

CUYAHOGA FALLS CITY COUNCIL

Minutes of the Council Meeting

January 28, 2019

- Call to Order:** Ms. Nichols-Rhodes at 6:30 p.m.
- Roll Call:** Mr. Brillhart, present; Mr. Colavecchio, present; Mr. Gorbach, present; Mr. Iona, present; Mr. Iula, present; Mr. James, present; Mr. Miller, present; Ms. Nichols-Rhodes, present; Mr. Pallotta, present; Mrs. Pyke present; Mr. Reilly, present.
- Invocation:** Mr. Brillhart
- Pledge of Allegiance:** Mr. Iona
- Approval of Minutes:** The minutes were approved from the December 26, 2018 and January 14, 2019 Council meetings, the December 26, 2018 Committee-of-the-Whole meeting and the January 7, 2019 Special Council meeting.
- Reports and Communications:** A letter from Mayor Walters, dated January 25, 2019, regarding his appointments to the Boston Township JEDD Board of Directors.
- Ms. Nichols-Rhodes appointed a Committee-of-the-Whole, with herself as Chair, to review the Mayor's appointments.

New Legislation (First Reading)

Temp. Ord. B-2 (Finance)

An ordinance authorizing the Mayor, as Director of Public Safety, to enter into a contract or contracts, according to law, for the demolition and replacement of Fire Station 3, and declaring an emergency.

Temp. Ord. B-3 (Finance)

An ordinance approving a petition for special assessments for special energy improvement projects and a plan for public improvements; approving the necessity of acquiring, constructing, and improving certain public improvements in the City in cooperation with the Akron-Summit County Energy Special Improvement District; determining to proceed with such project; and determining to levy special assessments in connection with such project, and declaring an emergency.

Temp. Ord. B-4 (Public Improvements)

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the replacement of an 8” waterline in Bailey Road, from Graham Road to Adams Avenue, and declaring an emergency.

Temp. Res. B-5 (Public Affairs)

A resolution authorizing the Mayor to apply for the Ohio Department of Natural Resources Clean Ohio Trails Fund grant to construct a trail and trailhead in the Mud Brook Greenway, and declaring an emergency.

Mr. James moved to recess into a Public Affairs Committee meeting, second by Mr. Gorbach. Motion passed, voice vote (11-0).

Council recessed into a Public Affairs Committee meeting at 6:34 p.m. and reconvened at 6:54 p.m.

Reports of Council’s Standing Committees

(Third Reading)

Planning & Zoning

No Report.

Finance & Appropriations:

No Report.

Public & Industrial Improvements:

No Report.

Public Affairs:

Temp. Res. B-5

A resolution authorizing the Mayor to apply for the Ohio Department of Natural Resources Clean Ohio Trails Fund grant to construct a trail and trailhead in the Mud Brook Greenway, and declaring an emergency.

Mr. Brillhart moved to adopt Temp Res. B-5, second by Mr. Pallotta. Motion passed, voice vote (11-0).

Community Development:

No Report.

Schedule of Committee Meetings

Planning & Zoning:	Subject to Call.
Finance:	February 4, 2019, 6:35 p.m.
Public Improvements:	February 4, 2019, 6:40 p.m.
Public Affairs:	Subject to Call.
Community Development:	Subject to Call.

Mary Nichols-Rhodes moved to recess into a Committee-of-the-Whole, second by Mr. Gorbach. Motion passed, voice vote (11-0).

Council recessed into a Committee-of-the-Whole at 6:56 p.m. and reconvened at 7:03 p.m.

Reports of Council’s Special Committees

Mr. James moved to approve the Mayor’s appointments, second by Mr. Gorbach. Motion passed, voice vote (10-0). (Mr. Brillhart)

Miscellaneous Business

Ms. Nichols-Rhodes stated that Judge Hoover was present and has requested the opportunity to give a brief report to Council about the 10-year anniversary of the Stow Municipal Court.

Judge Hoover made the following presentation to the Administration and Council:

“The Court has been more successful than we imagined it could be. As you can see, after 10 years, we have not only broke even on our budget, something we never did in the 30 years before that, we have paid 100 percent of the cost of the construction of the court, so that, now, what started out as an \$11-million debt, we currently owe about \$4.7 million. We are 46 months ahead on our payments on the amortization schedule, and that's because of the successes. The financial success, though, is less important than the services and why we've had the financial success. For example, in the building across the parking lot, we had a Probation Department of four people. I now have seven. When I had four in the basement, it cost me almost \$200,000 a year for my budget to run the Probation Department. With the seven I now have, and the extra services and things we can do, the Probation Department makes a profit of about \$500,000. As crazy as that sounds, it's because, with the extra space, we can do such things as run our own electronically-monitored house arrest. When you put people in jail, it costs the communities money; it costs everybody money. When you have less-serious offenses, we now have the technology that we can keep you in the bedroom if we chose. Generally, we'll keep you in your yard, unless you're a scary guy; then we might keep you inside your house. But, with that, that used to be farmed out to a private company. Doing it in-house, we've been able to pay for all the

equipment, so, now, it's just profit, and we just keep pouring that profit back into paying for the court.

Some of the good things we've been able to do because of that, with the opioid crisis, which has been just gripping, we provide all kinds of services now that we once could not. We teach classes, for example, on Thursday nights. I teach one of the classes. We teach classes on substance abuse, theft, violence, and trying to help young people learn how to present themselves to find jobs, not so much young people even, but the young people will often show up, some inappropriately, but they don't understand, that way, you can get them the first interview. We actually take the time to teach them things that you all taught your own children; your parents taught you. And we have a generation where that isn't happening. With our teaching, we're changing lives. We also do things that people who can't pay fines and costs, we let them do community service. We do not pay for janitorial. We do not pay for our lawn care or our maintenance. To give you an example of the savings of that, the City of Cuyahoga Falls used to charge the Court and the Clerk \$60,000 a year for janitorial with the old building. Doing it ourselves, we pour that back into the building.

We are able, with our greater space, to have such things as our community garden. Our community service garden is usually healthy people that volunteer, and we can prove it, to work outside and grow vegetables. Last year, we grew 2,200 pounds of vegetables that went to the Battered Women's Shelter and the Akron-Canton Food Bank, 2,200 pounds of pure, organic vegetables. Some of it, you'll have a domestic violence offender, who is now working, tilling the soil, growing potatoes that we take off to the Battered Women's Shelter. Sometimes, I'll make one or two of them come with me. They don't go right to the facility, because that's sometimes a secret place, but we'll make them come make the delivery. And I've seen tears run down their face as they're being thanked by women who do not know why they're there. They just assume they're my employee. "Thank you. Thank you for doing this for us." Those are the kind of things we do, because we've got land. We have a potato farm. We used to grow stuff that's more fun. Tomatoes are always fun. That's what I always grew as a kid. The Food Bank doesn't want tomatoes. They go bad in a hurry. They want us to grow less-sexy things like cucumbers, potatoes, hard things, things like garlic. We produce the garlic crop that the Food Bank then trades to restaurants in exchange for food back; all these, like, little good deeds.

For nine straight years, we've been able to break even and pay our court construction debt. As you can see, and probably cringe as a Cuyahoga Falls official, we were unable to even break even for 30 years before that. In fact, there were years where not only did we keep all the court costs, Cuyahoga Falls had to give us back all their fine money and, one year, \$350,000 out of your General Fund, which comes right out of everything else you want to do for your people. Today, you get 100 percent of your fine money from us, and you don't get a bill from us at the end of the year saying send anything back. I know we're the only court in the state that can do that. I believe we're the only court in the state's history who has ever even tried to do that. Our system, which was criticized; in fact, the prior administration didn't have any faith in it. I'm confident, if I had this administration, that building would still be in Cuyahoga Falls, which I'm a Cuyahoga Falls guy, that's certainly what I wanted, but the truth of the matter is that the process has worked so swimmingly that there are now 22 courts in Ohio that are trying to do what we've done. For example, the Akron Municipal Court, you'll be reading about them, as they suggested, they've

got \$8 million saved to pay for a new courthouse. What they don't say in that sentence is they don't begin to break even operationally. They cost the City of Akron all their fine money and about a million dollars on top of that, very different from what we're doing. When I say we're carrying the cost and we're breaking even and we're paying off the building, I'm talking -- I mean, you take it on its word that's what I mean. There's isn't any hidden expense that comes back. And this certainly isn't just because of me. This is all our people. And I think it's going better and better all the time.

Any questions from anyone? Anything we can do to better serve you; better serve your constituents? You may think of something. At the bottom, I put my contact information. Feel free to contact me. It's even okay to contact me about your idiot nephew's case. I can't do anything improper, but if there's something you need to know, something I can tell you, you know, feel free. You can call me informally. We've all got a brother-in-law or two like that. All right. Thank you, Mayor, for your time, and thank you for what you do. Having sat there, myself, I understand what it means to be here on weekday nights. Usually, when a crowd shows up, they're not showing up to tell you how great a job you're doing either, so thank you again for what you do.”

Mr. Bryan Hoffman, Finance Director, stated that, in the General Fund revenues, the Local Government Fund will be for the year ending in 2018. County was up \$28,001 over 2017. The Admissions Tax was up \$111,562 over 2017, and interest was up \$255,748 over 2017. Other revenue recreation line items are up \$22,572. That's primarily skate rentals on Front Street. In the other funds, the City had a pretty decent month of December in Municipal Income Tax. It was down for the year, \$676,257, about 2.8 percent from 2017. Withholding was up well over 3 percent this past year, so they are hoping on collect on that in 2019.

Mr. Hoffman stated that, in the SCMR Fund, the Gasoline Excise Tax was up a small amount, \$16,167, as well as State License Tax was up \$92,262. A portion of that is due to timing. There was a drop last year, and then an increase this year. The Unencumbered Fund balance is \$1,093,260. That's up from 2017. There have been a couple rough weeks here with snow and ice removal. They have been able to save some funds and be prepared for not only snow and ice coming the next couple months. There was also a rather large increase in salt cost this year. In the Leisure Time Fund, Waterworks was not included, because that hasn't changed. The Natatorium, over the year, was down \$35,865. That tends to fluctuate up and down each month, and is considered to be fairly flat for the year. Brookledge was down \$78,935. That is a little bit better than last month's report, but that is primarily due to weather. Downview is down \$16,540 is also due to weather.

Mr. Hoffman stated that in, the City's Self-Insurance Hospitalization and Dental, on a cash basis, Hospitalization and Dental was down \$9,422, so relatively flat from 2017. That flattened out over the months since the stop-loss insurance does impact that quite a bit. The Prescription Drug account was up \$338,151. The way that Prescription Drugs as worked with the change to CVS is the City is paying out for prescription drugs at a little bit higher rate than in the past, but what it's getting back is the rebate that tends to save the City money overall. What has been done to that balance is to show the net impact after those rebates. One of the major reasons why Prescription Drugs has been up this past year is there have been some large claimants that came

through towards the end of the year. It's something they have been monitoring and taking a look at, but it's something they do not have a lot of control over when certain claimants need those drugs, and they want to be able to provide that.

Mr. Hoffman stated that the General Fund Unencumbered Cash Balance, \$8,851,431 may be a little higher than anticipated. There are a couple reasons for that. One reason is when projections were done for the end of the year, retro pays were included in that. Those haven't gone out. Those will hopefully be going out this next pay. The other item that caused that to go up is there were over \$300,000 worth of expenses they were not anticipating saving that didn't get paid out at the end of the year. They are still analyzing that. It's all in the Other Operation line items in Report 21, but it's something that hasn't been seen in the past. On page 4 of the report, the total cash balance at the end of the year was \$9,195,348, which is actually a little bit higher than the cash balance in 2017, but with retro pays and some other things, that will go down. Hopefully, in 2019, that will be balanced with income tax collections.

Mr. Iona asked if the \$1 million in unencumbered funds is part of the \$8, or are those two separate, completely different things. Mr. Hoffman stated that those two separate funds. One fund is the Street Construction and Maintenance Fund on page 5 at the bottom of Report 21. That is separated out for road salt and street employees, so those are two separate things.

Mr. James moved to adjourn, second by Mr. Iula. Motion passed, voice vote (11-0). Meeting adjourned at 7:16 p.m.

Mary Nichols-Rhodes, Council President

Dana M. Capriulo, Clerk of Council