

CUYAHOGA FALLS CITY COUNCIL

Minutes of the Council Meeting

February 25, 2019

- Call to Order:** Ms. Nichols-Rhodes at 6:36 p.m.
- Roll Call:** Mr. Brillhart, present; Mr. Gorbach, present; Mr. Iona, present; Mr. Iula, present; Mr. James, present; Mr. Miller, present; Ms. Nichols-Rhodes, present; Mr. Pallotta, present; Ms. Penta, present; Mrs. Pyke present; Mr. Reilly, present.
- Invocation:** Mr. Brillhart
- Pledge of Allegiance:** Mr. Iula
- Approval of Minutes:** None
- Reports and Communications:** A letter from Mayor Walters, dated February 22, 2019, regarding his appointment of Diana Colavecchio as Community Development Director.

Ms. Nichols-Rhodes appointed a Committee-of-the-Whole, with herself as Chair, to review the Mayor's appointment.

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

Council recessed into a Committee-of-the-Whole at 6:38 p.m. and reconvened at 6:55 p.m.

Reports of Council's Special Committees

Mr. James moved to approve the Mayor's appointment of Diana Colavecchio as Community Development Director, second by Mr. Gorbach. Roll Call: Mr. Brillhart, yes; Mr. Gorbach, yes; Mr. Iona, yes; Mr. Iula, yes; Mr. James, yes; Mr. Miller, yes; Ms. Nichols-Rhodes, yes; Mr. Pallotta, yes; Ms. Penta, yes; Mrs. Pyke, no; Mr. Reilly, yes. Motion passed, voice vote (10-1).

Ms. Nichols-Rhodes moved to recess into a Committee-of-Committees to consider Standing Committee assignments and Boards and Commission appointments, second by Mr. James. Motion passed, voice vote (11-0).

Council recessed into a Committee-of-Committees at 6:55 p.m. and reconvened at 6:57 p.m.

Reports of Council's Special Committees

Ms. Nichols-Rhodes moved to bring out the Standing Committee assignments, Boards and Commissions appointments with a favorable recommendation, second by Mr. Brillhart. Motion passed, voice vote (11-0).

New Legislation
(First Reading)

Temp. Ord. B-14 (Planning & Zoning)

An ordinance authorizing and approving the dedication plat of .0291 acres of Parcel 02-20643 (140 Portage Trail) as public right-of-way, and declaring an emergency.

Temp. Ord. B-15 (Finance)

An ordinance authorizing the Mayor to enter into a cooperative procurement agreement with National Intergovernmental Purchasing Alliance Company, a Delaware Corporation d/b/a OMNIA Partners Public Sector, waiving competitive bidding for the purchase of products, services, materials and supplies purchased through cooperative purchase agreements administered by National Intergovernmental Purchasing Alliance Company, a Delaware Corporation d/b/a OMNIA Partners Public Sector, and declaring an emergency.

Temp. Ord. B-16 (Finance)

An ordinance authorizing the Director of Law to execute a modification of contract with Roetzel & Andress, LPS for legal services related to Johnson Controls, Inc., making necessary appropriations for the same, and declaring an emergency.

Temp. Ord B-17 (Public Improvements)

An ordinance authorizing the Director of Public Service to enter into a contract or contracts without competitive bidding with ARRC, Inc. for the construction of on-street public parking in front of 140 Portage Trail in an amount not to exceed \$125,000.00, and declaring an emergency.

Temp. Ord. B-18 (Public Affairs)

An ordinance amending various sections of the Codified Ordinances to conform to State law, approving the 2018 replacement pages to the Codified Ordinances of the City of Cuyahoga Falls, and declaring an emergency.

Reports of Council's Standing Committees
(Third Reading)

Planning & Zoning

Temp. Ord. B-8

An ordinance accepting the Planning Commission approval, findings and conditions of the Redwood Living Community combined preliminary and final subdivision plat and improvement plans on Parcels 35-00013, 35-06325, 35-00015, 35-02051, 35-02052 and 35-02053 on West Bath Road, and declaring an emergency.

Mr. Gorbach stated that there were no tax abatements or variances requested for this proposed development. No tax abatements mean instead of \$6,132 a year going to Woodridge Schools, approximately \$268,493 would be going to Woodridge Schools based on a \$14-million, Ward 8 investment. The Parks and Recreation Department will receive a \$52,000 improvement to Keyser Park. The demographic for this development is not working professionals, so this development is not going to create 87 additional cars leaving at 8 a.m. and returning at 5 p.m. That is important, because traffic seems to be an obstacle for some members of Council and has been at the forefront for Council, as well as the proposed developer. It is in everyone's best interest to make that area as safe as possible. He believes, with the enhanced safety devices and the improvements proposed for this in section of the road, it's not unreasonable to think that accidents may decrease with this development being opened. He is hoping, for these reasons and the reasons discussed in the previous meetings that Council has had on this proposed development, that Council would join him in supporting this legislation.

Mr. Brillhart moved to adopt Temp. Ord. B-8, second by Mr. Reilly. Roll Call: Mr. Brillhart, no; Mr. Gorbach, yes; Mr. Iona, no; Mr. Iula, yes; Mr. James, yes; Mr. Miller, yes; Ms. Nichols-Rhodes, yes; Mr. Pallotta, yes; Ms. Penta, yes; Mrs. Pyke, no; Mr. Reilly, yes. Motion passed, voice vote (8-3).

Finance & Appropriations:

Temp. Ord. B-9

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the demolition of buildings and removal of demolition debris at various locations in the City, and certifying the cost thereof to the County Fiscal Officer for collection in the manner provided by law, and declaring an emergency.

Mr. Gorbach moved to adopt Temp. Ord. B-9, second by Ms. Pyke. Motion passed, voice vote (11-0).

Temp. Ord. B-13

An ordinance authorizing the Director of Law to enter into a Memorandum of Understanding and Settlement Agreement relating to the Munroe Falls shooting range, making necessary appropriations for the same, and declaring an emergency.

Mr. Gorbach moved to adopt Temp. Ord. B-13, second by Mrs. Pyke. Motion passed, voice vote (11-0).

Public & Industrial Improvements:

Temp. Ord B-10

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the annual resurfacing and/or repair of various streets as described in Exhibit ‘A’ attached hereto, in the City of Cuyahoga Falls, and declaring an emergency.

Mr. James moved to adopt Temp Ord. B-10, second by Ms. Penta. Motion passed, voice vote (11-0).

Public Affairs:

Temp. Ord. B-11

An ordinance amending the Traffic Control File by providing for installation of various traffic control devices, and declaring an emergency.

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

Temp. Ord. B-12

An ordinance amending Chapter 929, Storm Drainage Utility, of the Codified Ordinances, and declaring an emergency.

Mr. Reilly moved to adopt Temp Ord. B-12, second by Mr. Brillhart. Motion passed, voice vote (11-0).

Community Development:

No Report.

Schedule of Committee Meetings

Planning & Zoning:	March 4, 2019, 6:30 p.m.
Finance:	March 4, 2019, 6:35 p.m.
Public Improvements:	March 4, 2019, 6:40 p.m.
Public Affairs:	March 4, 2019, 6:45 p.m.
Community Development:	Subject to Call.

Ms. Nichols-Rhodes moved to dissolve into Executive Session to discuss litigation, second by Mr. James. Roll Call: Mr. Brillhart, yes; Mr. Gorbach, yes; Mr. Iona, yes; Mr. Iula, yes; Mr. James, yes; Mr. Miller, yes; Ms. Nichols-Rhodes, yes; Mr. Pallotta, yes; Ms. Penta, yes; Mrs. Pyke, yes; Mr. Reilly, yes. Motion passes, 11-0. Council dissolved into Executive Session at 7:08 p.m.

Mr. James moved to dissolve out of Executive Session, second by Mr. Gorbach. Roll Call: Mr. Brillhart, yes; Mr. Gorbach, yes; Mr. Iona, yes; Mr. Iula, yes; Mr. James, yes; Mr. Miller, yes; Ms. Nichols-Rhodes, yes; Mr. Pallotta, yes; Ms. Penta, yes; Mrs. Pyke, yes; Mr. Reilly, yes. Motion passes, 11-0. Council dissolved put of Executive Session at 7:28 p.m.

Miscellaneous Business

Mr. Iona stated that he had asked Mr. Guerra, at the last Planning and Zoning meeting, if he could give Council a flow chart describing the process. Mr. Guerra stated that since he would not know about things until there is a proposal before the City, he can't provide Council or citizens anything until then. Mr. Iona stated that he understands that, but, once Mr. Guerra has that information, he would like him to provide a flow chart that they would be able to give out at Planning and Zoning meetings that shows what goes on. He realizes every situation is different, but if they had something general to look at so they could follow along, it would be helpful. Mr. Guerra has agreed and said that he would work on it.

Mr. James moved to adjourn, second by Mr. Iona. Motion passed, voice vote (11-0). Meeting adjourned at 7:30 p.m.

Mary Nichols-Rhodes, Council President

Dana M. Capriulo, Clerk of Council