

**THE CITY OF KENT, OHIO
STREETS, SIDEWALKS, AND UTILITIES COMMITTEE
WED., AUGUST 5, 2009**

This meeting of the Streets, Sidewalks, and Utilities Committee of Kent City Council was called to order on Wed., August 5, 2009, at 8:31 p.m., by Mike DeLeone, Chair.

PRESENT: MR. AMRHEIN, MR. DELEONE, MR. FERRARA, MR. HAWKSLEY, MR. KUHAR, MS. SHAFFER, MR. TURNER, MS. WALLACH, AND MR. WILSON

ALSO PRESENT: D. RULLER, CITY MANAGER; J. SILVER, LAW DIRECTOR; G. ROBERTS, SERVICE DIRECTOR; G. LOCKE, DIRECTOR OF COMMUNITY DEVELOPMENT, AND L. COPLEY, CLERK OF COUNCIL

ABSENT: J. FENDER, MAYOR

Chair DeLeone said the first item on the agenda dealt with acceptance of the water easement from The Shelly Company.

Gene Roberts, Service Director, explained this was a fee simple easement from The Shelly Company, off Cherry Street. He said this gives them the ability run the water main across their property, out to SR 261. He said this would complete the first phase of the loop.

MOTION TO APPROVE ACCEPTANCE OF THE WATER EASEMENT FROM THE SHELLY COMPANY.

Motion made by Mr. Wilson, seconded by Mr. Hawksley, and carried by a voice vote of 8-0-1, with Mr. DeLeone abstaining.

Chair DeLeone said the next item was the continued discussion on the sidewalk snow removal proposal.

Dave Ruller, City Manager, explained they needed to have a conclusion reasonably quickly. He said that **Gene Roberts, Service Director and Gary Locke, Director of Community Development**, tabulated some information. He referred to Mr. Locke as their resident meteorologist, adding Mr. Locke has been tracking snow for quite a while

Mr. Roberts said that the questions included reviewing the number of snow events, resetting implementation of enforcement to four inches, and a review of the potential savings with delayed enforcement. He said they tried to come up with reasonable assumptions.

Mr. Roberts displayed a map with the primary and secondary streets. He noted the inclusion of Harvey Street and Wilson Ave., at the school's request. He displayed the number of storm events from 2004 through 2009. He said they originally predicted five events at the beginning, with ten after the first of year, and now are saying it would be 11.5. He said this requires a change to the funding. He said it is separated from the next year, so they know what to ask for in the 2010 budget. He said that although there are few storms in April, some are intense.

Mr. Roberts said the question is whether they want to do it part of the way or the full way.

Ms. Wallach asked if they knew how long, in hours, the events took, adding did they get six inches in twenty four hours or six inches in four hours. Mr. Roberts said it is not important to the data. He said they did look at the time element relative to the potential of delaying enforcement until after the snow event.

Mr. Roberts asked that they review the total number of events per year. He said three years were below fifteen events, and three were over. He said the events were less frequent in 2005-2006, but heavier. He said it is hard to predict weather in northeastern Ohio. He said if the wind turns, they either get pounded

or it slides by. Mr. Roberts said their recommendation was to stay at the fifteen events for the entire snow season.

Mr. Roberts said that staff is recommended a cost of \$258,541 for the balance of the year, with 50% noncompliance and five events. He said for January through December, 2010, noncompliance should reduce to 30%, for a cost of \$465,373. He said this is \$310,000 from January through April, with \$155,000 for October through December. Ms. Shaffer asked if they would recoup a lot of that, and Mr. Roberts said they would get to that.

Ms. Wallach said the packet contained different costs, and Mr. Roberts said it was before they added in Harvey Wilson.

Mr. Roberts said they compared the numbers with the number for the alternate funding levels. He said the difference between staff recommended and the average of the events is \$93,074.

Mr. Roberts said they looked at the delay, adding there is no hard and fast rule. He said if it is twenty degrees below zero, the number will swing higher. He said if it warms up the next day, it will become lower. Mr. Roberts said twenty-four hours would reduce the noncompliance by 10%, with a reduction of 20% IN forty-eight hours. He said if they had 50% noncompliance, a 10% reduction would reduce that to 45%.

Mr. Roberts showed the comparison between the different scenarios. He said if they do not go out every time, they are not going to achieve compliance. He reiterated the costs for fifteen events.

Mr. Roberts said that with respect to collecting the bill, they are recommended that a bill would be sent, including the contractor's price with an administrative fee. He said that **William Lillich, Safety Director**, also suggested they bid the cost to enroll for subscriptions. He said it would be a set price from a contractor, as an option.

Ms. Wallach asked if this would be offered for everyone, and Mr. Roberts said it would be offered, and would be part of the educational component. He said they can show people they can get it cheaper, and the penalty would be eliminated if they went with the subscription.

Mr. Kuhar said what he is hearing is that on some early November day, when it is 27 or 38 degrees, a City plow truck goes down Franklin Avenue or South Street, and dumps slush on the sidewalks. He said it weighs about thirty pounds per square foot, and when the temperature drops it freezes. He said they expect the residents to chisel it off the sidewalks in twenty-four hours, or they will get a bill for seventy-five dollars.

Ms. Wallach asked what staff recommended on response time, and Mr. Roberts recommended it be set with the snow ban. He said they would issue a statement, through the press, showing that the snow ban was removed, allowing enforcement to start. Ms. Wallach commented that it would be immediate enforcement.

Mr. Roberts said they have to decide the funding level. He said the sooner the better, as it takes sixty to ninety days to get bid documents prepared. He said these are not standard contractors, and could be someone who was never bonded.

Ms. Shaffer asked if they have talked to different snow removal companies, and asked whether there was interest, and Mr. Roberts said he was approached by two the previous winter. He said when they see the bid package and what is required, they may not be interested. He said they need a digital camera, adding they must put a wooden ruler in the snow, taking a picture, with the house visible. He said it will also require a picture after the snow shoveling is complete.

Mr. Kuhar asked if this is for specific streets, or all streets, and Mr. Roberts said it would be all streets. Mr. Kuhar noted they were going to punish the residents when the City creates a hazard.

Mr. Roberts said they need to decide on the collection method, and asked if they wanted to use a collection agency or place it on the property taxes. He said they need to bring back the policy for one final review, and then need to bid the contract.

MS. Shaffer said there was one suggestion that there be a moratorium when school was not in session, so there would be no enforcement during Christmas vacation. Mr. Roberts said that was not included, and is in Council's purview.

Mr. Hawksley asked the staff preference for collection of non payment, and Mr. Silver recommended it be placed on the tax bills.

Ms. Wallach said as she understands it, the primary and secondary, with all other streets only being complaint driven. Mr. Roberts said he looked back to the last winter. He said they did the primary routes, and then the snow started again. He said they need a methodology in place to keep it moving forward. He said it is possible to shovel the sidewalks on cold days, with the wind filling it up again. He said it will be complaint driven if someone already complied once.

Mr. Turner said if the only ones enforced are the primary secondary routes, with all others being complaint based, there is no uniformity as it relates to those other sidewalks. Mr. Roberts said they addressed that with a previous discussion. He said there is a higher potential of pedestrian and/or automobile accidents on the primary routes. He said the assumption is that there is a considerably less chance of someone walking on a residential street, adding they seldom see cross traffic on residential streets.

Mr. Turner asked if the expenditures are based on the enforcement effort or the snow removal, and Mr. Roberts said that the contractors removes the snow, and the City must pay him. He said they will give the bill to the property owner, and hope to get the money back.

Ms. Shaffer said the bidding process will take sixty to ninety days. She asked if they made a decision to go forward, if they could start in October. Mr. Roberts said if they are told to proceed, some could concentrate on the policy, while others could work on the contract documents. He said it may be possible to cut down the time.

Mr. Ferrara asked if they take away multi-family houses, how many houses are in Kent, and Mr. Roberts said there are roughly 5400 houses. Mr. Ferrara said if they ordered that many snow shovels, if they could get them for less than \$20 per shovel, adding he would rather spend \$20,000 than \$600,000.

Mr. Kuhar asked if any of the figures show the administrative costs for collection, and Mr. Roberts said staff time is not included. He said this is the money they need to pay the contractor, adding they have heard Council say they want the current staff to do this process.

Mr. Hawksley said there would be a fine associated, and Mr. Roberts said they could add \$25 for the first event, doubling it for the second offense. He said the thought was that would cover some of their expenses. He said there was discussion about setting the money away for those physically unable to do their sidewalks.

Mr. Locke said they have not talked a lot about enforcement. He said they have no way of knowing how this will play out, including the amount of staff time. He said they are trying to factor ways to minimize staff involvement. Mr. Locke said he is unsure they can say this is how it is going to work, because they have not done it before. He said he would be concerned about the staff and the amount of time required in a severe winter. He said they could spend time doing snow, but asked what they compromise with respect to other things. He said they have not talked about that much. Mr. Locke said the Council told them this is what they wanted, adding they have returned to discuss the impact. He said their silence is not meant to suggest they do not have a concern, adding they are just trying to respond to the Council's requests.

Mr. Turner asked if they are going to create a new infrastructure as it relates to how they are going to view

exceptions, such as people with ill health or senior citizens. He asked what kind of administrative time will be spent to establish who does deserve an exception, as allowed by the Bowling Green ordinance. He questioned how that would play out.

Mr. Locke said he has heard the discussion about exceptions, adding he also heard an audience member saying it is the property owner's responsibility. He warned that the more exclusions they have, the more they will pay for, adding it is a policy piece that has to be factored in.

Ms. Shaffer said they do have staff, and will not need to hire new staff. She said this would be similar to the tall grass and weeds complaint. She said the initial costs may be higher, but as compliance increases, the costs could drop down. Mr. Locke said their biggest cost will be the initial start off, adding he did not think the level of grass or weed violations will be comparable to the snow. He said they will have more snow complaints than grass and weed complaints. He said that a lot of their grass and weed complaints are vacant properties.

Mr. Locke said there are a lot of elements they need to come up with, including a more efficient billing system. He said they will probably have to do that with property maintenance enforcement also, adding they are moving into a new sphere administratively to cope with those things. He said there will be some hand wringing, as they are looking at ways to set up their system. He said they do not have software available to do this, so they have to come up with it. He said they are talking to the schools about helping them with the software. He said it is a wildcard, adding they have not done this previously, and he cannot tell them what it is going to be like. Mr. Locke said they have to try it and see. He said after one year, he will be able to tell them if it is easy or difficult.

Ms. Wallach asked if the new subscription fees would not take care of some of the issues, and Mr. Locke suggested they talk to their constituents and see how they respond. He said it may be an option that they like, adding that after a few bills, with violations, the constituents may decide to subscribe to the service.

Chair DeLeone called for audience comment at this time.

John Bard, 435 Francis & 328 Summit: Mr. Bard said he thinks they have a lot of good intentions, but this idea has become twisted. He said he does his sidewalk, as well as his neighbors. He said he leaves his house, to do his mom's house and one of her neighbors. He said he does four walks and at times, his children help.

Mr. Bard said he shovels his sidewalk, as that is what he is supposed to do, and sees it has a community service. Mr. Bard said that not everyone has a sidewalk, but they are going to punish him if his are not done. He said that 50% of the people in Kent do not have one. He said there are other ways to do this. He said they could add a property tax. He said they may have a program like Ravenna, where they clean some of the walks.

Mr. Bard said he has heard discussions about using the ATVs to push snow off Water Street. He said in Buffalo, New York, they use snow blowers, then push behind it. He said they need blowers to blow the snow in the yards, to clear it out of the way. He said they are not addressing all of the options.

Mr. Bard said the school system is a big issue. He said they are a township school system, and the kids who live in the different townships are almost 100% bussed because of their unimproved roads. He said the idea of the school making demands is foolishness. He said in Ohio, students can be forced to walk if they live less than two miles away, and that is what Kent mandates.

Mr. Bard said he likes the Manager, but is not going to wait for his call to say there is a snow emergency. He said when he gets up in the morning, if the snow is deep enough to cover their shoes, he clears it. He said the City could tell him in four hours that he is in violation, and he does not care, because he will clear it again the next morning.

Mr. Bard said no matter what time he goes to his mother's house, the students have trampled down the

snow, either early in the morning on their way to class, or late at night, as they come from the bars. He said as for the student recommending they do not clear it during Christmas, he would recommend not clearing it at all, as it is trampled anyway.

Mr. Bard said there are people who do not own sidewalks, adding that is fine, but he did not want them turning it on him. He said if he is away, they could fine him. Mr. Bard said his grandmother would worry about the mailman not delivering if they did not clear the sidewalk. He said he would clear the sidewalk, and the mailman would walk through the yards, as it was quicker. Mr. Bard said Bowling Green does not get wet lake effect snow. He said he understood why they used it, as an example, to fine him, but asked they not use it for an example of the snowfall in northern Ohio.

MOTION TO MOVE THIS FORWARD, HAVING THE STAFF WORK ON THE POLICY DRAFT, HAVING A SOFT START, WITH THE FORTY-EIGHT HOUR NOTIFICATION OPTION.

Motion made by Ms. Shaffer.

Ms. Shaffer said she liked it tied to the snow ban, as it was easier to communicate, but would be willing to consider the four-inch option.

Mr. Hawksley seconded the motion.

Ms. Shaffer said many people, like Mr. Bard, do their civic duty, and she is thankful. She said she does her civic duty, and probably shovels three times more than anyone in Kent. She said the good neighbor policy does not work. She said their main streets, such as SR 43 and SR 59, along with their side streets, are much more dangerous. Ms. Shaffer said they have done some notification, asking people to do their civic duty, and have received varying results. He said they need to put some type of enforcement behind the ordinance. Ms. Shaffer said she would like to make it as easy as possible to avoid the fines, so they will do their duty or hire someone. She said if this involves passing out snow shovels, she would support that. Ms. Shaffer said she supported anything that will help with compliance, and improve the City for safety, as well as meeting sustainability goals and walkability goals. She said it will create a higher quality of life. Ms. Shaffer said she agrees that not everyone has sidewalks, adding that many of them value their walks and think of them as an amenity. She said it is their responsibility to pitch in, help, and do their civic duty. She said the current system is not working, and has not worked.

Mr. Hawksley said Ms. Shaffer hit the nail on the head. He said his main motivation is for the people who are forced to walk in the streets and are getting injured. He said he is frustrated. He said the City created some of the issues by moving the snow off the streets. He said they are not going to stop plowing streets. He said the lesser of many bad choices is to raise the bar for citizenship and property ownership. He said that currently they are externalizing the cost of property ownership onto pedestrians. He said they do not move snow, nor use Ice Melt, and they are asking people to walk in a dangerous way. Mr. Hawksley said the time is now to buffer the impact.

Mr. Turner said he had a huge concern about the issue of snow on the sidewalks, especially as a pedestrian. He said he was concerned, and felt it was an issue the City should be involved with, as it is a public safety situation. He said as he looks at some of the things they are trying to do, he thinks they are lacking uniformity. He said he is unsure they can do what they want to do.

Mr. Turner said his focus, initially, was to address the primary and secondary roads, adding it is the City's responsibility with the cost. He said he is not comfortable coming into neighborhoods, where they are creating more of an inconvenience than a safety hazard, putting more onuses on the property owners. He said it would be nice if everyone could shovel snow, meeting their civic duty. He said some cannot do it, while others have limitations. He said it concerns him that this would be effective and meet the ultimate goals and objectives. He said he understands this is a noble endeavor, but he has outstanding concerns.

Mr. Kuhar said he is looking at what was presented, and has a few issues. He said the cost, as a City, to start the program is one of the issues. He said what they will have to do to collect the money is another issue. Mr. Kuhar said what really irks him, as a champion bench presser who is strong, is that they cannot

shovel their walks that the plows have through slush on. He said he is not an average person of strength, and if he cannot do it, how can he expect others to do it. He said if they cause the problem, they should fix it and pay for it. He said if the businesses keep their sidewalks clean, adding that many do not, and if the snow plowers did not cover them up and the City took care of the sidewalks close to the road, there would be a lot fewer problems. He said it is ludicrous, adding he knows it is a lot of hard work. He said a lot of the things do not look good.

Mr. Ferrara said he cannot get over the expense. He said it is a problem and a safety issue, but is a behavioral issue. He said it is like the parties on the streets. Mr. Ferrara said they are trying to get focus groups to mediate people's emotions and behavior. He said this is the same thing, and suggested they are trying to throw money at a behavior issue. He suggested they educate the people, instead of using all of this time and money. Mr. Ferrara said the cure is worse than the problem, and is creating bigger problem.

Mr. Wilson said that Mr. Hawksley mentioned he has been on Council for eight years, adding he has been on Council for eighteen years. He said they heard the complaints that the snow plows were putting the snow back on the sidewalk. He said they formed a committee, who did good work, and he supported them when they came back. He said they spoke of volunteers, but now that component is gone, and they are talking one-half million in money. He suggested they go back to the problem, which are snow plows in the business parking lots, plowing the sidewalks. Mr. Wilson said they need to continue to work with the Service Director, who is working with his guys to keep the snow from piling up in the corners, which has resolved some of that problem. Mr. Wilson said one-half million dollars is crazy.

Mr. Amrhein said he wanted to support this and thought he did support it, but Mr. Bard made good comments. He said he is more and more uncomfortable with the fines, and no exclusionary provisions. He said he cannot support spending \$500,000.

Ms. Wallach said she thought the initial outlay would be recouped, like seed money. Mr. Hawksley agreed. She said she thought it was a no net spending program. She said she wanted to make an amendment, also.

Ms. Shaffer said they charged the committee to come back with a low-cost program. She said if they had their druthers, they would want to get the City to clear the sidewalks on the main streets. She said they want compliance, one way or another. She suggested it could be done with an all out education program, but needs to have some kind of backup. Ms. Shaffer said she may support taking some elements of this program, putting it in a positive program, and studying the compliance. She said they need to see whether there was a significant impact without the teeth, including the subscription part. She said for education, they could go and talk to different organizations, putting out information to the property owners and landlords. She said if they remove the enforcement, then they are just asking people to do something. She said if they focus their stronger efforts on businesses, it is frustrating to people to ask someone to do something they will not do. She said they are spinning their wheels.

Ms. Shaffer said that a lot of the pieces are in there for a reason. She said some Council members are focusing on the start up capital or the fines, adding it is a small piece of the overall program. She said the educational component is at the center. Ms. Shaffer said she would like to make that the most visible, adding they have to get people's attention. She said if they do not have something to back it up, they are going to get haphazard compliance. She said they have ongoing safety issues, and frustrations of those who try to talk on the sidewalks for one-half of the year.

Mr. Hawksley said that a lot of things said are untrue. He said it will not cost \$500,000. He said they are doing what the committee recommended, and are modeling what was done in another community. He said people must not have been at the same meetings.

Mr. Hawksley said they have school kids on snow banks, waiting for the buses, and kids walking down the streets being injured. He said they just have to do it. He said they need to make people responsible as citizens in Kent. He said they have put it in the Tree City Bulletin, adding they have placed information in the newspaper. He said that unless people know they are serious, there is no compliance and they are

just deferring it. He agreed with Mr. Ferrara that it is about social behavior. He said the community standard is defined by the way the community upholds itself. Mr. Hawksley said they have said they expect better, and need to spend time and money to do it. He said he can understand people do not want to take the heat by asking people to be responsible, but they cannot do this any longer.

Mr. Turner said he understands the frustration of the Council members and their inability to come to a conclusion. He said for some of them, it is an overreach by government. He said he wanted to see focus on the primary and secondary roads.

Mr. Turner said he differs with some of his colleagues, adding that the City has a responsibility to ensure the safety of the seniors, children, and those who are handicapped. He said something has to be done, and he has a strong feeling about those roads that are the most dangerous. Mr. Turner said if they pick up the costs that is what they should do. He said most of his issues are about the tertiary roads, adding it is an annoyance. Mr. Turner said that the education component is a great idea. He said they need something to meet the goals of the City, which is to ensure the health and safety of those using these roads. He said that should be first and foremost, adding the tertiary roads are not a priority. He said they can focus on the main issues, which are those that the most hazardous with the schools, seniors, and handicapped people.

Ms. Wallach said she thought the plan would focus on the primary and secondary streets, with strict enforcement. She said she thought the tertiary streets would be complaint driven.

MOTION TO AMEND TO USE THE FORTY-EIGHT HOUR WAITING PERIOD FOR THE FIRST YEAR, USING THE TWENTY-FOUR PERIOD AFTER THE FIRST YEAR.

Motion made by Ms. Wallach, seconded by Mr. Hawksley.

Mr. Wilson said he thought that was already included, and others disagreed. It was pointed out that Mr. Hawksley seconded the original motion, and could not second this motion.

Mr. DeLeone called for clarification of the amendment at this time. The Clerk said the original motion calls for a forty-eight hour waiting period as part of the program, and this amendment changes to twenty-four hours after the first year.

The amendment died for want of a second.

The main motion failed by a hand count of 3-5-1, with Ms. Shaffer, Ms. Wallach, and Mr. Hawksley supporting the motion. All others dissented, except Mr. DeLeone who abstained.

MOTION TO REPEAL §521.15, "SNOW & ICE REMOVAL " AND §521.16, " SNOW & ICE REMOVAL AFFECTING THE PUBLIC RIGHT-OF-WAYS" FROM THE CODE BOOK.

Motion made by Ms. Shaffer, seconded by Mr. Hawksley.

Ms. Shaffer said they have shown complete impetus in being able to enforce these ordinances. She said if they have codes on the books, and do nothing about it, it is a farce. She said people are very frustrated about it. She said we heard people worrying about fining residents and concerned about those unable to shovel. She said they tried to put together a program that may not be perfect, but could have started some enforcement. She said if they have laws on the books they do not enforce, she would question why they have them.

Mr. Hawksley said the motion is appropriate. He said a community is known by what it does. He said the laws are meaningless, and since they are talking about the costs, they need to get rid of the law. He said they are telling people they do not care about pedestrians. He suggested they be honest and get rid of the law. He said he has been told in Council Chambers that it is illegal, and no court will uphold it, adding they need to get rid of it.

Mr. Ferrara said he would vote against the motion, adding it is an interesting tact to prove a point, but not

appropriate. He said he has been on Council for ten+ years, adding this is the furthest they have come. He said it is not perfect, and has tons of administrative issues, but at the end of the day, they are in the right direction. He said it is not the solution, and he is not going to support something "just because." He said they should not try to remove an ordinance because people are unhappy.

Mr. Turner agreed with Mr. Ferrara. He said they cannot throw in the towel, adding it is important to a lot of pedestrians. He said that people should not be so frustrated that they say things that are unfair. He said they do care, adding there are different approaches to deal with the issues. Mr. Turner said he understands that a lot of people put in a lot of time and effort. He said that he accepts that others feel differently, adding they are trying to develop a consensus. He said he would hope that those who supported the motion would understand that and redouble their efforts to try and address the matter.

Mr. Hawksley told Mr. Turner that the hour is late. He said another year has gone by, and it is August. He asked Mr. Turner what proposal they plan to replace it with, adding that another year has gone by.

MR. FERRARA CALLED FOR A POINT OF ORDER AT THIS TIME.

The motion failed by a voice vote, with Ms. Shaffer and Ms. Hawksley supporting the motion.

MOTION TO ASK THE ADMINISTRATION TO FIND A WAY TO MAKE SURE BUSINESSES SHOVEL THEIR SIDEWALKS that SNOW PLOW DRIVERS DO NOT COVER THE SIDEWALKS, WITH THE CITY PUTTING FORTH EFFORT TO CLEAN THEIR MESSSES, WITH THE EDUCATION PROGRAM.

Motion made by Mr. Kuhar, and died for want of a second.

Ms. Shaffer said she felt Mr. Kuhar was taking a good step in the right direction.

MOTION TO REFER TO THE ADMINISTRATION A PLAN WHERE THE CITY PUTS FOR THE EFFORT TO ENFORCE §521.16, DEALING WITH SNOW ON THE SIDEWALKS, INCLUDING AN EDUCATIONAL PIECE, SUBSCRIPTION SERVICE, WITH REMOVAL OF THE DIRECT ENFORCEMENT PIECE FOR ALL PROPERTY OWNERS EXCEPT COMMERCIAL OWNERS, RETURNING TO COUNCIL.

Motion made by Ms. Shaffer, seconded by Mr. Hawksley.

Ms. Shaffer said this will involve funds. She said the other plan involved staff time, and some unknowns, as well as up-front monies. She said they came up with a lean proposal. She said this possible staff driven policy might involve spending additional monies.

Mr. Wilson asked if she meant additional money as in staff time, and Ms. Shaffer said if they are talking about the City doing sidewalks, there will be a cost. She said if they are talking about primary and secondary routes that will involve an outlay. She said they wanted to increase compliance and increase public safety.

The Clerk was asked to restate the motion, and she did so, at this time. Mr. Turner said he would second the motion, and Mr. DeLeone noted it was already seconded.

Mr. Wilson said he did not hear the part where it was going to cost them money, as the City would clear the primary and secondary routes. Ms. Shaffer said her motion was to achieve what they were trying to achieve, which was public safety, without the enforcement component, except the commercial businesses.

The motion carried by a hand count of 5-3-1, with Mr. Kuhar, Mr. Wilson, and Ms. Wallach dissenting. Mr. DeLeone abstained.

Hearing no further business before this Committee, Chair DeLeone adjourned this meeting at 9:45 p.m.

Linda M. Copley, Clerk of Council

ACTION RECOMMENDED:

- 1) TO AUTHORIZE ACCEPTANCE OF THE WATER EASEMENT FROM THE SHELLY COMPANY.
- 2) TO REFER TO THE ADMINISTRATION A PLAN WHERE THE CITY PUTS FOR THE EFFORT TO ENFORCE §521.16, DEALING WITH SNOW ON THE SIDEWALKS, INCLUDING AN EDUCATIONAL PIECE, SUBSCRIPTION SERVICE, WITH REMOVAL OF THE DIRECT ENFORCEMENT PIECE FOR ALL PROPERTY OWNERS EXCEPT COMMERCIAL OWNERS, RETURNING TO COUNCIL.

