

CUYAHOGA FALLS CITY COUNCIL

Minutes of the Council Meeting

December 12, 2016

Call to Order: Mrs. Pyke at 6:30 p.m.

Roll Call: Mr. Rubino, present; Mr. Pallotta, present; Ms. Nichols-Rhodes, present; Mr. Brillhart, present; Mr. Miller, present; Mr. James, present; Mr. Iona, present; Mr. Colavecchio, present; Mrs. Klinger, present; Mr. Iula, present; Mrs. Pyke, present.

Invocation: Mr. Iona

Pledge of Allegiance: Lincoln Elementary School, Pack 3161 Webelos 1 and 2.

Approval of Minutes: None.

Reports and Communications: None.

New Legislation

(First Reading)

Temp. Ord. A-95 (Planning & Zoning)

An ordinance authorizing the acceptance of 2.9609 acres (Parcel C) from Twin Crown Properties, and declaring an emergency.

Temp. Ord. A-96 (Finance)

An ordinance authorizing the Mayor or his designee to enter into a contract or contracts, according to law, for the purchase of the City's requirements of certain services, materials and supplies for use by the Water and Sewer Division during 2017, and declaring an emergency.

Temp. Ord. A-97 (Finance)

An ordinance authorizing the Mayor or his designee to enter into a contract or contracts, according to law, for the purchase of the City's requirements for certain materials, supplies, and equipment for use by the Electric Division during 2017, and declaring an emergency.

Temp. Ord. A-98 (Finance)

An ordinance authorizing the Director of Safety or his designee to enter into a contract or contracts, according to law, for the purchase or lease of various vehicles and related equipment for use by the City, and declaring an emergency.

Temp. Ord. A-99 (Finance)

An ordinance providing for supplemental and/or amended appropriations of money for current operating expenses and capital expenditures of the City of Cuyahoga Falls, and authorizing the transfer of appropriations within and for the various funds hereinafter set forth, and declaring an emergency.

Temp. Ord. A-100 (Finance)

An ordinance authorizing the Mayor or his designee to enter into a contract or contracts, according to law, for the purchase of annual requirements of certain materials, supplies and services for use by the Garage Division during 2017, and declaring an emergency.

Temp. Ord. A-101 (Finance)

An ordinance authorizing the Mayor or his designee to enter into a contract or contracts, according to law, for the purchase of annual requirements of certain materials and supplies for use by the Street Department during 2017, and declaring an emergency.

Temp. Ord. A-102 (Finance)

An ordinance authorizing the Mayor or his designee to enter into a contract or contracts, according to law, for the purchase of annual requirements of certain services, materials and supplies for use by the Division of Sanitation during 2017, and declaring an emergency.

Temp. Ord. A-103 (Finance)

An ordinance levying special assessments for the repair or replacement of sidewalks and drive approaches in the Sidewalk and Drive Approach Repair and Replacement District, for the year 2016, and declaring an emergency.

Temp. Res. A-104 (Public Improvements)

A resolution creating for the year 2017 a Sidewalk and Drive Approach Repair and 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.

Temp. Ord. A-105 (Public Improvements)

An ordinance authorizing the Mayor or his designee to enter into a contract or contracts, according to law, for the replacement and adjustment of concrete sidewalks, drive approaches and curbs at various locations in the City of Cuyahoga Falls, and declaring an emergency.

Temp. Ord. A-106 (Public Improvements)

An ordinance authorizing the Mayor or his designee to enter into a second modification of Contract No. 7045 with CT Consultants, and declaring an emergency.

Temp. Ord. A-107 (Public Affairs)

An ordinance authorizing the Mayor to enter into an agreement to provide dispatch and related safety services to the Village of Boston Heights, and declaring an emergency.

Temp. Ord. A-108 (Public Affairs)

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

Temp. Res. A-109 (Public Affairs)

A resolution supporting the efforts of the Celtic Club of Ohio as they work to make a positive difference in the lives of many, through local community service, and declaring an emergency.

Temp. Ord. A-110 (Community Development)

To approve an Economic Development Plan and determining to proceed with approval of a Tax Increment Financing Incentive District; and declaring an emergency.

Reports of Council's Standing Committees
(Third Reading)

Planning & Zoning

Temp. Ord. A-92

An ordinance accepting the Planning Commission second one year extension for the Menards site plan at 75 Graham Road, and declaring an emergency.

Mr. Iona moved to adopt Temp. Ord. A-92, second by Mr. Rubino. Motion passed, voice vote (11-0).

Temp. Ord. A-93

An ordinance authorizing and approving the conditional zoning certificate to operate a wine bar at 4964 State Road (Parcel 37-00223) in an MU-1 Rural Neighborhood Center, and declaring an emergency.

Mr. Iona moved to adopt Temp. Ord. A-93, second by Mr. Iula. Motion passed, voice vote (11-0).

Finance & Appropriations:

Temp. Ord. A-89

An ordinance establishing annual appropriations of money for the current expenses, capital expenditures and other expenses of the City of Cuyahoga Falls for the fiscal year ending December 31, 2017, and declaring an emergency.

Mrs. Klinger stated that she wanted to clarify that this to be specifically pointing out that these are the schedules we discussed last week and she wants to make sure that the legislation points to the correct schedules.

Mrs. Klinger moved to amend Temp. Ordinance A-89 Exhibits A, A-2 and Exhibit B dated 12-5-16, second by Mr. Brillhart. Motion passed, voice vote (11-0).

Mrs. Klinger stated that she would like to thank the Mayor, Mr. Hoffman and their team for the excellent job they did in presenting the budget this year. It gets better every year. They gave them a wealth of information and it was very well presented. She appreciates the transparency.

Mrs. Pyke stated that, tonight, she would be supporting the budget. She made it clear during the committee meeting that she was very reluctant about the projected revenues, especially those within the Electric Department. She is also disappointed that she did not receive the records she requested on the number of homes that have not been billed with the proper monthly services. However, as stated before, she is willing to move forward and approve this legislation.

Mrs. Klinger moved to adopt Temp. Ord. A-89 (Amended 12-12-16), second by Mr. Brillhart. Motion passed, voice vote (11-0).

Public & Industrial Improvements:

No Report

Public Affairs

No Report

Community Development

Temp. Ord. A-94

An ordinance authorizing the Director of Community Development to amend the Community Reinvestment Area Tax Exemption Agreement with Menard Incorporated, and declaring an emergency.

Mr. Miller moved to adopt Temp. Ord. A-94, second by Mr. Pallotta. Motion passed, voice vote (11-0).

Schedule of Committee Meetings

Planning & Zoning:	December 19, 2016, 6:30 p.m.
Finance:	December 19, 2016, 6:35 p.m.
Public Improvements:	December 19, 2016, 6:40 p.m.
Public Affairs:	December 19, 2016, 6:45 p.m.
Community Development:	December 19, 2016, 6:46 p.m.

Miscellaneous Business

Mayor Walters stated that they do have the numbers Council requested and will have something tomorrow as far as the ones that have been sorted, whether it is sanitation or storm water. He was not present for the meeting last week, but was made aware of a statement made by Councilman Miller. He, Mr. Hoffman and Councilman Miller have since met and discussed the statement Mr. Miller made, which he felt was an accusation. He cannot speak for Mr. Miller, but he believes that they had a good meeting and have probably straightened things out. Mrs. Pyke gave Mayor Walters permission to address Council with the following statement in response to Mr. Miller's statements made last week:

“I would like to respond to Mr. Miller's accusation last Monday night that I provided misleading or inaccurate statements regarding the TIGER Grant to the Falls News Press, on the December 4th, 2016, edition. In that edition, I was accurately quoted as stating that the grant was never part of nor included in our financial plan for Front Street. We were told there was roughly a six-percent chance of receiving funding from the Federal DOT, so we planned accordingly. We shared that information with Council from the start. In direct response, I would like to refer to the Council meeting minutes from April 18th of this year. On April, 18, 2016, Planning Director, Fred Guerra, presented information regarding the application for the TIGER Grant. He explained that my administration is aggressively pursuing financing opportunities that included grant dollars and private and public partnership monies. Mr. Guerra further explained that the TIGER Grant application process was incredibly competitive. It was during that meeting that I stated that applying for the TIGER Grant was an opportunity to put the City's best foot forward in potentially securing alternative funding. Mr. Guerra reiterated to this Council that opening the Front Street Pedestrian Mall is the catalyst for restoring economic vibrancy in our downtown. During the question period of this meeting, Councilman Pallotta asked what the odds were of receiving the TIGER Grant. Mr. Guerra responded that there had been 6,727 grant applications in the previous round of grants and that only 381 had been awarded. He again emphasized that this was a very competitive grant and that less than 10 percent of the applicants got funded. To put that in perspective, over 90 percent of the applicants do not get funded by TIGER Grant monies. After hearing about the competitive nature of the TIGER Grant application, Mr. Miller made a motion to bring out the Temporary Resolution with a favorable motion.

During last Council meeting, Mr. Miller held up a pie chart and alleged that Council was provided that information as a budget for the Front Street project. What he failed to mention at the time was that the pie chart was pulled directly from the TIGER Grant application presentation that was given to Council on April 18th, 2016, and showed what the budget for the opening of Front Street would

like look in the event the TIGER Grant was awarded. For Mr. Miller to present the pie chart as our proposed budget was not only irresponsible, but speaks directly to his inexperience. Discussions and planning for the opening of Front Street were underway well before the potential TIGER Grant dollars were announced by the Federal government. Studies had been conducted, community meetings had taken place and information had already been obtained regarding the potential for an historic district. We knew before the announcement of the potential TIGER Grant dollars that we have an important decision to make regarding how we will proceed with economic development of our downtown. We could choose to invest millions of dollars in renovating the existing pedestrian mall, creating no opportunity for economic growth or viability, or we can choose to follow the advice of those that conducted the market studies and the developers who are ready to invest in our downtown and open the pedestrian mall to vehicular traffic. We are committed to the rebirth of our downtown to provide new economic opportunities for our city. We want to capitalize on the market share that exists because we are in the middle of a transportation hub, but that market share is currently unattainable due to a lack of investment, visibility, traffic and on-street parking. We know that developers of both the Falls Theater and hotel have committed to redeveloping property on Front Street and have done so on the condition that the pedestrian mall was opened. We know that the Ohio Historic Preservation Office stated that they would not recommend the area being placed on the National Register of Historic Places if the street is not opened. This is an opportunity to create economic growth for a retail market, better traffic flow and historic preservation. This is the economic lifeblood of our downtown. We have an important question to ask ourselves and that is if we want a successful downtown. We think that a thriving downtown is important and this is what we have to do.”

Mayor Walters stated that, in addition, he would like to remind everyone that tomorrow night, from 6:00 to 7:30, at Lincoln School there will be a Neighborhood Excellence Initiative meeting for anyone in the city. It is followed up on Wednesday, from 6:00 to 7:30, at the Quirk Center, Room 207. Mrs. Pyke asked who the administrators were on the Neighborhood Initiative Program. Mayor Walters stated that, ultimately, he is. Mrs. Pyke asked when Council will have access to the names of the ambassadors in their wards and will they have access to all the neighborhoods in their wards. Mayor Walters stated that it is a public report. Mrs. Pyke asked if they can post to all the residents within their wards. Mayor Walters stated that he believed she was talking about the Next-Door website. The Neighborhood Initiative does not involve social media. It is a physical meeting to get people involved and informed. Administratively, as Public Safety Director, he can post to the whole city. However, someone in a neighborhood can only post within that neighborhood. Mrs. Pyke asked if Council members can be permitted to post to all their neighbors. Mayor Walters stated that he would have to ascertain what their criteria are, but that is a possibility. The Next-Door website does not grant that lightly. The Public Safety Director must fill out forms and meet certain criteria that is required on the Next-Door website, safety information, public awareness and those types of things. He will find out the necessary criteria to be able to post citywide.

Ms. Nichols-Rhodes asked to address Council concerning Temporary Resolution 109. Jim Collver, who is in charge of the Celtic Club in Akron, contacted her. One of the events they conduct is Bras Across the Crooked River, Celtic Club Fights Cancer. They have had 30 of these

events. It is a local organization made up of volunteers. This past July, they had one across the High Level Bridge in honor of a man named John Hutchins, who lived in Cuyahoga Falls. In July of 2014, they did another display across the Portage Trail Bridge. This October, they plan to do another one in Cuyahoga Falls. Mr. Collver has asked Council to have a resolution to support the Celtic Club's efforts. The Mayor already has given a proclamation. Ms. Nichols-Rhodes requested that Council unanimously support and co-sponsor this resolution.

Mr. Iona stated that, last week, he had the pleasure of meeting with a very savvy media expert, his 12-year-old nephew, who is also a Cub Scout, about listening to City Council on the radio Thursday nights at 7:00. His nephew had three comments. One was that Councilperson Klinger says "Present," instead of "Here." He thought that was more "councilly." He said that Mayor Walters talks a lot. He also said everyone sounded great. So, Council sounds great on the radio, but they can't hear each other at the meetings. Adam Miller, the Chairman of the ad hoc committee, along with Councilors Ms. Nichols-Rhodes and Mr. Iona received a \$30,000 budget to improve the audio at the meetings. Mr. Iona stated that Council meetings are broadcast on Thursday and Saturday, at 7:00 p.m., on Cuyahoga Falls' public radio station. He stated that he wanted to thank the Cub Scouts for showing up tonight and doing a great job with the Pledge of Allegiance.

Mr. James moved to adjourn, second by Mrs. Klinger. Motion passed, voice vote (11-0). Meeting adjourned at 6:58 p.m.

Mary Ellen Pyke, Council President

Dana M. Capriulo, Council Clerk