

**Cuyahoga Falls City Council**  
**Minutes of the Community Development Committee Meeting**  
**January 19, 2016**

**Members:** Adam Miller, Chair  
Vic Pallotta  
Paul Colavecchio

Mr. Miller called the meeting to order at 6:41 p.m. All members were present.

**Legislation Discussed**

Temp. Ord. A-3

Temp. Ord. A-4

Temp. Ord. A-5

**Discussion**

**Temp. Ord. A-3**

An ordinance adopting the Mill Pond-Mud Brook Greenway Master Plan, and declaring an emergency.

Mr. Guerra and Ms. Holmok passed out to Council an overview of the plan process. Mr. Guerra stated that the plan was exciting and something that was spearheaded in 2014, when the City entered into an agreement with First Akron and Menard's for the development of a Menard's and for the purchase of the pond. He stated that this plan was originally talked about in the 1970's, in the Mud Brook Corridor Plan by Northampton Township that addressed purchasing property along Mud Brook and using that property to store water during storms, because this was at the end of a large basin, the Mud Brook basin.

Mr. Guerra stated that when the merger with Northampton occurred, the City started taking action on purchasing properties and getting property donated along Mud Brook. The developments that occurred in the 1990's were either land that was donated, like land up against Northpoint or the other developments, or was purchased, like the Gun Club off of Pleasant Meadow, in anticipation of creating this greenway. He said that, in the 1990's, the City did a plan for a trail along that greenway; then, in 2005, when the survey was done, the need was recognized for developing that green space into something more than what it is today in which there would be a trail and, as the Northampton plan addressed, places to store water.

Mr. Guerra stated that after the pond was purchased in 2014, the Ohio & Erie Canalway Organization Strategic Initiative Grant was applied for to do the master plan that included the Mud Brook corridor and, now, the Mill Pond. After going through an RFP process in 2015, EDG, a local group in Akron that does a lot of open space and other planning and engineering in the area, was hired to create a plan that would serve as a guide for trail development and storm water management. As the plan moved forward, and after talking to Northpoint residents and other people, it was necessary to expand the plan. Mr. Guerra thanked EDG for being very cooperative in probably doing more work than the grant provided.

Mr. Guerra stated that the budget associated with this project looked at how things are done in phases for capital improvement planning. It allows the City to apply for money knowing what certain phases are going to cost. It also allows the City to look at how other funds are going to be spent in doing this. Mr. Guerra went on to explain why this was being done in January and fairly quickly. One of the reasons is a section in the agreement with First Akron and Menard's that addresses the use of the Mill Pond. The seller insisted there be some deed restrictions in the agreement. For example, the seller didn't want the

pond to be drained and sold to a retailer. So, there were eight somewhat generic restrictions put in the agreement stating that these restrictions will stay in perpetuity with the land unless a master plan would be developed that would override those eight generic restrictions. It also stated the plan had to be approved by February 1, thus the urgency in getting this ordinance approved.

Mr. Guerra said approval of a plan next week doesn't necessarily mean that that it's written in stone. As this project moves forward and changes have to be made on certain things, the City can come back to Council and make those changes. The plan is merely a guide to move forward. As it moves forward, some of the things that are being looked at are potential development, like the Enclave at Mill Pond, the property beside Mill Pond that will be a residential subdivision. There is also the potential of some development at the end of Pleasant Meadow. Those would be things that may necessitate amending the plan. Mr. Guerra stated there are ways that movement can be made immediately on some things to get some of the things done on this plan. He then turned the discussion over to Ms. Holmok to give Council an overview of the plan.

Ms. Holmok said that it is one of the most implementable plans that EDG has worked on in the past few years. She stated that it is very exciting when they can develop a plan that meets all of the goals that were identified in the Request for Proposal, national resource protection, flood mitigation and passive recreation in order to improve the quality of life of the current residents and provide a path forward for sustainable growth for this area. Ms. Holmok stated that the Mill Pond watershed, the drainage area into Mill Pond, is much larger than anticipated when the project first started. The area represents 31% of the Cuyahoga River watershed. Additionally, this watershed represents 6% of the land in Summit County. This particular area in Cuyahoga Falls represents the bottom, where all the water culls. By the time it reaches this area, the water is moving very fast, contains a lot of sediment and has trash and debris from other areas outside of the city limits. She stated Cuyahoga Falls contains only 19% percent of this watershed. As there are five other municipalities that are a part of this drainage area, part of what had to be taken into consideration in the plan was the lack of control as to how the other municipalities dealt with the drainage.

Ms. Holmok went on to say the original study area, which was Graham Road, State Road, Wyoga Lake Road, and then up to a little north of Pleasant Meadow Road, was approximately 460 acres of area. Through the inventory information and talking with the stakeholders that took part in walking their property with her and showing her the issues they had, they found there is significant impact to this area from the surrounding areas. This is the endpoint of a very large drainage area and also the endpoint to number of septic systems on the outside edges of this area. Those septic systems affect water quality, because failing septic systems for homes is the number-one pollutant for groundwater in the United States. She stated they don't know whether or not those are failing now, but they are known to exist and are outside of the original study boundary. What EDG did is actually encroach and draw that boundary based on that and based on the fact that there is a lack of sidewalks and connection. There is also a lack of utilities in that the storm water utilities are creating erosion in the area. Flooding also was backing up from some of those storm water utilities. A sanitary system does not exist to pick up those septic systems.

Ms. Holmok stated that, additionally, the land use has changes outside of the City's purview, so managing that was a concern. In the last 10 years, weather patterns are changing. Rain water and the storm water are in larger bursts with shorter duration, so finding a way to manage every inch counts. The study area was increased to 600 acres. The study boundaries were moved to the City limits on the eastern side, all the way of up to just north of Cochran Road on the north. Also included was the historic dam just south of the Mill Pond dam, because even though it is historic, it still is functioning as a dam. A model for all of the flooding potentials in this area was also made.

Ms. Holmok said the next step was to look at some of the opportunities and constraints that area provided. There is a historic barn there, as well as the Old Gun Club and a lot of City property. There are also a lot of constraints. There is a lot of erosion and a lot of hillsides. There are a lot of invasive species and other plant material in the watershed that take over the land where native plants should be and that provide absolutely no food source. Ms. Holmok stated that going back to the national resource protection, flood mitigation and passive recreation of this study, the master plan actually identifies 1.8 miles of connector trail connecting from Pleasant Meadow Road and the potential development there, as well as the Old Gun Club, all the way down to the Mill Pond area and to the existing bike lanes that were just built on State Road. It also has 0.1 miles of connector trail.

Ms. Holmok stated the lack of sidewalks gives an opportunity to connect up people with a potential trail system. It also provides an opportunity to bring our children back home to Northeast Ohio, because we can now connect these communities. She stated that millennials especially require an area to live in that is connected. With the new Menard's and the development that is happening along that area, connecting up the residential and the potential future residential areas with those commercial corridors is exactly what the millennials and current residents, are looking for. There are two trailheads that will be built, through r public involvement and State involvement, that create a unique opportunity for the neighborhood, as well as the residents of Cuyahoga Falls. Those are the historic barn, as well as the Old Gun Club. There is also existing a proposed plan that these trails connect up, such as the planned bike lanes along Wyoga Lake Road.

Ms. Holmok said the master plan contains significant flood storage opportunity. Voluminous flooding is a major concern of the stakeholders. Being at the lowest part of the watershed and having a very rainy year provided recent history and pictures. Mr. Brillhart provided pictures of the flooding, which helped devise modeling. There are a number of natural flood plain restoration and wetlands existing in and around the area that provide additional storage throughout the whole area, along with potential modification of the dam structure, itself. She stated they do not have records of the dam at Mill Pond right now, but it looks to be impaired by logjams. Fixing that would also provide some flood relief in that area. Additionally, about 10 acres of invasive plant species will be eradicated. Brill pools and stream bank restoration will provide more heron and eagles to the area.

Ms. Holmok said it is a very robust plan, and the reason for that is so that the images seen today can be put into a grant application tomorrow. There are two projects identified in here, which are first-phase projects that can be funded via funding sources and then, also, public and private funding sources. One would be the Old Gun Club. There have been communications with the City and the EPA about providing cleanup dollars that would lead to flood plain storage, providing some storage to eliminate or reduce some of the flooding there, and then, also, providing a first phase of trail connection and providing environmental cleanup. The second project is actually modification to the dam, itself, at Mill Pond. There are a number of logjams that seem to be blocking the pipe, or the underflow, which is not allowing the dam to function as it was intended. That would be an additional first phase. There are three additional phases throughout the plan. Ms. Holmok stated that this is a living document, so, as new development potentially happens, the plan can change and addenda can be made in that plan to allow for that.

Ms. Holmok stated that one thing she wanted to mention on the funding was Mr. Guerra's addition of the active districts to capitalize on the private investment made on this area. The original study area was 460 acres, and it was increased to 600 acres made up of two active districts. Mr. Guerra stated they may want to look at potential active financing in the future in order to have the ability to make the plan function. He said that an application for USEPA funds for the Gun Club was going to be made this round, which

was in November, but they were not ready to do that. There was a public meeting scheduled that had to be cancelled because the environmental work being done wasn't completed, but that will be one source of funding. Other sources would be active financing and the ODNR.

Mr. Miller asked Mr. Guerra if the two ponds south of or near Cochran Road were private property. Mr. Guerra said that they were, and that when something gets developed on Cochran Road, there may be property that the City has the ability to either purchase part of for detention or would work with that business on the site to make detention basins larger. He stated that based on Northpoint discussions, the areas adjacent to Northpoint or on Cochran Road were looked at to see if they function appropriately. They were able to do that with their modeling. There is another retention area that the City has done work on in the past that will be looked at more comprehensively.

Mr. Miller asked Mr. Guerra if there is a plan to have a retention pond at Menard's. Mr. Guerra stated Menard's has their own retention plan. Mr. Guerra then asked Ms. Holmok if she would briefly explain how the ponds work. Ms. Holmok stated flooding happens in two regards: One is the volume; then, secondly are the times of concentration or the time of when the water gets there. One of the things in the complexity for the model was not only identifying the large watershed, but then identifying where those storm water basins are, those outfalls from the developments, and identifying how fast or slow the waters from those ponds come into the creek. She said sometimes you have a perfect storm where you may have been holding back that water in the lower watershed, but then you have water coming in from Hudson, and it comes in at the same time and creates a flooding incident. They are looking at not only holding back the water, but then also to release it at certain times when it won't exacerbate the problem. Those were hard answers in this lower watershed, because it is at the lowest point. A lot of the water is coming from other municipalities. Mr. Guerra stated that when the original 1976 plan by Northampton was done, they couldn't do anything about what the neighboring communities were doing with the water. They had to take care of that corridor, and that was the reason why Northampton Township and the City began assembling properties along Mud Brook.

Mr. Iona asked Mr. Guerra if these new developments would be consistent with the millennials' price range and not undervalued or overvalued. Mr. Guerra stated that this is getting ready to go back to the Planning Commission. They are town homes that would be for both millennials and for baby-boomers, and would be in the price range of \$250,000 to \$300,000. Because the last two developments in the City are nearly completed, they are looking at development there, because there is not a lot of new housing available today. When the agreement was made with Menard's and the City bought the lake, it was always assumed that this was going to be developed. Mr. Guerra said they are working with a developer now. The developer has seen these plans. They are discussing storm drainage and dam modification, so it's good timing to have this plan done and to work with the developer. He said those units will be priced right for the area. They may go greater than that amount, because when developments first start, they start a little bit low and, by the time they get into the second and third phases, they end up being built higher and more expensive.

Mrs. Klinger stated that it was a very extensive plan. She stated that former Councilman Potts would be thrilled to see this laid out, because he was a huge advocate of the Gun Club and what it could be for the community. She stated that the plan was a very exciting one. Mr. Brillhart stated that while it was a very exciting plan, it is also a necessary one. He stated his house is in the Dales, right next to Northpoint. In 2007, when he purchased his house, there was a small brook behind it that you had to walk through single file. Today, there is so much erosion that you can drive a car back there. He said his fear is that after the spring rains, there will be a two-lane road back there. Mr. Brillhart said he wanted to applaud the Administration and Mr. Guerra, and that he has met with and has been very impressed with EDG. He

said he was grateful for the residents that have been involved in this, and that Mayor Walters, Mr. Balthis and many others have been to see the area and have been involved.

Mrs. Pyke asked if the storm sewers in the developments are interconnected. Ms. Holmok stated that the storm and sanitary lines are somewhat connected. Mr. Guerra stated that the Summit County Sewer District is there, and they are expanding some of that district to take care of the septic systems. He said one thing they discovered is that there are hardly any sewer lines on Wyoga Lake Road. The area of Wyoga Lake Road and Cochran Road is one that the City wants to develop and, except for developments like Northpoint and The Dales, it doesn't have a lot of utilities. Mrs. Pyke asked where does the storm water from those developments go. Mr. Guerra said the storm water goes to Mud Brook. Mrs. Pyke asked how does a development go in without retention or detention ponds. Mr. Guerra answered that at the time these developments were built, it was less restrictive and that the small basins that were built were undersized for today's needs.

Mrs. Pyke then asked if the area in the topography map takes water from 6<sup>th</sup>, 7<sup>th</sup> and 8<sup>th</sup> streets. Ms. Holmok answered that she wasn't sure where these tributaries converge with the main stem of the river or if it is above or below. Mr. Demasi stated that 6<sup>th</sup>, 7<sup>th</sup> and 8<sup>th</sup> Streets near Silver Lake drain to Front Street, traveling down Victor through a very large storm sewer, flowing down Norwood, or one of those streets, and eventually ending up into the Cuyahoga River near Front Street. Mrs. Pyke then asked if she was safe in assuming that the larger tributary on the map was taking all these waters from the developments. Ms. Holmok stated that there are two things: A natural tributary of surface water and secondary storm water pipes, underground pipes coming from a detention basin. She stated there is a lot more water than naturally would be occurring if it just followed the topography, and that part of the consideration in development of the area is retaining water from other areas.

Mrs. Pyke asked if the dam releasing water is a functional dam and could the amount of water could be controlled. Ms. Holmok answered that it needs to be. Mrs. Pyke asked if they were looking at restructuring the dam there. Mr. Guerra said yes. Ms. Pyke asked if it was part of the plan. Ms. Holmok said that there is a recommendation in the plan that a further study be done. There are no historic records of the private dam. They have done field recognizance. Without going into the dam, they can see the dam is not holding back water. The water is spilling over and there are logs that are jammed up behind the back of the dam. There is an underflow pipe that should allow water going through it under non-flood conditions. There is no water coming out of it. Mrs. Pyke asked if it was filled with silt. Ms. Holmok said they don't know, but the first thing that needs to be done is removal of the logs.

Mrs. Pyke asked if there has been an environmental study done of the pond. Mr. Guerra said that there have been floor samples of the water and everything turned out clean, so, environmentally, it's okay. The dam was never taken care of. The previous owner didn't know it was on his property. He said that one of the first things they are going to do is a study of that dam. There is another historic dam that was included in the area of Cox Drive that needs to be looked at in order to determine how it functions. Mrs. Pyke asked if it was a private drive and if that was something that could be looked at. Mr. Guerra said that he could make arrangements to see it. Mrs. Pyke asked if any of the sanitary lines were above ground. Mr. Demasi stated they were all underground. Mrs. Pyke asked if the area around where houses flooded would need a pumping station. Mr. Demasi said, no, there is a sanitary sewer by the old Giant Eagle.

Mrs. Pyke stated that this was necessary; that there is a lack of infrastructure to have on so much property. She stated she was surprised to see how many septic systems were still out there, and that those needed to be cleaned up. She stated it was a beautiful plan. Mrs. Pyke then asked what the total cost of the plan was. Mr. Guerra said a little over \$10 million to do everything. Ms. Holmok stated it was a multi-phase

plan. Mr. Guerra said that, on a multi-phased plan, they need to know how much it is going to cost going in, and then talk about the next project after that. So, if they know the estimated plan is \$2 million, they know what the grant sources are and how to attack that particular section of the plan. He stated that this plan is not going to happen overnight.

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

**Temp. Ord. A-4**

An ordinance authorizing the City of Cuyahoga Falls to transfer real property known as the Falls Theater to the Community Improvement Corporation of Cuyahoga Falls to facilitate the redevelopment of the property, and declaring an emergency.

Mr. Guerra stated that there was a handout that he would like to use as a guide for his overview of the plan for the redevelopment of the Falls Theater. He stated that, first, he would like to talk a little bit about some of the key elements of this project, because the key elements capitalize on things that are already being done downtown and things that are going to be happening downtown are making the development of the theater more possible than maybe five, six years ago. He stated the City is using historic preservation as one of the key components of the renovation of the theater. Part of the financing for this plan is for the developer to utilize State of Ohio Historic Preservation Tax Credits. This will be easier to do now than it was a couple years ago with the Triad Building on South Front Street, because there is now a Design & Review Board, certified local development and an ordinance that allows the City to create individual landmarks.

Mr. Guerra stated that the City will be using State Tax Credits and Federal Historic Redevelopment Tax Credits to make this project work. The developer on this project knows historic preservation and has successfully done tax credit projects before. One component of this redevelopment will be a large restaurant, and there is a developer involved that designs restaurants. The second component is taking this vacant building back to what it was originally intended to be. Mr. Guerra stated that this is going to be a mixed-use building, taking components of the building and using them. The theater will be leased to the Hop Tree Brewing Company, who will brew their own local beer and operate a full-service restaurant. There will be a full kitchen in the restaurant. They will reactivate the stage area of the theater, using it for shows and other forms of live entertainment. He stated the developer is going to use the two storefronts as retail storefronts that will complement the restaurant/brewery. The four apartments upstairs will be renovated and leased.

Mr. Guerra stated the City and the CIC will be utilized to make this project work. After talking to the developer and the CIC, it was determined that the best way to apply for tax credits would be to have the CIC apply for those tax credits. The CIC will be involved in the development of this project by applying for tax credits and then selling the building and the tax credits to the developer. They will be interim developers, making the project flow better. It also provides the City with proxy, so if the plan does not go forward, the City stills own the building and doesn't have to go through the court system to take the building back. The City is going to be involved in the approval through the Design & Review Board, Planning Commission and City Council. There will be application for the Local Landmark of the building. The Design & Review Board will do the Certificate of Appropriateness for the improvements to the building to make sure they meet all Local standards and Federal standards. He stated that this plan brings in preservation, reuse of a building and CIC and the City toward redevelopment.

Mr. Guerra stated the developer is Coming Attractions Development LLC, and their representative was present to talk about that development. He stated that the redevelopment process consists of assessment and selection, approval, design and funding and construction. They are currently in the approval, design and funding section. In order to get to that section, in 2015, there was a conditions assessment done of the theater building. A contract was entered into with Chambers Murphy & Burge, who subcontracted with Thorson Baker and then completed a thorough assessment of the theater. It included mechanical, electrical and structural assessment of the building. Once that was completed, it was found that, "Although a substantial building rehabilitation is warranted, the building has significant cultural value and is a good candidate for rehabilitation." The rehabilitation costs were estimated between \$1.6 and \$3.2 million without tax credits. If the theater portion was utilized as a large restaurant, as planned, and tax credits are obtained, the development costs would be between \$900,000 and \$1.8 million, making this project feasible. There is a 25-percent tax credit for State and the 20-percent tax credit for Federal of the cost of doing the renovation, creating a substantial incentive for someone to renovate the building.

Mr. Guerra stated once Request for Proposal were put out, the thought was that there were going to be many people looking to develop the theater. Request for Proposal was from October 2015 to December 2015. The asking price for the building was \$23,000. The formula used to come up with that amount was 25 percent of the Summit County assessed value of the building. A developer having historic preservation experience was also necessary to make the project work. After that RFP process, one proposal was received. There were more proposals expected, but the one proposal received was from Coming Attractions LLC and was very good one. Coming Attractions LLC has extensive experience in doing projects around the state. They have done many projects in Akron. It was decided to move forward with that proposal.

Mr. Guerra then introduced Lauren Burge, a member of the development team. Mrs. Burge thanked Council for having her. She stated she was the one who wrote the report that the building has significant cultural value and is a good candidate for rehabilitation. She stated she is a registered architect and principal of the architectural firm Chambers, Murphy & Burge. She said that they have spent a lot of time in the building looking at the condition. They thought the price was reasonable. Although they could have bought the building and rehabbed it, they wanted more for the community and that building. They put together a development team, with the Class-A partners being herself and her husband, who is also a registered architect. His firm is a separate firm, Alan Burge Architecture. Mr. Burge, for the last decade, has been designing restaurants all over the country. He has significant expertise in that field and many connections. Mrs. Burge stated that the major tenant will Hop Tree Brewing Company. They will be brewing their own craft brew on site, as well as operating a gastro pub restaurant. They will be using the building the way it should be used, taking advantage of the fact that it already has a stage. There are no tenants for the retail spaces yet, but that is their plan moving forward. The apartments will be fairly quickly completed and probably the first thing that goes on line to produce cash flow.

Mrs. Burge stated that her firm, Chambers, Murphy & Burge, will be doing the historic tax credit application. There were a number of things that they thought were important for this project to move forward, one of them tying in with opening Front Street, which will be critical for any restaurant to succeed. She stated there are also a lot of things that have to fall into place for this project to move forward and be successful. The first one is the application for State Historic Tax Credits. That 25-percent tax credit is competitive. Unless that piece is obtained, the project really can't move forward. The best way to do that is to place the building into the CIC. The CIC has agreed to accept it. The City, by law, cannot apply for the tax credit, but the CIC can. That would guarantee essentially 25 percent of the project to do the entire project.

In reviewing the schematic preliminary plans, Mrs. Burge pointed out how the brew pub would work, using the very tall ceiling to show off the stainless steel tanks, keeping the stage in place, having a lot of mixed tables and chairs, as well as soft seating, a kitchen and then some kind of retail that will have some kind of tie to what's going on in the building. She stated the apartments are in good shape and pretty readily re-developable. They would would like to have this through Local Landmark by mid-March, so that they can apply for the State credit on March 31st. Mr. Guerra stated there are two rounds of State Historic Tax Credits, one in the spring and one in the fall. If the spring round is missed, then you have to wait another six months for the fall round. He would like to meet the March 31<sup>st</sup> deadline. By getting this approved for the CIC, the CIC will work on an option sales agreement with the developer. The City will work on the historic component to it, individual landmark, doing that through City Council, Planning Commission and Design & Review Board.

Mr. Guerra stated that there is a schedule in the packet. He stated that some propriety information needed to be removed from the proposal, but that they will make the financial and other information available. He stated that he will give Council copies of the assessment reports. Mr. Rubino asked if Mr. Guerra had a list of who was on the CIC Board. Ms. Sheridan stated that Mr. Miller had the list, but that Mr. Paul Testa, Mr. Aaron Barnhart, Mr. Jim West, Mayor Walters, herself, Mrs. Leedham, Mrs. Russell, Mr. Hoffman and Mr. Balthis were on the board and voting members. Mr. Rubino asked how these people are appointed. Mr. Guerra stated that Mayor Walters appoints people to that Board and presents it to Council for ratification. Mr. Rubino thanked Mr. Guerra and Ms. Sheridan for that information.

Mr. Guerra stated that the advantages of having the CIC involved is that they can apply for the tax credits, but the City still makes up the majority of the Board so that it has an interest in how the project materializes. Having CIC involved also streamlines the development process by allowing the City to work on the things needed for historic preservation. Because there are bankers and developers on the CIC Board, they may get involved in helping the project move forward. The CIC will apply for the tax credits, so, technically, the building hasn't been sold to a developer. He stated that the City wants to be able to retain the building in the CIC, so the City has the ability to take the property back in the event the development doesn't take place. It also gives the City the ability to guide the project along with the CIC in their role of allowing development projects to work better.

Mr. Guerra stated that in order to make this restaurant function as it should, Front Street needs to be opened. The City is moving towards and on goal to make a historic district downtown, and the theater renovation will be a part of that. The City would like to open the pedestrian mall. The Gibbs Planning Group are in the process of doing a retail and residential market plan for the downtown area. That helps developers, as they move forward, to know if there's a market. Preliminary results are prepared. The preliminary results show that the downtown area could absorb around 215,000 square feet of retail space if the pedestrian mall is opposed to vehicular traffic. That new retail can potentially capture about \$60 million in expenditures in 2016, and, by 2021, \$65 million. Mr. Guerra said there is the ability to put more downtown and create a lifestyle center, like a First & Main in Hudson, in downtown Cuyahoga Falls. That is done by activating historic buildings and new buildings. He stated that everybody involved with the development of downtown agrees that this is the direction the City should be moving in. He stated that everything is interconnected and this is just another piece of the puzzle that will make downtown more viable. Historic preservation is a key part of that plan.

Mr. Guerra stated that he and Mrs. Burge were available to answer any questions. Mrs. Pyke stated that she was glad to see Mrs. Burge involved in this. Having worked on the Historic Review Board with Mrs. Burge, she stated she knows her passion for these buildings and her commitment to her work. Mrs. Pyke asked what year was the building was built. Mrs. Burge stated that they checked the directories and the

first time it appears is 1925. Mrs. Pyke then asked Mr. Guerra if Council would be getting a copy of the 2015 conditions assessment. Mr. Guerra said that he would get that to Council. Mrs. Pyke said she would also like a copy of who was on the CIC. She then asked what condition the four apartments in the building were in. Mrs. Burge answered that they have been vacant for a long time. The boiler in the building has been partially dismantled, so the apartments have been without heat. The roof has a small leak that needs to be addressed quickly so that it does not become a large problem. She stated their intention was to get the apartments up and running quickly so that they will generate cash flow.

Mrs. Pyke asked if she was correct that the City was selling it directly to the CIC for \$23,000. Mr. Balthis explained that this ordinance would allow the City to sell the building to the CIC for a nominal amount. He stated that ORC Section 1724.10(3) authorizes cities to make these transfers, but requires that once the CIC sells the property for more than it paid the City, the CIC has to return that money to the City minus any carrying costs. He stated that once the property transfers, it will go back onto the tax rolls, because, as the City owns it now, it's tax exempt. Mrs. Pyke asked if the legislation states that the sale to the CIC is one dollar. Mr. Balthis said it's at no cost or a nominal transfer. He said the law of consideration sometimes requires that you have to give something in order for the transfer to be valid. Mrs. Pyke asked if the City was only transferring title to the CIC. Mr. Balthis said that was correct.

Mrs. Pyke then asked Mrs. Burge if her firm would be doing the application for the tax credit at no cost to CIC. Mrs. Burge replied that it is at no cost, but they will be taking advantage of the State of Ohio's grant of \$4,000 to underwrite the National Register Nomination, and that can go to the City. Mr. Guerra stated that the grant has been applied for and is being reviewed. He stated that a pre-nomination for the National Register was requested. Mrs. Burge stated that they completed a National Register Preliminary Questionnaire a year ago. It was reviewed by the State and given a positive review, indicating that the building was likely to be successfully nominated to the National Register. She stated that one of the criteria for getting that pipeline grant is that they receive a positive review from NRPQ. Mrs. Pyke asked if they intended to put up the marquee. Mrs. Burge stated that she didn't know if they would be able to put the vertical, big sign up, but they will definitely do something with the marquee. Mrs. Pyke asked her fellow members of Council how many of them had attended Rocky Horror Picture Show there. She stated that she would like to toast to their proposal and that she thought it was great. Mrs. Burge said they will probably talk about running the Rocky Horror Show on the screen. Mrs. Pyke said to book her, she'll be there.

Mr. Iona asked Mrs. Burge what she saw in the Falls Theater property. Mrs. Burge replied that her passion is historic preservation, and that she does that full-time, nationwide. She said she has done dozens of these tax-credit projects in the last 10 years. Her firm saw the building and understood how the tools work to make the project function. They have the restaurant knowledge, the tax credit knowledge and the ability to look at the building critically. Mrs. Burge said that there are a lot of things that need to fall into place in order for this project to work. Front Street opening up is key. The tax credits are key. They will apply for them in March, but they are very competitive. If they do not get them in March, they will reapply in September. She said by applying in March, it gives them a bonus point the second time they apply. She stated that they love the building, and that one of her husband's first projects was doing an assessment of that building long ago.

Ms. Nichols-Rhodes stated that other communities try to create an old downtown feel like Cuyahoga Falls has, and that it is wonderful that the historic integrity is going to be preserved while also creating jobs. She stated that the current downtown business owners are very excited for the development. She thanked Mrs. Burge on behalf of her ward. Mrs. Klinger stated that she was on Council when the City had transferred the Falls Theater once before, and that it was very difficult to get it back. She stated that the

CIC is the proper mechanism to make the project happen, and she applauds their vision in applying for this.

Mr. Pallotta moved to bring out Temp. Ord. A-4 with a favorable recommendation, second by Mr. Colavecchio. Motion passed (3-0).

**Temp. Ord. A-5**

An ordinance authorizing the Mayor to enter into a Community Reinvestment Area agreement with TRM Manufacturing, Inc., and declaring an emergency.

Ms. Sheridan stated that TRM Manufacturing is currently located at 5010 Hudson Drive, in Stow. TRM Manufacturing is a manufacturer of earth-moving equipment attachments. TRM is requesting a 50-percent, 12-year tax exemption on the increased and the assessed value resulting from their potential improvements. Should the abatement be granted, TRM intends to purchase the building located at 601-607 Munroe Falls Avenue. This is currently known as the Pennsylvania Crusher Building. TRM's total new project investment will be approximately \$3.3 million. They will bring to Cuyahoga Falls 61 full-time, permanent employees and a new annual payroll of approximately \$3.4 to \$3.5 million.

Ms. Sheridan stated the estimate on the draft application that was in Council's packet was on the conservative side. Since then, the CFO has recalculated that, and that application will be updated. If this project passes Council next week, 41 jobs will be created immediately. An additional 20 full-time employees will be in Cuyahoga Falls by March 2019. The Cuyahoga Falls Local School District was contacted and had no comment. Mayor Drew was also contacted. Ms. Sheridan made a request that the CRA abatement for TRM manufacturing come out of the Committee with a favorable recommendation. She stated Mr. Davies, CFO of TRM Manufacturing, was here this evening should Council have any specific questions for him.

Mr. Miller asked Mr. Davies to step up to the podium. Mr. Miller asked Mr. Davies if there were any issues with getting out of the Stow lease. Mr. Davies replied that they have spoken to their current landlord. Under their lease, they are in that facility until March of 2018. He stated he anticipates that if they are successful in negotiating this transaction with the owners of 601-607 Munroe Falls Avenue, they should be in Cuyahoga Falls by the end of the year. Mr. Davis said that they recognize they have a lease obligation, but the opportunity in Cuyahoga Falls is significant.

Ms. Nichols-Rhodes thanked Mr. Davies and the City for bring good-paying jobs to Cuyahoga Falls. She stated that is was a nice, smooth use for the building and welcomed TRM Manufacturing to the City. Mrs. Klinger inquired of Ms. Sheridan as to whether the agreement the City has with Summit County regarding taking businesses from one community to another applies in this particular case. Ms. Sheridan replied that Stow is not a signatory on that agreement, so it would not apply. Mr. Iona asked Mr. Davies if there is room for expansion at that facility. Mr. Davies replied that there is incredible room for expansion. He stated that since their start-up in August of 2009, the company has experienced 15 to 20-percent growth every year. He does not anticipate that changing. The facility is 60,000 square feet of manufacturing space and 10,000 square feet of office space. That is enough capacity to continue that path for three to four years. Mr. Davies said that in the next three to four years, he anticipates making an investment in the facility, but he can't say an expansion.

Mr. James stated that TRM Manufacturing was going to be in his ward, and that he lives about three blocks away from the Pennsylvania Crusher Corp. He stated that he was worried when he heard they

were moving out of the country and that there was going to be a vacant building there. He stated that having TRM Manufacturing in the building is a nice segue and good not only for Ward 7, but for the City, itself, with very, very viable jobs there. These jobs are not minimum-wage job, but provide actual living wages. He stated that he was very supportive of this and wished Mr. Davies well.

Mrs. Pyke asked Mr. Davies what TRM Manufacturing does. She stated that the ordinance says they are a manufacturer of attachments to earth-moving equipment. Mr. Davies stated that when a wheel loader or an excavator typically comes from the OEM, it may have a certain set of bucket attachments that the OEM would make. He said that they are a specialty manufacturer and that their company is more of a job shop, with a lot of one-offs, depending on what the application and the customer of that product is. They may want a different degree of rollback or a trash guard for their equipment. Their company is the one that couples the tool for that wheel loader or excavator. They basically buy plate steel, cut form, weld and manufacture that end piece. Mrs. Pyke stated it sounds like their company is not a line-type production company, but a specialty company, producing these parts that are needed as attachments. Mr. Davis said she was correct. Mrs. Pyke asked if there was a lot of welding involved and was there a need for welders. Mr. Davis replied they are always looking for welders. Mrs. Pyke thanked Mr. Davies and welcomed him to the City. She stated that it's exciting to have an empty building filled with good jobs for the people.

Mrs. Klinger asked the value of the actual incentive. Ms. Sheridan stated there are currently four parcels, and the current property taxes are roughly \$46,000. She stated about 29.4 goes to the Cuyahoga Falls Local School District and the City receives \$6,900. In the application, Mr. Davies stated that improvements to the existing building will be approximately \$275,000. If the County places a valuation of \$275,000 on the building and the tax rates don't change, that will gain an additional \$2,273.19 for the school district and an additional \$530 to the City annually. Ms. Sheridan stated that she did the calculation of what that would add up to and the City would be receiving \$7,376.37 during the life of the abatement, and the school district would be receiving \$31,674.84 with the increase in value in what they're currently paying on. The County has the building assessed at \$1.778 million. Mrs. Klinger asked if the \$2,273 for the school is after the 50% abatement. Ms. Sheridan stated that was after the 50% abatement, plus the 29. Mrs. Klinger said that was very good and thanked Ms. Sheridan.

Mr. Pallotta moved to bring out Temp. Ord. A-5 with a favorable recommendation, second by Mr. Colavecchio. Motion passed (3-0).

Mr. Miller asked if there was any other business to come before Community Development Committee. Mrs. Pyke asked to address the Administration. Mrs. Pyke stated that because of the noise coming from the adjourning room, perhaps someone could speak with Mr. Stewart or Ms. Vizner about the type of programs taking place during Council meetings. Mr. Balthis stated he would be happy to speak to Mr. Stewart. He said the fact that it's a Tuesday may have caused some confusion with planning, but he would check with Mr. Stewart and ask him to get in touch with Mrs. Pyke. Mrs. Pyke stated to the audience that, typically, it's quiet during Council meetings and thanked them for tolerating the disruption.

Meeting adjourned at 8:09 p.m.