THE CITY OF STREETSBORO, OHIO

SERVICE COMMITTEE MEETING MINUTES

Monday, September 8, 2014

This Service Committee Meeting was called to order on Monday, September 8, 2014, at 7:00 p.m. by Jeff Allen, Chairman. There was a moment of silence in place of an invocation and then Mayor Broska led the Pledge of Allegiance.

PRESENT: Jeff Allen, Regis Faivre, John Ruediger, Steve Michniak, Tim Claypoole, Julie Field

ABSENT: Bridget Pavlick

ALSO PRESENT: Glenn Broska, Mayor
Dave Maistros, Law Director
Kevin Grimm, Fire Chief
Troy Beaver, Police Lieutenant
Jenny Esarey, Finance Director
Joe Ciuni, City Engineer
John Kuklisin, Water Superintendent
John Cieszkowski, Planning Director
Sue Truby, Economic Development Director
Missy Hatch, Parks and Recreation Director
Clay Morris, HR Director
Caroline Kremer, Clerk of Council

MOTION: TO EXCUSE MRS. PAVLICK.

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 JUNE 9, 2014 AND AUGUST 11, 2014 AS PRESENTED.

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

Old Business

Update on Filling and Grading Issue/Flooding Concern on Crescent Drive

Mayor Broska reported that he had called Mr. Neff last week who said he would get with Fechko Excavating Inc. to have the buried material removed, but it was not done by this morning, so Mayor Broska talked to Mr. Neff and Mr. Fechko who said he would take care of it. Mayor Broska didn’t know when it might get done.
Mr. Claypoole commented that the City may need to take some action against them because they had not done anything yet and the City had been told a couple of times already that it would get done. He thought there must be some rules and laws against just dumping asphalt/concrete and maybe the City should set a deadline date and if it didn’t get done maybe there could be legal action to stop further work there. Mayor Broska suggesting waiting until the next Council Meeting on September 22 and if nothing was done by then, the issue could be turned over to the Law Department for action. Mayor Broska added that he had been checking on Meadow View and they had the sidewalks in now and were finishing Phase 5.

MOTION: TO FORWARD THIS ISSUE TO THE SEPTEMBER 22, 2014 REGULAR COUNCIL MEETING FOR AN UPDATE.

Moved by Mr. Ruediger, seconded by Mr. Claypoole. Upon voice vote, motion carried.

New Business
Discuss Purchase of Laptop Meter Reading System
Mr. Kuklisin said there had been problems with the data collector and laptop for the Neptune water meter reading system. The Water Department had been using a loaner at times to get the job done. Out of 4,400 customers the department was less than 1% in negative reads, but the laptop from 2006 was failing. The cost for a new laptop was $11,500 and there was money in the budget for this.

The initial quote was for $13,500, but the City would purchase a model with fewer “bells and whistles” for $11,500; there was no trade-in credit for the old equipment. The old equipment had an initial three-year warranty and the City had a maintenance plan since then and Neptune had fixed the equipment over the last few years, but now it was out of date, unrepairable and needed replaced. Mr. Kuklisin expected the new equipment would have a three-year warranty.

Mr. Claypoole commented that $33,000 had been appropriated at the last Finance Committee Meeting for a new laptop. Mr. Kuklisin explained that the Neptune salesman had calculated some other equipment into the quote that Streetsboro didn’t really need; the laptop and data collector would only cost $11,500.

MOTION: TO FORWARD THIS TO THE SEPTEMBER 22, 2014 REGULAR COUNCIL MEETING TO AUTHORIZE THE PURCHASE.

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

Purchase of New City Telecommunications System
Mr. Maistros had distributed the responses received from the request for proposals for a new telecommunications system, in addition to a Proposal Summary page listing Time Warner, Windstream, US Network, and the current provider. The City currently had only 1.5 megabytes up and 1.5 megabytes down over three T-1 lines, which was extremely slow, especially for the Police Department which needed to download video from the cruisers. With Time Warner the City would own the phones
at the end of the 5 year lease agreement and could determine at that time if the City wanted to keep the phones and enter into an extended service plan. During the 60 month lease agreement a service plan wasn’t needed because it was included in the lease agreement.

The current phones were from the 1980s and were difficult to repair; replacement parts could only be found on eBay. The new phones would be state of the art phones that would plug into the desktop computers.

The administration recommended going with Time Warner for $3,726.30 per month instead of the $5,000 the City was currently paying. Time Warner offered Internet service at 100 megabytes to share, which would be a big improvement. The City had negotiated the 100 megabytes for the 70 megabytes price, but Mr. Michniak was concerned it might not be enough. Time Warner’s proposal would be to move all of the servers and hardware to the Police Department, which they would do, because it was the newest building and was staffed 24/7. There was a 60-90 day period for the installation process, so they hoped to get it done by the end of the year.

**MOTION: TO FORWARD THE TIME WARNER PROPOSAL TO THE SEPTEMBER 22, 2014 REGULAR COUNCIL MEETING.**

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

**Discuss Waiving Tap-In Fee for Sunny Slopes Waterline Project**

Mayor Broska said Council had approved a maximum assessment of $5,500 for the homes in the Sunny Slopes waterline project. This amount was more than the other people in town had paid as their assessments, so to keep things as equal as possible the administration was suggesting the tap-in fee of $1,500 be waived for a period of six month upon completion of Phase II next year. The City didn’t really have anything to do to tap in to these new lines because the taps were being done as the contractor installed the main waterline. The residents would get the tap-in fee waived, but would still have to pay about $280 for a water meter and also pay for a plumber to make the connection to their home.

Mr. Allen asked why the assessment for Sunny Slopes was more than the previous waterline projects (Gates-Valley Brook-Summers waterline project assessment was about $4,103). Mayor Broska said because it was 6 or 7 years later and all prices had gone up and it was a little bigger project. He expected to go to bid for Phase II in December or January to get the best prices from the bidders to complete the project next year. The whole project was estimated at about $1.9 million and would be assessed on 179 homes. In the past the City had paid 35% and the residents had paid 65%, but this time the City capped the assessment cost for the resident at $5,500 to try to keep things kinda equal.

Mr. Maistros and the Clerk clarified that the tap in fee had also been waived for a previous waterline project (Briar-Root-Manor in 2004) for three months after the project was completed and the assessment applied. They thought the tap in fee had been waived for the Gates-Valley Brook-Summers waterline project too. This time the tap-in fee would be waived for six months beyond the completion of Phase II.
MOTION: TO FORWARD THIS ISSUE TO THE SEPTEMBER 22, 2014 REGULAR COUNCIL MEETING TO WAIVE THE TAP-IN FEE.

Moved by Mr. Michniak, seconded by Mrs. Field. Mayor Broska was sure the residents would appreciate having the fee waived because they had been waiting many years for water. Upon voice vote, motion carried.

Storm Water Project at 9484-9494 SR 43
Mr. Kuklisin explained this was for 140 feet of storm sewer pipe that ran between those two houses that had sink holes. The Service Department could replace the damaged pipe with 48” plastic pipe. The rest of the pipe from the catch basin and under SR 43 looked good for now. There were funds available in the 2014 budget for this planned project, which had been carried over for the last couple of years.

MOTION: TO FORWARD THIS TOPIC TO THE SEPTEMBER 22, 2014 REGULAR COUNCIL MEETING TO AUTHORIZE THE PROJECT.

Moved by Mr. Ruediger, seconded by Mr. Claypoole. Upon voice vote, motion carried.

Discuss Updating Noise Ordinance
Mrs. Field said the noise ordinance had been discussed before, but it was combined with the motocross track issue, so she wanted to look at it as a separate issue for possible updating. Mr. Maistros said he and Mrs. Field had discussed this issue on a number of occasions over the last year or so, but had set it aside to see if the Planning Commission would do anything about addressing it from a zoning perspective regarding the motocross track or recreational activities conducted on residential property, but they decided not to take any action. Mr. Maistros said there were two ways to address noise: establish that certain noises or certain degrees of noises were heard off of the originating property onto another property, or use a decibel meter or other scientific device to measure the noise and if it was over a certain level it would be in violation of the ordinance. The Law Department and the Police Department were not in favor of using decibel meters for various reasons. The current noise ordinance listed certain noises and had a prima facie violation of that ordinance if the noises occurred between 11 p.m. and 8 a.m. He said there could be some discussion about amending the time of day if Council wanted some changes. There had been some commercial establishments that had been dealt with because of the time, but he didn’t think there had been any residential complaints because of late evening/early morning noise. The motocross track issue was mainly heard during the day and on weekends, which he understood didn’t make it any less offensive to the neighbors.

Mrs. Field noted that §509.10 listed the time restriction from 11 p.m. to 8 a.m. but §1151 General Standard Provisions for zoning enforcement listed 10 p.m. to 7 a.m. for operation of equipment. Mr. Maistros explained the steps a resident would take regarding a noise complaint: they could call the Police who would send an officer out to see if the officer could audibly clearly hear the sound on a neighboring property before issuing a citation in a residential case. For zoning enforcement for noises coming from industrial or commercial businesses the City has used a noise meter that Mr. Cieszkowski and his staff had been trained to use and they could go out and enforce that section of the code.
Mr. Maistros explained that there were things that could be changed and things that could be added to the current ordinance. He said engine exhaust, noisy machinery and loud music had been the common issues over the last couple of years. According to the ordinance if an engine had a muffler it was in compliance, but that didn’t really stop the engine noise from being irritating or annoying.

Mr. Allen thought this topic had been initiated from the motocross track issue and commented that he wouldn’t pass an ordinance for a singular issue, but if the noise ordinance in general needed updated, he would be willing to consider it. Mrs. Field said the intent was to update the noise ordinance and not include the motocross track issue. Mr. Ruediger commented that whatever changes might be made should have some teeth and be enforceable which might include the need for decibel meters.

Mr. Michniak said the language of the current statute was so subjective it was difficult to enforce and no one could be satisfied. He would prefer something more objective; maybe a decibel level measurement. Mr. Maistros agreed with Mr. Michniak in needing something objective, and maybe also adding something to the statute regarding persistence so a single short incident of annoying noise was not a violation. Mr. Michniak asked to include something in the amended ordinance regarding the bass levels in car radios that can vibrate the next car and even house windows when they went by. Mr. Maistros thought the administration could look into the number of meters that might be needed for the cruisers and the cost for each and the cost for training to use them if that was the direction Council wanted to go.

Mrs. Field suggested the Law Department put some draft language together based on what had been presented today and noise complaints the City had dealt with in the past and present some updated legislation for a future meeting. She asked him to also consider some measurement tool for a more objective standard. Mr. Allen said decibel meters were very expensive, needed calibrated often, and could get misplaced, so he suggested another kind of objective standard that didn’t require meters also be considered. Mr. Maistros would gather some examples, get some costs, and prepare something for a future meeting.

**MOTION: TO FORWARD TO THE NEXT SERVICE COMMITTEE MEETING.**

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

**Discuss Motocross Track Issue on Ferguson Road**

Mr. Allen had provided some information and pictures prior to tonight’s meeting. He had not distributed it earlier because he had planned to do a PowerPoint presentation, but that didn’t work out [see attached email correspondence and pictures]. Mr. Allen suggested Mr. Deizic, the motocross track property owner, apply to the Planning Commission for a Conditional Use Permit in the R-R District.

Mr. Maistros said he and Mrs. Field had discussed this issue in the past. The motocross track had grown larger over time. Mr. Maistros said this issue had been referred to Planning Commission by City Council last year for Planning Commission to discuss how the City might restrict these from a zoning standpoint. Planning Commission had discussed the issue of dirt bikes and ATVs throughout the town.
in multiple meetings, not just for this property. Mr. Maistros said the principle use was a residential property, and the use of the motorcycles was an accessory use and people weren’t charged to use it so it wasn’t a business.

Mr. Claypoole thought that the property was really two lots with the residence on about 11 acres and the rest on another 22 acres. Mr. Maistros wasn’t sure about that but could look into it. Mr. Allen thought the track covered 25% to 30% of the property and was very large so maybe the motocross track was the principle use of the property. He insisted that the Deizics needed to get a Conditional Use Permit, and if they got a Conditional Use Permit, it could solve all the problems because then the neighbors could come to the Planning Commission meetings to voice their concerns and the Planning Commission could put conditions and limitations on the use.

Mr. Michniak confirmed it was not being run as a commercial track; the father and son were into motocross, and they owned the lot(s) the track was on, which was in a Rural-Residential zoning district. The neighbors’ houses were relatively close to the track and were visible on the Google Earth picture. Mr. Allen played a tape of the noise heard from the neighbor’s porch.

Mr. Claypoole noted there was an Ordinance §1151.24(c) already on the books to prohibit dust from going on to neighboring properties and he asked if this was something that could be enforced regarding this motocross track. Mr. Maistros added that §333.10 also regulated dust. He stated that the individual property owner had been cited in the past for either dust or noise or both. A resolution presented in municipal court was evidence of a dust suppression system to mitigate a charge presented, but he didn’t know for certain if the system had been installed.

Mr. Allen asked if the property owner had a grade and fill permit to put the track in. Mr. Maistros said the administration had looked and there was no permit pulled, but what he needed from a permit standpoint Mr. Maistros couldn’t say. Mr. Allen said no one wanted to impose such limits that the land owner couldn’t use his property, but Mr. Allen felt there needed to be some conditions so that the neighbors could all cohabitate and Mr. Allen felt the Conditional Use Permit would fix that.

Ken Claypoole, 10221 Gloucester, had looked up the Portage County website and saw that there were actually three parcels owned by Mr. Deizic in that area and the largest parcel (about 22 acres) included the whole top track and part of the additional smaller track, one parcel had nothing on it, and there was a smaller parcel.

Chuck Kocisko, 1530 Pike Parkway and Planning Commissioner, said there was a lot of discussion at the Planning Commission Meeting on this topic regarding what ordinances, if any, should be changed. Mr. Kocisko had suggested at that meeting that the homeowners get together and work out something, like the time of day, etc. He said he wasn’t opposed to anybody enjoying their property the way they like to use it as long as it didn’t offend the neighbors or break any laws. He was surprised to hear that maybe the size of the track had increased with maybe more dirt. He didn’t really want to add any more laws; he didn’t want to overgovern so that’s why he suggested the neighbors work it out together, but apparently that wasn’t going to happen. It would be up to Council to possibly change some ordinances.
to resolve this, which wasn’t his preference, because any changes would end up hurting somebody somewhere. Mr. Allen commented that he didn’t think Council was looking to change any ordinances, but Mr. Kocisko thought Council might be pushed into it because some changes might be needed for some type of resolution. Mr. Allen didn’t think there needed to be a law change. He said with the new information regarding parcel lines, he felt it was even clearer that it needed a Conditional Use Permit, which he felt would fix everything because all the residents could have input at the Planning Commission Meeting and work out a compromise.

Pete Buczkowski, 9345 Root Drive, said the last time this was discussed he asked if the parcels were occupied by the land owners because he knew one of them didn’t reside there and the track went into the property unbeknownst to the owner. He added that no matter what law was enacted, it was a matter of enforcement. He said there was another law not being enforced regarding semi trucks being parked in residential driveways.

George Lear, 8541 Ferguson Road, understood what Mr. Allen was saying about zoning, but this issue had just gone through the Planning Commission. He said it was one year ago that this noise issue had first come before City Council where it was discussed for a couple months and then went to Planning Commission in March 2014 where they decided in May 2014 not to make any changes. Mr. Lear had expected some changes to prevent what happened here from ever happening again. Mr. Lear stated that there was still no fill and grade permit for this motocross track and he had originally brought it to the Mayor and Mr. Pritchard’s attention in May 2012. Mr. Lear said the City had required Mr. Deizic to put in vegetation, pile dirt, add mufflers, and a watering system, but did the City know if any of that had actually been done; Mr. Lear said it had not been done. Mr. Lear wondered why the existing Codes were not enforced, and this had been ongoing for 2 ½ years. Mayor Broska answered that as far as he knew Mr. Deizic hadn’t moved any dirt since he was told to cease and desist by Mr. Terrell; nothing had been brought to the Mayor’s attention recently and if the City didn’t witness anything they couldn’t enforce anything. If something was going on it needed to be reported to the City so someone could go investigate; the City staff didn’t have time to constantly monitor that property. Mr. Lear said even if work wasn’t done on the property recently, what about the last 2 ½ years of work without a permit.

Mrs. Field commented that Council just learned there were 2 or 3 parcels of land involved with one property owner, which made a huge difference and the City needed to move forward with that knowledge. Mr. Cieszkowski said he needed to look at this and discuss with the Law Director what the options might be. Mrs. Field said the property owner needed to get a fill and grade permit because obviously dirt was brought in. She said she’d like to see the property owner get a Conditional Use Permit.

Mr. Claypoole asked what the penalty would be if someone didn’t get a fill and grade permit but did the work. Mr. Maistros attempted to look it up in the City Codes.

Mr. Allen said the issue that went to Planning Commission earlier was about a new ordinance to outlaw ATVs, motorcycles, etc. in the R-R zoning district; it was a proposed ordinance to attack a singular issue, which never worked. Mr. Lear understood what the proposal was, but it should have been
something to give teeth to this specific issue so it couldn’t happen again elsewhere. Mr. Lear noted that the motocross track was 65 feet off his property line and the track ran 638 feet along his property line, so the next time he called the police he expected them to come with a sound meter. Mr. Allen said there was a problem that needed address and it kept getting bigger and if it wasn’t addressed now it would get even bigger.

George Greenlee, 8580 Ferguson Road, said this issue started a long time ago. He had informed the Law Director and the Engineering Department in the beginning that the motocross track was in violation of City ordinances because it never got a permit to bring the dirt in and it never got a site plan amendment, but there was no action at that time. Mr. Greenlee felt the City was responsible for what has happened because the City failed to act on its own ordinances. When the police were called the motorbikes stopped and the police were not able to cite anyone because they couldn’t hear anything by the time they got there. Mr. Greenlee said he could hear the motorbikes on his porch 900 feet away from the track. He could even hear them inside his house with the TV and air conditioner on. He built his house on Ferguson Road for the peace and quiet of a rural neighborhood, so what about his rights to enjoy his property? He said the track was put in to train to ride competitively, which wasn’t recreational use. He was frustrated that this had been going on for 2 ½ years with no resolution. He felt the City should have a responsibility to remove the track now, since it was in violation of City Codes.

Cecille Lear, 8541 Ferguson Road, felt the idea of a Conditional Use Permit was a good way to go, but she asked who would notify the property owner the permit was required and what was the actual process and time frame for a Conditional Use Permit. She also wondered what would prevent the homeowner from joining the three parcels back together that were separated by a previous owner. She also wondered if the property owner would be not allowed to use the track until a Conditional Use Permit was received; and what if a Conditional Use Permit was denied? She asked for an explanation of how the Conditional Use Permit process would work. Mr. Cieszkowski answered that first he and the Law Director needed to decide if this was a conditional use and did it required a Conditional Use Permit. If it required a Conditional Use Permit then it had to go through a different process than a site plan review or a site plan amendment, whereby the applicant would have to prove that they conformed to all general, and if applicable, specific conditional use requirements associated with that use. As part of that approval process it would require a public hearing before the Planning and Zoning Commission. Mr. Cieszkowski added that it was important to note that a conditional use, if they conformed to all of the conditions of approval, they could move forward with that use; if they did not meet those conditions, then obviously they could not move forward with that use. He said, depending on the specific use, depends on the conditional use requirements both general and specific, specifically applicable to the use in question. Mr. Allen summarized that everyone was waiting to see if Mr. Cieszkowski and Mr. Maistros decided if this fell under the Conditional Use and if a Conditional Use Permit was required by the property owner.

Pearl Pullman, 1491 Morgan Way, said back in about 1986, when she had been doing home daycare for about 5 or 6 years, the City made her apply for a permit and then denied the home daycare. She continued because there was new State legislation at that time that did not require the City to notify the property owner of a Conditional Use Permit. When the police were called they were not able to cite anyone because they couldn’t hear anything by the time they got there. Pearl Pullman wondered, if the City...
could tell her to stop helping 5 or 6 families through her beneficial daycare work, why couldn’t the City tell someone else to stop what they were doing who was infringing on the neighbors’ comfort in their own homes. Isn’t there anything the City could do about this?

Pete Buczkowski, 9345 Root Drive, commented that Mr. Deizic would have to apply for conditional use for each parcel the motocross track was on. He said this was going on way too long and needed resolved.

Mr. Maistros commented that it was misinformation that nothing had been done regarding this situation. He noted that the City had issued a citation to this homeowner and had prosecuted him in court. Mr. Maistros had met with the neighbors, saw the videos and heard the audios. He had presented this to Council for their agenda, he had talked with Mr. Terrell who had issued a cease and desist order to the property owner regarding the fill and grade, and this had been to the Planning Commission for review in multiple meetings, but now it was back to City Council. While the track had not been shut down, the message conveyed today that nothing had been done by the City was false because multiple things had been done by the City. He said Council should chose a direction and then pursue that so this issue wouldn’t fly out of control because this was a piece of property that the City had had significant contacts with including filing criminal charges and prosecuting within the last two years.

Carmen Laudato, 10113 Westridge Lane, asked what the City was telling anybody that was currently filing for a grade and fill permit because she saw the pictures of this track and thought it was a very big project. She wouldn’t want a new applicant to get denied for a grade and fill permit and then have them find out that this person was just able to continue.

Mr. Allen said under past administrations he had seen fill and grade permits required for a lot smaller projects and he thought a fill and grade permit could have fixed this at the beginning, but now he felt a Conditional Use Permit would fix it.

Mr. Claypoole asked if Mr. Maistros had found out what the consequences would be if someone did work without a fill and grade permit. Mr. Maistros said it was under the General Penalty section which was a first degree misdemeanor (up to $1000 fine); it didn’t provide specifically for restoration. The City had not taken action on the fill and grade.

Toni Musgrave, 8513 Ferguson Road, lived 600 feet in front of the motocross track. She said her AC wasn’t working this year so she had the windows open and now the window tracks, screens and the rest of her house were full of dirt and dust. She couldn’t afford to get the AC fixed because her husband was ill and couldn’t open her windows because she wasn’t able to keep up with the cleaning. So it wasn’t just the noise (which made her dogs bark when it went late into the night) that was bothersome, it was the dirt too.

Mr. Allen asked for Council’s wishes on this issue. Mr. Allen wanted to see the property owner get a Conditional Use Permit through the Planning Commission where the neighbors could present their issues and a compromise could be reached.
Mr. Michniak said it still needed to be determined by Mr. Cieszkowski and the Law Director if a Conditional Use Permit was needed, and the City also needed to decide if the property owner would be cited for the fill and grade issues, before Council decided if there would be any other moves. Mr. Michniak asked if the neighbors had tried an action of private nuisance; had they banded together and tried to privately sue Mr. Deizic, because the issue might get resolved faster if they tried that option although it might be expensive. Mr. Lear said he had researched several incidents of this type of thing, but it usually fell back on the city. Ms. Musgrave said the neighbors didn’t have the funds to do a private lawsuit; as homeowners they expected the City to do something without them having to hire an attorney.

Mr. Greenlee said it felt like the City was trying to make this the neighbors’ responsibility, but Mr. Michniak said he had only offered the private lawsuit suggestion as an option. Mr. Greenlee said it was up to the City to remove the track that was put illegally; the City was responsible, not the neighbors.

Mr. Allen said he had visited the area and had spoken to many of the neighbors and not all of the neighbors had a problem, some were on the fence, but the majority of them had complaints. Mrs. Field agreed with that assessment because she had visited the area also. Both Council Members had also attended the Planning Commission meetings on this topic. Mrs. Field added that something needed to be done. The City had done some things, but more was needed and the City should move forward as fast as possible otherwise the track might get bigger and be more of a problem.

Mr. Ruediger agreed the first thing was to let the Planning Director and Law Director determine what permits might be needed. He didn’t want to wait another month to discuss this topic, so he suggested a Special Service Committee Meeting in two weeks.

**MOTION: TO SCHEDULE A SPECIAL SERVICE COMMITTEE MEETING ON SEPTEMBER 22, 2014 TO DISCUSS THE MOTOCROSS TRACK ISSUE ON FERGUSON ROAD.**

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

**Citizens’ Comments**

Mrs. Allen, 8693 SR 14, said she was hearing tonight that the motocross track was an illegal operation that had been going on for 2 ½ years, which she thought was stunning. She asked what happened if a child/teenager was seriously hurt or killed on this practice track? Would the City be liable? Her grandson was hurt on such a track. She thought the City needed to get its act together and do something quickly or at least shut it down until a concrete decision was reached.

George Lear, 8541 Ferguson Road, clarified the track owner, John Deizic, was 46 years old and his son, Ryan, was 16 years old and there was a younger son, 13 years old, and they were all involved in motocross.
**Announcements**
A Safety Committee Meeting will immediately follow this meeting.

There being no further business to be addressed by this committee, and upon motion by Mr. Faivre, seconded by Mr. Ruediger, this meeting adjourned at 8:40 p.m.

ATTEST:

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Caroline L. Kremer, Clerk of Council  Jeff Allen, Chairman

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