

CUYAHOGA FALLS CITY COUNCIL

Minutes of the Council Meeting

March 26, 2012

- Call to Order: Mr. Ihasz at 6:30 p.m.
- Roll Call: Mrs. Colavecchio, present; Mr. Walters, present; Mr. James, present; Mr. Rubino, present; Mrs. Snyder, present; Mrs. Klinger, present; Mrs. Pyke, present; Mr. Mader, present; Mr. Barnhart, present; Mr. Iula, present, Mr. Ihasz, present.
- Invocation: Mrs. Snyder
- Pledge of Allegiance: Mr. James
- Approval of Minutes: None.
- Reports and Communications: 1. An email dated March 9, 2012 from Park & Rec Board Member, Tim Gorbach, regarding discussion that took place during the March 8, 2012 Board meeting concerning the Natatorium rate policy. He made a motion which failed 2-3. The three-member majority voting against his motion felt the rate structure of the Natatorium and definitions therein should remain unchanged. A copy of Mr. Gorbach's email and motion are attached.

New Legislation

(First Reading)

Temp. Res. A-36 (Public Improvements)

A resolution declaring the necessity of and intention to appropriate certain interests in real property necessary for the improvement of State Road between Graham Road and Steels Corners Road, and declaring an emergency.

Temp. Ord. A-37 (Public Affairs)

An ordinance approving the issuance of bonds by Franklin County, Ohio in relation to certain hospital facilities located within the City of Cuyahoga Falls, pursuant to Section 147 of the Internal Revenue Code of 1986, as amended, and declaring an emergency.

Temp. Ord. A-38 (Public Affairs)

An ordinance changing the name of Hampton Bluff Drive to Nestico Drive, and declaring an emergency.

Reports of Council's Standing Committees
(Third Reading)

Planning & Zoning

None.

Finance & Appropriations:

Temp. Ord. A-27

An ordinance authorizing the Park and Recreation Board to enter into a contract without competitive bidding with Landscape Structures, Inc. for the purchase of playground equipment for installation at Quirk Cultural Center, and declaring an emergency.

Mrs. Colavecchio moved to adopt Temp. Ord. A-27, second by Mr. Iula. Motion passed, voice vote (11-0).

Public & Industrial Improvements:

Temp. Ord. A-28

An ordinance authorizing the Director of Public Service to enter into a contract without competitive bidding with Akron Building and Outdoor Maintenance, Inc. dba Riverreach Construction for the professional and construction services necessary to design and execute the demolition and removal of two dams in the Cuyahoga River, and for associated stream bank restoration, and declaring an emergency.

Mr. James announced to the public that everything has been discussed, taken care of and handled properly regarding bidding, and there would be no further comments from the public this evening. Mr. James moved to adopt Temp. Ord. A-28, second by Mrs. Colavecchio. Motion passed, voice vote (11-0).

Temp. Res. A-29

A resolution declaring the necessity of and intention to appropriate certain interests in real property necessary for the improvement of State Road between Graham Road and Steels Corners Road, and declaring an emergency.

Mr. James stated that Council had two substitutes—29A and 29B—and the Committee feels 29B is more suitable and benefits all. Also, A-29A does exist in A-29b. Mr. James moved to amend A-29 by substitution with Sub. Temp. Res. A-29B (dated 3-26-12), second by Mr. Mader. Motion passed, voice vote (11-0). Mr. James moved to adopt Sub. Temp. Ord. A-29B (dated 3-26-12), second by Mr. Mader. Motion passed, voice vote (11-0).

Temp. Ord. A-34

An ordinance authorizing the Director of Public Service to purchase certain real property located at 4033 State Road, a portion of Parcel No. 35-02093, necessary for the improvement of State Road, and declaring an emergency.

Mr. James moved to adopt Temp. Ord. A-34, second by Mrs. Colavecchio. Motion passed, voice vote (11-0).

Temp. Ord. A-35

An ordinance authorizing the Director of Public Service to purchase certain real property located at 4005 State Road, a portion of Parcel No. 35-00705, necessary for the improvement of State Road, and declaring an emergency.

Mr. James moved to adopt Temp. Ord. A-35, second by Mr. Mader. Motion passed, voice vote (11-0).

Public Affairs:

Temp. Ord. A-30

An ordinance amending various sections of the Codified Ordinances to conform to state law, approving the 2011 replacement pages to the Codified Ordinances of the City of Cuyahoga Falls, and declaring an emergency.

Mr. Walters moved to adopt Temp. Ord. A-30, second by Mrs. Klinger. Motion passed, voice vote (11-0).

Community Development:

Temp. Ord. A-31

An ordinance authorizing the Director of Community Development to enter into a contract with Wohlwend Engineering Group, Ltd. for the professional design engineering services necessary to prepare public roadway, utility and other public infrastructure plans and regulatory documents associated with the proposed "Nikki's Walk" Development (Parcel Nos. 37-00484 and 37-00485), and declaring an emergency.

Mrs. Snyder moved to adopt Temp. Ord. A-31, second by Mr. Rubino. Motion passed, voice vote (11-0).

Temp. Ord. A-32

An ordinance authorizing the Mayor to enter into a contract without competitive bidding with Suite 200 Group, LLC for the sale of certain real property not needed for any municipal purpose, and declaring an emergency.

Mrs. Snyder moved to adopt Temp. Ord. A-32, second by Mrs. Pyke. Motion passed, voice vote (11-0).

Temp. Ord. A-33

An ordinance authorizing the Director of Community Development to enter into a Community Reinvestment Area Tax Exemption Agreement with Albrecht, Inc. and declaring an emergency.

Mr. Iula moved to excuse himself from voting on A-33 due to a conflict, second by Mrs. Klinger. Motion passed, voice vote (11-0). Mrs. Snyder moved to amend Temp. Ord. A-33 by substitution with Sub. Temp. Ord. A-33 (dated 3-26-12), second by Mr. Rubino. She stated amendments were made to lines 13, 19, 22 and 43 to include final numbers of resolutions referred to on those lines. Motion passed, voice vote (10-0). Mrs. Snyder moved to adopt Sub. Temp. Ord. A-33 (dated 3-26-12), second by Mr. Rubino. Motion passed, voice vote (10-0).

Schedule of Committee Meetings

Planning & Zoning:	Subject to call.
Finance:	Subject to call.
Public Improvements:	April 2, 2012, 6:30 p.m.
Public Affairs:	April 2, 2012, 6:35 p.m.
Community Development:	Subject to call.

Miscellaneous Business:

Mrs. Colavecchio wanted to comment on a meeting taking place after Council this evening regarding the Natatorium. She thanked everyone for being patient on this topic. Concerns had been expressed by the media that the meeting may be in violation of the public meeting law. There are only three Council members taking part in these meetings--two Democrats and one Republican--so there is no violation. She stated that after the Natatorium issue was voted on by the Park & Rec. Board, she felt the matter had not been handled well and had made comments that Council would consider putting an ad hoc committee together to discuss it further. After that time, it was suggested that it may be better to first meet with Park & Rec. to review the rate structures and discount policies because they were so confusing. It may have been premature on her part to announce an ad hoc committee. The amount of information is overwhelming and they need more meetings in order to digest it. There are no secrets about it. They are using the meetings for instructional and educational purposes to decide whether Council should form an ad hoc committee. That decision has not yet been made.

Mr. Brodzinski reviewed Report 21 through the end of February. Everything is tracking as expected. It will not be until April when they receive the final results of the first half real estate. The County gives a lump sum on a periodic basis, and it differs from one year to the next. Local Government is down \$85,000. Mayor's Court revenue is tracking \$10,000 higher. For 2013-14, the City is facing spending \$2 million more than it is taking in due to the 100% impact of the state budget in 2013. They are working at trying to close the gap. Also, in 2015 there will be a 27th pay which amounts to \$1.3 million. They want to prepare for that. Leisure Time is flat. With the good weather, both Downview and the golf course are up \$12,000 through February.

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Mr. James moved to adjourn, second by Mrs. Pyke. Motion passed, voice vote (11-0). Meeting adjourned at 6:52 p.m.

Mark Ihasz, Council President

Cathleen J. Meacham, Clerk of Council

Meacham, Cathy

From: MeachamCJ@cityofcf.com
Sent: Friday, March 09, 2012 3:56 PM
To: Meacham, Cathy
Subject: Fw: Park and Recreation
Attachments: Natatorium response.pdf

-----Forwarded by Cathy J Meacham/CCFO on 03/09/2012 03:56PM -----

To: <MeachamCJ@cityofcf.com>
From: "Tim Gorbach" <timg@acweld.com>
Date: 03/09/2012 07:59AM
cc: <iwillgolf@yahoo.com>, <debbieritzinger@hotmail.com>, <dickseb@sbcglobal.net>, <lesjcs@gmail.com>
Subject: Park and Recreation

Cathy,

Please forward this email as well as the attached to all City Council Representatives and copy me on that email.

To All Members of City Council;

Discussed during the regularly scheduled meeting of The Park and Recreation Board held on March 8th was the issue of the Natatorium rate policy. This portion of the meeting is being transcribed and will be forwarded to each of you for your review.

I made a motion (attached) that failed 2-3. It was determined by a majority (the 3 members voting against my motion) of the Board subsequent to that vote that the rate structure of the Natatorium and definitions therein should remain unchanged.

Feel free to contact myself or any Park Board member for further information.

Tim

Timothy Gorbach

Treasurer

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*City of Cuyahoga Falls
Park and Recreation Board*

2310 Second Street
Cuyahoga Falls, OH 44221

Members:

Timothy N. Gorbach, Chair
Debbie Ritzinger
Lorrie Shannon
Richard Sebastian
Bill Santos

March 8, 2012

To Members of City Council;

Although City Council as a body did not formally request our position as it relates to the recent issues surrounding the Natatorium, a few members including Council President Mark Ihasz stated to the media that they would like to hear from our board before further discussing.

Recently, the Natatorium has come under scrutiny due to the requirements necessary to qualify for the "w/spouse" and "family" discount rates. It is important to note that the rate structure currently in place at the Natatorium has evolved over many years. It was never intended as a document to define what the Park Board feels constitutes a family, a couple, etc. Nor was it meant to be perceived as a document that excludes certain individuals or groups.

Rather to the contrary, the current rate form has close to 100 different categories covering singles, families, and guardians intermixed with resident, non-resident, military, senior and youth rate discounts. In addition, all of these rates can be purchased on a daily, monthly or yearly basis. I believe the current rate model strived to include as many different types of situations as possible over the years.

I am proud of the Natatorium as well as all of our Park and Recreation programs within the City for the variety of programming offered. Being faced with accusations of not being inclusive is unsettling to each Park Board member and does not represent how any of us want our park programs in this city to be viewed.

In light of these concerns, I believed the best course of action is to move towards a new rate structure based on a household format to be implemented on June 1, 2012. Until that time, I felt it important to expand our discount policy for all couples immediately.

Timothy N. Gorbach
Chair, C.F. Park Board

Issue:

The Natatorium according to its current rate structure only provides the “w/spouse” rate to couples legally married as defined by the State of Ohio constitution.

*Recommendation:*¹

Amend the requirement to qualify for the “w/spouse” rate to “Two persons that are legally married or are domestic partners or are in a civil union as recognized by any U.S. jurisdiction”. Change “w/spouse” to “w/partner”

Issue:

The Natatorium according to its current rate structure only provides the “Family” rate to couples legally married as defined by the State of Ohio constitution with legal guardianship of one or more children.

*Recommendation:*²

Amend the requirement to qualify for the “Family” rate to “Two persons that are legally married or are domestic partners or are in a civil union as recognized by any U.S. jurisdiction with legal guardianship of one or more children”.

Issue:

The Natatorium doesn’t recognize nontraditional families such as unmarried couples with children for the Family rate and/or the Natatorium should simplify their rate schedule such as having a household rate simply based on the number of people living in a house regardless of marriage, relationship, etc.

Recommendation:

While this seems a simplistic and reasonable manner in which to charge for memberships, this would require an in depth analysis of what rates to implement using this methodology. Currently, each of our 10,000 members fall into a specific category in the current rate structure that provides \$4 million in revenue per year to operate the Natatorium. Prior to broadly altering the current rate model, it must be known where in a brand new rate structure the same 10,000 members would fall in order to achieve this same revenue.

Our staff has recently conducted such an analysis and has determined that using a household model, the revenue of the Natatorium could decrease close to \$50,000. In the next few months, we will review what the most reasonable approach is to minimize this shortfall in revenue.

The new Household rate structure will be implemented on June 1, 2012.

¹ This change will be in effect until June 1, 2012

² This change will be in effect until June 1, 2012