

**Cuyahoga Falls City Council**  
**Minutes of the Public & Industrial Improvements Committee Meeting**  
**January 4, 2016**

**Members:** Jeff Iula, Chair  
Adam Miller  
Mary Nichols-Rhodes

Mr. Iula called the meeting to order at 7:11 p.m. All members were present.

The minutes from the November 2, 2015 and December 7, 2015 Committee meeting were approved as submitted.

**Legislation Discussed**

Temp. Res. B-132

Temp. Ord. B-133

**Discussion**

**Temp. Res. B-132**

A resolution creating for the year 2016 a Sidewalk and Drive Approach Repair or Replacement District containing such streets, alleys, or public roadways within the corporate limits of the City of Cuyahoga Falls, declaring the necessity of repairing or replacing the sidewalks and drive approaches abutting on such streets, alleys or public roadways within said corporate limits and providing the method for levying special assessments, and declaring an emergency.

Mr. Demasi stated that this is an annual resolution that allows the Department to work with the property owners and levy the assessment as it says on the resolution. The bids will open on March 29, 2016. When asked by Mr. Iula how many bids there usually are and how long the bidding process takes, Mr. Demasi stated that sometimes there are as many as 8 or 9 contractors, and that a contractor can be chosen within a week after the bids are open. He stated that the project does not start until the Monday or Tuesday after school lets out for the summer.

Mrs. Pyke asked Mr. Demasi if the cost would still be \$12.50 a linear foot. Mr. Demasi stated that the ordinance that was passed by the Finance Committee levied \$15 a linear foot. He also stated that the actual cost will not be determined until the bids are made, but there has been a general increase in labor and material costs, so the amount most likely will remain at \$15.

Mrs. Pyke then asked Mayor Walters a question concerning whether or not a property owner would have to pay multiple times if a sidewalk has repeatedly heaved as a result of tree roots. Mayor Walters stated that there is an ordinance in place that requires the City to pay half and the property owner to pay half of any repairs, regardless of the cause of the damage to a sidewalk. Mrs. Pyke stated that many property owners do not want trees replaced because of the damage they cause to sidewalks. Mayor Walters stated that the City now uses trees with deep roots, so that damage is not likely to happen in the future.

Mr. Iula called for comments from Council and the public. Ms. Susan Howard, of Grant Avenue, expressed her opinion that the sidewalks are City property; therefore, the City should be responsible for their repair or replacement. Mr. Demasi explained that there is a long-standing codified ordinance, 521.06(A), that states that property owners are responsible to maintain the sidewalks abutting their

property. He stated that the program actually helps property owners by having the City share in half the cost.

Mr. Miller moved to bring out Temp. Res. B-132 with a favorable recommendation, second by Ms. Nichols-Rhodes. Motion passed (3-0).

**Temp. Ord. B-133** An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the replacement or adjustment of concrete sidewalks, drive approaches and curbs at various locations in the City of Cuyahoga Falls, and declaring an emergency.

Mr. Demasi stated that this is an ordinance allowing the city to enter into contracts with contractors once bids are opened on March 29, 2016. The project will start in mid-June and run through Labor Day. Mr. Iula asked Mr. Demasi if the City will be spending more or less this year. Mr. Demasi stated that the City has budgeted the same, \$150,000 for sidewalks and \$100,000 for curbs.

Ms. Nichols-Rhodes moved to bring out Temp. Ord. B-133 with a favorable recommendation, second by Mr. Miller. Motion passed (3-0)

Meeting adjourned at 7:25 p.m.