

**CUYAHOGA FALLS CITY COUNCIL**

**Minutes of the Council Meeting**

**April 8, 2019**

- Call to Order:** Ms. Nichols-Rhodes at 6:30 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. Pallotta
- Approval of Minutes:** None
- Reports and Communications:** A Notice from the Ohio Division of Liquor Control regarding new Permit 0003160 to ACR CF LLC, dba Akron Coffee Roasters, 2101 Front Street, Suite 111, Cuyahoga Falls, Ohio, 44221.

**New Legislation**

(First Reading)

**Temp. Ord. B-28 (Finance)**

An ordinance authorizing the Mayor to enter into a Grant Agreement with the Ohio History Connection for the Berkshire Park Subdivision Historic District National Registration, and declaring an emergency.

**Temp. Ord. B-29 (Public Improvements)**

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, with GPD Group for professional engineering services for the improvements to West Portage Trail Extension, from State Road to Northampton Road, and declaring an emergency.

**Temp. Ord. B-30 (Public Affairs)**

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

**Reports of Council's Standing Committees**

(Third Reading)

**Planning & Zoning**

**Temp. Ord. B-1**

An ordinance approving a zoning map amendment for the former Sycamore Valley Golf Course located at 1651 Akron Peninsula Road (Parcels 35-02255, 3500674, 35-00672, and 35-00673 and 0205625), from E-1 Employment District to R-3 Sub-Urban Density Residential, as more fully described and depicted herein, and declaring an emergency.

Mrs. Pyke stated that she would like to thank all of the individuals who took time to send letters and to come to City Council. She thinks it's a great representation of the feelings that the residents of Cuyahoga Falls have. Their letters have not gone ignored. She may not have had a chance to answer all of them, but she did read all of them very carefully. She stated she is confident that the vote that she is making tonight is one that she can live with now and in the future. She is not the only one voting. It will take at least six people for it to pass, so, in just a few minutes, they will have an answer.

Mr. Gorbach stated that he would like to share his thoughts on the zoning request change to those in the audience, and read the following statement. "I believe this property will be developed either as commercial, as it is currently zoned, or residential, as is being requested. While other uses have been mentioned throughout our meetings, I don't find it credible given the property owner's desire to sell his land for development. If he calls the developer's bluff, as has been suggested, we send a message, as a city, that we don't want anything but a commercial development. I believe this will occur whether it will be Mr. Karam and his team or another group. Many of you have indicated you would prefer a commercial development; however, I don't believe that to be the best-case scenario. Once a plan that meets the current zoning is presented, we must live with what is proposed. Such a plan would retain the same water-related and traffic concerns, but would not include saving current structures, creating a trail and as trailhead, as well as less total impervious surfaces. Given this, I would rather that we control this narrative. I won't debate if this is the gateway to the National Park, but, if it is, I would rather have homes along this corridor, so new residents can also enjoy all that the Park System has to offer, rather than line it more commercial landscape. I see a greater synergy in the area with that type of zoning. Thank you."

Mr. Brillhart moved to bring Temp. Ord. B-1 out for a vote by Council, second by Mrs. Pyke. Roll Call: Mr. Brillhart, Yes; Mr. Gorbach, Yes; Mr. Iona, No; Mr. Iula, Yes; Mr. James, Yes; Mr. Miller, No; Ms. Nichols-Rhodes, No; Mr. Pallotta, Yes; Ms. Penta, Yes; Mrs. Pyke, Yes; Mr. Reilly, No. Motion passed, voice vote (7-4).

**Temp. Ord. B-7**

An ordinance approving regulatory text amendments for Section 1111.08 Administration and Enforcement and Section 1124.03 Flood Plain and Stormwater in The Cuyahoga Falls General Development Code, and declaring an emergency.

Mr. Brillhart moved to adopt Temp. Ord. B-7, second by Mr. Reilly. Motion passed, voice vote (11-0).

**Finance & Appropriations:**

**Temp. Ord. B-23**

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-23, second by Mrs. Pyke. Motion passed, voice vote (11-0).

**Public & Industrial Improvements:**

No Report.

**Public Affairs:**

**Temp. Ord. B-26**

An ordinance authorizing the Mayor to enter into a NOPEC Energized Community Grant Agreement with NOPEC, Inc. for energy efficiency or energy infrastructure projects, and declaring an emergency.

Mr. Reilly moved to adopt Temp Ord. B-26, second by Mrs. Pyke. Motion passed, voice vote (11-0).

**Community Development:**

No Report.

**Schedule of Committee Meetings**

Planning & Zoning:	Subject to Call.
Finance:	April 15, 2019, 6:30 p.m.
Public Improvements:	April 15, 2019, 6:35 p.m.
Public Affairs:	April 15, 2019, 6:40 p.m.
Community Development:	Subject to Call.

**Miscellaneous Business**

Ms. Diana Colavecchio, Community Development Director, stated that there have been a few new items listed since the last Downtown Update was distributed. The Falls Theater at 2220 Front Street has been leased with tentative construction slated for mid-summer. In upcoming events, there is a Public Arts Master Plan Meeting that will be held on April 9, 2019, 5:30 p.m., in the Public Meeting Room located in the Pavilion. The Fire Station 3 groundbreaking will be held on April 15, 2019, at 5:30 p.m. The Land Bank will make a presentation to Council on April 22, 2019.

Mr. Iona asked what the Falls Theater will be purposed for. Ms. Colavecchio stated that it is going to be an entertainment extravaganza. There will be family and adult entertainment. It is their understanding that the tenant is going to keep with the stage and theater portion for live music purposes and also utilize the downstairs and the upstairs. As soon as the specifics are known, they will be provided to Council.

Mr. Reilly thank Ms. Colavecchio for bringing the Land Bank to present to Council.

Ms. Nichols-Rhodes stated that because Temporary Ordinance B-25 has a TIF related to it, there will be a Public Hearing on that on May 6th, 2019.

Mrs. Pyke stated that she is in possession of a video of the U-Haul storage units by the old Schwebel plant. Every time someone opens up a storage unit, an alarm is going off. In the video, the alarm is triggering the traffic light at Newberry Street and Broad Boulevard and stopping traffic in all directions. According to residents, this is at any time of the day. She stated that she can share that video with anyone who would like to see it. Mr. Reilly stated that he would like to note that U-Haul has still not finished the brick facade that they promised they would put on all sides of the storage unit. At this time, they have only completed three sides. He also has reports from residents that have contacted U-Haul to rent storage units for themselves, and they were told there is 24-hour access available at those properties. That was something that Council was told was not the case. He would like to address those issues, also. Mayor Walters stated that this is the first he has heard about the alarms triggering the lights through detectors. If Mrs. Pyke could share that information with him, he will look into it tomorrow. Mr. Reilly stated that he has a copy of the video, also, and will forward it to the Mayor.

Mr. Demasi, Engineer, stated that on tomorrow night, April 9, 2019, at 6:30 p.m., there will be a meeting held at the Natatorium for the Gorge Dam Removal update. Representatives from the US-EPA, Ohio EPA and the Gorge Stakeholders Group will be presenting the results of historical reviews and share updates on what's next on that project.

Mr. James moved to adjourn, second by Mr. Iula. Motion passed, voice vote (11-0). Meeting adjourned at 6:50 p.m.

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Mary Nichols-Rhodes, Council President

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Dana M. Capriulo, Clerk of Council