

Cuyahoga Falls City Council
Minutes of the Public & Industrial Improvements Committee

May 18, 2020

Members: Mary Nichols Rhodes
Frank Stams
Jeff Iula

Ms. Nichols-Rhodes called the meeting to order at 7:11 p.m. All members were present.

The minutes of the April 20, 2020, Public & Industrial Improvements Committee meeting were approved as written.

Legislation Discussed:

Temp. Ord. A-26

Discussion:

Temp. Ord. A-26

An ordinance amending ordinance 29-2020 to authorize the Director of Public service to enter into a modification of Contract No. 7882 with Kenmore Construction Company, Inc., and declaring an emergency.

The 8-inch water main in Portage Trail between Front Street and 2nd Street failed multiple times recently and was in imminent danger of failing once more. Ohio Revised Code §735.051 authorizes Council to waive formal competitive bidding and advertising for contracts where there is a real and present emergency arising in connection with the operation and maintenance of a municipally-owned utility. The Director of Public Service will be authorized to enter into a modification of Contract No. 7882 with Kenmore Construction Company, Inc., in an amount not to exceed \$123,540.13. The total contract price after modification as authorized herein shall not exceed \$173,540.13. 34. The Director of Finance is hereby authorized and directed to pay invoices for work based upon the Contract as modified, in an amount not to exceed \$123,540.13 over the original estimated contract price, from the Water Fund, Line Item Capital Outlay.

Mr. Bryan Hoffman, Finance Director, stated that Section 2 of the ordinance states that they need to pay this out of the Capital line item. The original ordinance has them moving money from Capital into operations and increasing appropriations. Subsequent to passage of that ordinance, the waterline from Stow came in well under budget and there is room under the current Capital appropriation to be able to pay for this project as well, so appropriations do not need to increase. They are asking that the original ordinance be amended, so that they are able to pay this from the line item Capital and not out of Other Operations line items.

Mr. Gorbach asked if this ordinance is replacing Temporary Ordinance A-22. Mr. Hoffman stated that the original ordinance number was 29-2020. This ordinance does not replace it. This is an ordinance amending that previous ordinance. Ms. Janet Ciotola, Law Director, stated that the amount did not change at all. The only change is where the payment is coming from, and that is

Public & Industrial Improvements
May 18, 2020 – Page 2

Capital Outlay. The old ordinance had the Water Fund. There has not been an increase or decrease in the amount.

Ms. Nichols-Rhodes asked if there was any correspondence sent with questions or comments for this committee. There was none.

Mr. Stams moved to bring out Temp. Ord. A-26 with a favorable recommendation, second by Mr. Iula. Motion passed (3-0).

The meeting adjourned at 7:17 p.m.