble did offer 5% or 10% discounts in other agreements. Mr. Ruediger asked the administration to look into it and provide more information at the next meeting, and then Council could fill in the blank on the legislation. Mr. Janis clarified that the City already paid the recycling cost for those over 60 [that had applied], to which Mr. Ruediger said that's why he was interested in reduced prices for the Seniors since the City was paying for it.

Mrs. Field said Council had received a ton of information and she was ready to fill in the blank on the legislation, if the rest of Council was willing. Mr. Allen and Mr. Ruediger preferred to get more information about the Senior rates at the next meeting. Mr. Stiner said currently the residential rate was \$2.40/month and the Seniors were charged \$2.14 from Portage County Solid Waste Management District. The administration was to send an email request so Kimble and Portage County could submit their proposals for review a week prior to the next meeting of June 12, 2017. Mr. Allen thanked Mr. Stiner for extending the current recycling contract.

T-6336

AN ORDINANCE RE-ZONING PERMANENT PARCEL NO. 35-027-00-00-018-000 FROM I-1 (INDUSTRIAL, RESEARCH AND OFFICE) TO R-1 (LOW DENSITY URBAN RESIDENTIAL),

APPROVING A CORRESPONDING AMENDMENT TO THE CITY'S OFFICIAL ZONING DISTRICT MAP, AND SUBMITTING TO THE ELECTORS OF THE CITY THE QUESTION OF WHETHER SUCH AMENDMENT SHALL BECOME EFFECTIVE.

Clerk read by title as directed.

T-6337 A RESOLUTION SUBMITTING TO THE ELECTORS OF THE CITY THE QUESTION OF LEVYING AN ADDITIONAL FIVE (5.0) MILL *AD VALOREM* PROPERTY TAX FOR THE PURPOSE OF MAKING CAPITAL IMPROVEMENTS TO PARKS AND RECREATION FACILITIES, RETIRING DEBT INCURRED IN THE MAKING OF SUCH IMPROVEMENTS, AND PAYING CURRENT OPERATING EXPENSES OF THE PARKS AND RECREATION DEPARTMENT.

Clerk read by title as directed.

Second Reading

T-6327 AN ORDINANCE ADOPTING A TAX BUDGET FOR THE CITY OF STREETSBORO FOR FISCAL YEAR 2018.

Clerk read by title as directed.

Third Reading

None.

Mayor's Report

Mayor Broska wanted to hold off on the appointment to the CRA Housing Council until later. He announced that Market Square Plaza had been sold to an investment company out of Houston, Texas. They had plans to fix up the property and were interviewing brokers to try fill the plaza; it would remain retail. The lease agreement had expired last year and there were no restrictions on the property now.

President of Council's Comments

None.

Council Members' Comments

Mr. Ruediger wished everyone a good Memorial Day. The Memorial Day Parade was scheduled for Sunday, May 28, 2017 at 1:00 p.m. from Campus Elementary to the SR 303 Plaza. Mr. Ruediger said congratulations to all the high school seniors graduating this month and "Go Cavs."

Mrs. Pavlick thanked all the staff for working hard every day. She thanked everyone for their patience and kind words while she dealt with some personal/family issues.

Ms. Timmons wished a safe trip for the 8th graders as they traveled to Washington D.C. this week.

Reports/Communications from Dept/Boards/Commissions

None.

Executive Session

MOTION: TO RECESS INTO EXECUTIVE SESSION TO CONSIDER PENDING LITIGATION re THE SHELLY MATERIALS CASE.

Moved by Mrs. Field, seconded by Mr. Ruediger. Upon roll call, **motion carried 5-1 with Mr. Allen opposing the motion and the meeting recessed at 10:24 p.m.**

MOTION: TO RECONVENE FROM EXECUTIVE SESSION.

Moved by Mr. Ruediger, seconded by Mrs. Field. Upon voice vote, **motion carried and the meeting reconvened at 10:41 p.m.**

Announcements

The Memorial Day Parade will be Sunday, May 28, 2017 at 1:00 p.m.

City Hall will be closed Monday, May 30, 2017 for Memorial Day.

There will be a Charter Review Commission Meeting on Monday, June 5, 2017 at 7:00 p.m. in Council Chambers.

There will be a Service Committee, Safety Committee and a Regular Council Meeting on Monday, June 12, 2017 starting at 7:00 p.m. in Council Chambers.

There being no further business to come before this Council, and upon motion by Mrs. Pavlick, seconded by Mr. Ruediger, this meeting adjourned at 10:42 p.m.

ATTEST:

Caroline L. Kremer, Clerk of Council

Stephen A. Michniak, President of Council