



**Caucus & Regular Council Meeting Minutes
Tuesday, February 23, 2021
7:00 p.m.**

***Note – Meeting held hybrid with Council in-person and public participation via Zoom**

CAUCUS:

The caucus meeting was called to order at 7:00 pm.

ROLL CALL: J. McFearin, S. Scaffide, G. Bellan, S. Barr, Walker, M. Stauffer and B. Furey

ABSENT:

ALSO PRESENT: Ted Yates, Mayor
David Maistros, Law Director
Sarah Buccigross, Finance Director – via Zoom
Shannon Collins, Clerk of Council
Mark Gutowski, Senior Communications Administrator

Presentations:

No presentations this evening.

Items for Discussion:

No items for discussion this evening.

Audience Participation:

No audience participations this evening.

Pending Legislation:

Ordinance 07-2021 – Sign Ordinance

Ms. McFearin stated this is the sign ordinance which will be on its third and final reading tonight.

Ordinance 13-2021 - Approval of auction list

Ms. McFearin stated this is the second reading to approve items for the city auction. There will be a revised list for the next meeting with additions to this ordinance.

Ordinance 14-2021 – Permanent Annual Appropriations for 2021

Ms. McFearin stated this is the first reading for the permanent appropriations budget for 2021. It will be read three times but will need the emergency clause added on the third reading so that it can be passed by March 31st as required.

Ordinance 15-2021 - Award bid for 2021 Road Program

Ms. McFearin stated this is for the 2021 Road Program. Total amount is \$777,766.70. This includes work on sidewalks, catch basins & inlet maintenance, roadwork and misc. paving related to railroad tracks in coordination with the rail company.

Ordinance 16-2021 - Authorizing the Mayor to Enter 4 Corners Agreement

Ms. McFearin stated this is to enter into a joint agreement with Glenwillow, Macedonia and Oakwood for the intersection at Shepard/Richmond, Broadway and Ravenna. Project total is \$2,826,866.50 of which the city's portion is \$188,479. The emergency is to allow the agreement to be processed in a timely manner.

Ordinance 17-2021 - Food Truck Regulations

Ms. McFearin stated this is the first reading on the food truck regulations.

Mr. Scaffide stated he felt the ordinance was open ended allowing in residential areas meaning if someone owned one they could open the doors for business at their home. His other concern is the length of time the permit is good for. For \$75 you have the entire year before you need to apply again. He believes it should be tied to an event or possibly a 30 day period.

Mrs. Walker asked if they would be required to pay taxes on the items sold. Mr. Maistros confirmed they are a taxable entity.

Mayor Yates stated restrictions were discussed that would limit the locations or add layers of approval to use certain locations to make sure there is not interference with other existing food establishments.

Mr. Bellan asked Mr. Scaffide if he was concerned about food trucks establishing a permanent location. Mr. Scaffide stated yes. Mr. Bellan asked as this legislation is written, does the city have additional discretion to say yes or no. Mr. Maistros stated regular food truck operations would be limited to commercial and industrial, residential would be prohibited. The special events would be permitted in residential to allow for a party, block party and only good for 24 hours. The city can add a time limit to food truck operation permit but the twelve (12) month validation period was more for the compliance of the food truck such as insurance on the vehicle, inspection from Building and Fire departments for safety. Meaning once inspected the inspection is good for twelve months (12) so the fire department does not need to inspect it multiple times in a season.

Mr. Maistros stated the time frame in which they can operate can be different. There was not many operating last year but don't know if the numbers will increase or decrease. Since the limitations in this

ordinance state no closer than 500 feet from an established restaurant so they are not in direct competition with our brick and mortar locations.

Mrs. Stauffer asked if the two that were in operation last year will be able to go back to those same locations. Mr. Maistros stated they would because those locations would not be a permitted location unless all the existing restaurants sign off on it.

Mr. Scaffide stated he wanted to discuss the 'Massara's' plaza. He stated that the plaza owners are now only plowing portions of the parking lot instead of the entire thing. He believes it may be a safety issue. Mayor Yates stated he will look into it. Mr. Maistros stated they should be complying with the safety pattern that was set up and approved.

Mr. Furey stated council has a breakdown of the open boards and commission applicants. Council decided they will not interview those reapplying. Ms. McFearin stated that there are still some openings that no one applied for that will be re-advertised and on the city's website.

Miscellaneous:

No further miscellaneous this evening.

Meeting adjourned at 7:21 pm.

Regular Council Meeting:

Mr. McFearin called the Regular Council meeting to order at 7:30 pm.

ROLL CALL: J. McFearin, S. Scaffide, G. Bellan, S. Barr, Walker, M. Stauffer and B. Furey

ABSENT:

ALSO PRESENT: Ted Yates, Mayor
David Maistros, Law Director
Sarah Buccigross, Finance Director – via Zoom
Shannon Collins, Clerk of Council
Mark Gutowski, Senior Communications Administrator

INVOCATION & PLEDGE OF ALLEGIANCE:

Mrs. Walker bestowed the Invocation and led Council in the Pledge of Allegiance.

APPROVAL OF MINUTES:

**MOTION TO APPROVE THE MINUTES FROM REGULAR COUNCIL MEETING ON
FEBRUARY 9, 2021**

Moved by B. Furey, seconded by G. Bellan

Upon roll call motion passed unanimously

AWARDS & PRESENTATIONS:

No awards or presentations this evening.

AUDIENCE PARTICIPATION:

No public participation this evening.

COUNCIL COMMUNICATION AND REPORTS

Maureen Stauffer - Public Works, ARB, Twins Days, Compensation

- Attended the Finance Committee earlier this evening. Mr. Scalfide will report.
- Attended the Comprehensive Plan meeting on 2/22. She stated some things she took away was the global trends and there will be a focus on sustainability. The city is basically built out with a population around 19,000.
- Attended the Kent State Advisory Board meeting on 2/16. There were a lot of transfer students in the fall. There is a slight decline in enrollment. Next meeting will be 3/5.
- Attended the ARB meeting on 2/18. Next meeting will be 3/4 at 6:00pm.
 - Case 21-02-16 – 9475 Chamberlin Rd – Detached Garage – Approved as noted
 - Case 21-02-17 – 1983 Heron Cove – Residential Addition – Approved as submitted
 - Case 21-02-18 – 9840 Ravenna Rd – Sign Review – Approved
 - Case 21-02-19 – 1820 Sunview Dr – Residential Addition – Approved
 - Case 21-02-20 – 10108 Andover Dr – Sunroom – Approved as submitted
 - Case 21-02-21 – 2695 Creekside Dr – Sign Review – Approved
- J.E.D.I. met on 2/22 and will have their next meeting on 3/8 at 6:00pm.
- Nothing to report this evening

Greg Bellan – BZA, Public Works, Fitness Advisory, Charter Review

- Attended tonight's Finance Committee meeting
- J.E.D.I. Committee met on 2/22. Discussed goals of the Community Outreach Sub-committee. Next meeting will be held on 3/8 at 6:00pm.
- BZA will meet on 2/24 at 6:30pm
- Public Works will meet on 4/13 at 6:00pm.
- Nothing to report this evening

Sam Scalfide – Finance, Capital Improvement, Public Works, Public Safety

- Attended the Finance Committee meeting earlier this evening. The committee heard from Building, Planning and Economic Development, Engineering and Finance departments. Revenue generation and expense production were also discussed. Went over the 2021 appropriation statistics. The total 2021 amount were reduced by 21.68% over last year from the original appropriations but with the clubhouse and restaurant backed out 6.13% that it was reduced by. Next meeting will be on 3/23 at 5:30pm.
- Nothing to report this evening

Jo-Ann McFearin - Golf Advisory, Finance, Volunteer Fireman's Board

- Thanked all of council for attending the Finance meetings.

- Nothing to report this evening

Bill Furey – Environmental, Treasury Investment, Community Relations, Tax Incentive

- Environmental Commission next meeting will be on 3/2 at 7:00pm.
- Attended the Comprehensive Plan meeting
- Attended the Community Relations meeting this month. The Chamber of Commerce stated they are working with the mayor to host the State of the City on April 22nd and their golf outing will be on August 13th. Reminderville thanked the Twinsburg Fire Department for mutual aid and the dispatchers for their hard work. Twinsburg Township said they will have significant amount of roadwork up by Hadden this summer and will be redoing their service garage. The library is open M-Th 9:30-8:00pm, Friday and Saturday 10am-6pm and closed on Sunday. The schools 415 teachers have been given the first vaccination along with 10 police officers. Next meeting will be on 6/17 at 5:00pm.
- Former Councilman Bob McDermott passed away this past weekend. He was a three-term councilman for Ward 2. He was instrumental in city finances and how to control spending with transfer ordinances. He was also a volunteer fireman. He helped get Fire Station #2 built. Sent his condolences to his wife Jackie and his entire family.
- Nothing to report this evening

Scott Barr – Finance, Public Safety, Planning

- Planning Commission met on 2/22. A lot split on Dutton Drive was discussed and approved unanimously. Next meeting will be 3/15 at 7:00pm.
- Attended the Finance meeting earlier this evening.
- Safety Committee will meet on 3/9 at 6:00pm.
- Nothing to report this evening

Daisy Walker - Public Safety, Parks & Recreation, Chamber, Community Relations

- Attended the Finance Committee meeting earlier this evening.
- Attended the Comprehensive Plan meeting. Thanked Ms. Muter and Mr. Finch for a great job.
- J.E.D.I. Committee met on 2/22 and discussed Community Relations. Their next meeting will be 3/8.
- Attended the Community Relations Board which Mr. Furey recapped already.
- Will be meeting with Allison at the Chamber of Commerce.
- Nothing to report this evening

MAYOR'S REPORT:

- Stated that the Finance Committee earlier had some audio issues.
- Talked about the proposed tax levy. Stated there were some good questions from a resident that he wanted to share along with the answers.
 - Ordinance 04-2021 was a procedural ordinance to get a 2.4 mill Police and Fire Levy on the ballot. There is language in that ordinance that states the amount of taxes being raised is within the 10 mill limitation which is within the right of the city will be insufficient of certain sections of tax levy when proposed. The city has inside millage and charter millage. Our inside millage 2.83 is insufficient to fund our police and fire departments. It is rare that a municipality seeks

charter millage without first exhausting inside millage but that is what the city is doing to allow the 2.4 to be voted on. The total budget for all of police and fire is close to \$11 million so the 2.4 and the 2.83 will generate about \$1.7 – \$2 million which is insufficient to fund the departments fully.

- If 2.83 mills is insufficient, why is the city only asking for 2.4 mills? The 2.4 represents the same 2.4 mills council sought in our charter millage last year. The city felt it was only right to seek the same as what they were looking at before. Part of this will create a dedicated revenue source for police and fire which the city does not have today.
- If Ordinance 04-2021 passes, it will generate \$1.7 million to offset police and fire pension and capital. What is the general fund money that will be freed up be used for? When you look at the total \$11 million to fund those departments, the \$1.7 will not fully fund but will help. It was discussed during tonight’s finance meeting, the road program could be one area that some funds can be used for.
- If 4.9 mills (split between two years) was originally asked for, why is it switched to just the 2.4? The reason for that does have to do with some of the cuts and some COVID funding received in 2020. The survey results showed a support for either income tax or property tax increase but not both, even though both could be used. The city decided to go with the steadier stream of income tax.
- Explain why Ordinance 04-2021 was not constructed the same way with specified Fund Types. Ordinance 04-2021 has the required statutory language to place a voted Police and Fire tax levy on the ballot. If approved, the 2022 tax budget will identify the 2.4 mills and specifically allocate them to the Police Pension, Fire Pension, and Police and Fire Capital Account.
- El Torito Taco opened yesterday.
- Wished resident Martha Tappe a happy 100th birthday.
- The Fitness Center is progressing with its re-opening. 24/7 access will be starting back up.
- The golf course pond near hole #3 will have work done for storm water improvements.
- Attended the J.E.D.I. Committee meeting on 2/22. Stated he is looking forward to the dialogue from this committee.
- The State of the City will be on 4/22. Hoping to be able to do it in-person, with one presentation in the morning and one in the evening.
- Sent his condolences to the McDermott family on the passing of former Councilman Bob McDermott.
- Nothing further to report this evening

DEPARTMENT HEAD REPORTS:

No Department Head reports this evening.

LEGISLATION

ORDINANCE 07-2021 - AN ORDINANCE AMENDING CHAPTER 1173 OF THE CODIFIED ORDINANCES OF THE CITY OF TWINSBURG REGARDING “SIGNS” (Stands on Second Reading)

Read by S. Collins

MOTION: TO ADOPT ORDINANCE 07-2021

Moved by J. McFearin, seconded by G. Bellan

Ms. McFearin stated Ordinance 07-2021 will update the sign ordinance.

Mr. Bellan thanked Mr. Maistros and Mayor Yates for their work on this ordinance.

Mr. Furey stated there was some focus on the political signs but explained this ordinance is so much more.

Upon roll call motion passed unanimously

ORDINANCE 13-2021 - AN ORDINANCE AUTHORIZING THE SALE AT AUCTION OF CERTAIN PERSONAL PROPERTY OWNED BY THE CITY OF TWINSBURG AND NO LONGER NEEDED FOR MUNICIPAL PURPOSES (Stands on First Reading)

Read by S. Collins

Ms. McFearin stated this is the second reading for the auction items. There will be additions for the list prior to the next council meeting

ORDINANCE 14-2021 - THE PERMANENT APPROPRIATION ORDINANCE FOR 2021 APPROVED BY COUNCIL FROM ESTIMATES SUBMITTED BY THE MAYOR, PROVIDING FOR THE ORDINARY EXPENSES AND OTHER NECESSARY EXPENSES OF THE CITY OF TWINSBURG, OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2021

Read by S. Collins

ORDINANCE 15-2021 - AN ORDINANCE ACCEPTING THE BID OF PERRIN ASPHALT COMPANY, FOR THE 2021 ROAD IMPROVEMENT PROJECT; AND DECLARING AN EMERGENCY

Read by S. Collins

MOTION: TO PLACE ORDINANCE 15-2021 ON THE THIRD AND FINAL READING AND DECLARING AN EMERGENCY

Moved by J. McFearin, seconded S. Barr

Ms. McFearin stated the reason for the emergency is to be able to get the project started as soon as possible.

Upon roll call motion passed unanimously

MOTION: TO ADOPT ORDINANCE 15-2021 AS AN EMERGENCY

Moved by J. McFearin, seconded by S. Barr

Ms. McFearin stated Ordinance 15-2021 is to award the bid for the 2021 Road Program. Total amount is \$777,766.70. This includes work on sidewalks, catch basins & inlet maintenance, roadwork and misc. paving related to railroad tracks in coordination with the rail company.

Upon roll call motion passed unanimously

ORDINANCE 16-2021 - AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A JOINT IMPROVEMENT AGREEMENT WITH GLENWILLOW, MACEDONIA AND OAKWOOD FOR THE RICHMOND, SHEPARD, BROADWAY, AND RAVENNA ROADS INTERSECTION IMPROVEMENT PROJECT; AND DECLARING AN EMERGENCY

Read by S. Collins

MOTION: TO PLACE ORDINANCE 16-2021 ON THE THIRD AND FINAL READING AND DECLARING AN EMERGENCY

Moved by J. McFearin, seconded D. Walker

Ms. McFearin stated the emergency is to allow the agreement to be processed in a timely manner.

Mrs. Walker thanked the city for getting this started.

Upon roll call motion passed unanimously

MOTION: TO ADOPT ORDINANCE 16-2021 AS AN EMERGENCY

Moved by J. McFearin, seconded by M. Stauffer

Ms. McFearin stated the Project total is \$2,826,866.50 of which the city's portion is \$188,479.

Mrs. Stauffer stated that she is glad this is getting going. Mayor Yates stated this involves four communities. Mr. Scaffide stated and two counties.

Upon roll call motion passed unanimously

ORDINANCE 17-2021 - AN ORDINANCE ESTABLISHING CHAPTER 743 OF THE CODIFIED ORDINANCES OF THE CITY OF TWINSBURG TITLED "MOBILE FOOD VEHICLE REGULATIONS"

Read by S. Collins

Ms. McFearin stated this is the first reading on the food truck regulations.

UNFINISHED BUSINESS, NEW BUSINESS, MISCELLANEOUS

Ms. McFearin:

- Stated there are still some openings for ARB, Parks & Recreation and Environmental Commission. The new deadline to apply is March 26th by 4:30pm

MOTION: That city council does not oppose the new liquor permit for Sushi En Twinsburge Inc. on Hadden Road and authorize the Clerk to submit the form to the Ohio Division of Liquor Control.

Moved by J. McFearin, seconded by B. Furey

Upon roll call motion passed unanimously

- Nothing further this evening

Mr. Scaffide:

- Sent is condolences to Bob McDermott's family. Had the pleasure of working with him for all his terms.
- Nothing further this evening

Mrs. Walker

- Sent condolences to the McDermott family.
- Gave some Black History notes. She stated that denim was worn during the marches for civil rights so that if you are attacked by dogs it is harder to get bitten. The other was that hush puppies were named from throwing the cornbread fritters at the dogs and saying 'hush puppies.'
- Nothing further this evening

Mr. Bellan:

- Thanked Mrs. Walker for her information on Black History
- Thanked the administration, Mayor Yates, Mr. Maistros, Mrs. Buccigross and Mrs. Collins for always responding to his inquiries from his residents or himself.
- Nothing further this evening

Mrs. Stauffer:

- Shared her condolences for the McDermott family
- Thanked Mrs. Collins for all her help on the J.E.D.I. Committee
- Nothing further this evening

Mr. Furey:

- Nothing further this evening

Mr. Barr:

- While he never served with Mr. McDermott, he left a lasting impression on this community. Thanked him for his selfless commitment to the City of Twinsburg.
- Nothing further this evening

Mayor Yates:

- Nothing further this evening

Mr. Maistros

- Stated Mr. Finch did a tremendous amount of work on this ordinance and thanked him.
- Nothing further this evening

Mrs. Collins

- Nothing further this evening

Ms. McFearin:

- Again, sent condolences to the McDermott family.
- Thanked Mrs. Walker for the Black History information

ADJOURNMENT:

Meeting unanimously adjourned at 8:15pm.

Attest:

Jo-Ann McFearin
President of Council

Shannon Collins
Clerk of Council