

CUYAHOGA FALLS CITY COUNCIL

Minutes of the Council Meeting

March 27, 2017

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: Mrs. Pyke

Approval of Minutes: None.

Reports and Communications: None.

Mr. Pallotta made a motion to dissolve into Executive Session. Mr. James stated that he did not think it necessary to go into Executive Session tonight, as the City's Law Director, Mr. Balthis, stated last week that Council could either dissolve into Executive Session or contact him personally, which is what he and most of Council has done. Mrs. Pyke stated that in the 20 years she has sat on Council, they have never denied an Executive Session that's been asked by the Administration or fellow members of Council.

Mr. Pallotta moved to dissolve into Executive Session, second by Mr. Miller. Roll Call: Mr. Rubino, yes; Mr. Pallotta, yes; Ms. Nichols-Rhodes, no; Mr. Brillhart, no; Mr. Miller, yes; Mr. James, no; Mr. Iona, yes; Mr. Colavecchio, no; Mrs. Klinger, no; Mr. Iula, yes; Mrs. Pyke, yes. Motion passes, 6-5. Council dissolved into Executive Session at 6:38.

Mr. Pallotta moved to dissolve out of Executive Session; second by Mr. James. Roll Call: Mr. Rubino, yes; Mr. Pallotta, yes; Ms. Nichols-Rhodes, yes; Mr. Brillhart, yes; Mr. Miller, yes; Mr. James, yes; Mr. Iona, yes; Mr. Colavecchio, yes; Mrs. Klinger, yes; Mr. Iula, yes; Mrs. Pyke, yes. Motion passes, 11-0. Council dissolved out of Executive Session at 6:52.

New Legislation (First Reading)

Temp. Ord. B-25 (Planning & Zoning)

An ordinance accepting the Planning Commission approval, findings and conditions of the site plan for the construction of a 62-unit senior apartment complex at 320 Pleasant Meadow Boulevard and on Parcel 35-00578, and declaring an emergency.

Temp. Ord. B-26 (Planning & Zoning)

An ordinance accepting the Planning Commission approval, findings and conditions of the site plan for the construction of a 28,437-square foot warehouse and parking lot expansion at 89 Cuyahoga Falls Industrial Parkway and on Parcels 35-06268, 35-06252 and 35-05933, and declaring an emergency.

Temp. Ord. B-27 (Public Affairs)

An ordinance authorizing the Mayor to enter into a contract or contracts to purchase property in connection with the Dickerson Run Nature Preserve Project, and declaring an emergency.

Temp. Ord. B-28 (Public Affairs)

An ordinance authorizing the Parks and Recreation Board to apply for and accept a grant from the Department of Natural Resources, and declaring an emergency.

Temp. Ord. B-29 (Community Development)

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

Reports of Council's Standing Committees

(Third Reading)

Planning & Zoning

Temp. Ord. B-16

An ordinance authorizing and approving the Hunter Parkway Preliminary/Final Subdivision Plat and Improvement Plans on Parcel 35-05868, and declaring an emergency.

Mr. Iona moved to adopt Temp. Ord. B-16, second by Mr. Iula. Roll Call: Mr. Rubino, no; Mr. Pallotta, yes; Ms. Nichols-Rhodes, yes; Mr. Brillhart, no; Mr. Miller, yes; Mr. James, yes; Mr. Iona, yes; Mr. Colavecchio, no; Mrs. Klinger, no; Mr. Iula, no; Mrs. Pyke, yes. Motion passed, (6-5).

Temp. Ord. B-20

An ordinance accepting the Planning Commission approval, findings and conditions of the site plan for the reconstruction of the Walsh Jesuit High School Football Stadium Complex at 4550 Wyoga Lake Road on Parcel 37-00026, and declaring an emergency.

Mr. Iona moved to adopt Temp. Ord. B-20, second by Mr. Rubino. Motion passed, voice vote (11-0).

Finance & Appropriations:

Temp. Ord. B-21 An ordinance authorizing the Mayor to enter into a contract, without competitive bidding, with Clean Air Concepts for the lease and/or purchase of vehicle exhaust capture systems for use by the Fire Department, and declaring an emergency.

Mrs. Klinger moved to adopt Temp. Ord. B-21, second by Mr. Brillhart. Motion passed, voice vote (11-0).

Temp. Ord. B-22

An ordinance authorizing the Director of Public Safety to enter into a contract or contracts, without competitive bidding, with TASER International, Inc. for the purchase of the TASER 60 Plan for use by the City's safety forces, and declaring an emergency.

Mrs. Klinger moved to adopt Temp. Ord. B-22, second by Mr. Iona. Motion passed, voice vote (11-0).

Public & Industrial Improvements:

Temp. Ord. B-23 (Sub. Dated 3-20-17)

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the Downtown Transformation Design-Build Project, and declaring an emergency.

Mr. Iula stated that this ordinance is one of the three largest investments that the City has had since the 21st Century came about, and he hopes this is the most successful of all of them. He is very much in support of this ordinance.

Mr. Pallotta made a motion to excuse himself from voting on Temporary Ordinance B-23 due to having a possible vested interest in this project, second by Mr. Iula. Motion passed, voice vote (10-0).

Mr. Iula moved to adopt Temp. Ord. B-23 (Sub. Dated 3-20-17), second by Mr. Miller. Motion passed, voice vote (10-0).

Public Affairs:

No Report.

Community Development:

Temp. Ord. B-15

Creating a Tax Increment Financing Incentive District; declaring improvements to the parcels within the Incentive District to be a public purpose and exempt from real property taxation; requiring the owners of those parcels to make service payments in lieu of taxes; establishing a Municipal Public Improvement Tax Increment Equivalent Fund for the deposit of those service payments; and specifying the public infrastructure improvements that benefit or serve parcels in the Incentive District.

Mr. Miller stated that pursuant to Ohio Revised Code 5709.40, this legislation must remain pending for a period of 30 days after the public hearing.

Mr. Miller moved to table Temp. Ord. B-15, second by Mrs. Klinger. Motion passed, voice vote (11-0).

Temp. Ord. B-24

An ordinance authorizing the Mayor to enter into a Pipeline Initiative Grant Agreement for up to \$12,000.00 with the Ohio History Connection and to appropriate and authorize the payment of the grant funds, and declaring an emergency.

Mr. Miller moved to adopt Temp. Ord. B-24, second by Mr. Pallotta. Motion passed, voice vote (11-0).

Schedule of Committee Meetings

Planning & Zoning:	April 3, 2017, 6:30 p.m.
Finance:	Subject to call.
Public Improvements:	Subject to call.
Public Affairs:	April 3, 2017, 6:35 p.m.
Community Development:	April 3, 2017, 6:40 p.m.

Miscellaneous Business

Mr. Hoffman stated that, in the General Fund, they are seeing revenues and expenses as we have budgeted for. In the Municipal Income Tax, they continue to see collection trends a little lower than anticipated this year. As reported in past months, they have changed how that is collected, so it's not an apples-to-apples comparison. Right now, they've had a net impact of \$158,000 less in Municipal Income Tax for the year. They have been tracking that very closely. This is not

unlike what other communities have been experiencing. It is not an area of concern yet, but it is something that he will continue to report on. In the Leisure Time Fund, Natatorium charges for services are trending flat. They were up in January; they've dipped down in February. Overall, they are now down 1.6 percent. It's not an area of concern. In speaking with the Superintendent of Parks, over the past several months, the Natatorium is full. There has been record memberships over the past couple years. In Brookledge, there has been some golf play out there with the warmer weather, so revenues will be coming in over 2016 there. In expenses and other funds, in the Self-Insurance Fund, Hospitalization is up \$173,000 and prescriptions are up \$147,000 over 2016. They are continuing to keep a close eye there with the benefits consultant and looking at individual cases on that. There are five new prescriptions this year that are being filled that are causing that to be up. In Hospitalization, they have seen a couple of other cases there that are trending higher. With the mild winter, the SCMR Fund, Street Construction Maintenance Repair Fund, is anticipated to come in very similar to last year.

Mrs. Pyke stated that, at the Community Expo, one of the number-one questions that was asked about the Front Street transformation was the concern over the stamped bricks that are by the splash fountain. She assured the public that asked the question that she would ask it publicly, so that they could hear or see in writing that answer to that question. Mayor Walters stated that the previously-engraved bricks will either be used or reconstructed or replicated. They also plan to offer people the opportunity to buy additional bricks to add to that during the construction. There have been a lot of people that have moved here since or would like to buy another brick, so there will be the previous bricks, as well as additional ones to add to that. Mrs. Pyke asked, if the brick is replicated, will people be able to get the original brick back. Mayor Walters stated that the reason it would be replicated is if the mortar is not coming off clean or if the brick is softer than the mortar and the brick would break. They are going to try to preserve and reuse the original bricks. If the brick breaks or cannot be reused, there will be an identical engraved brick made to replace it.

Mrs. Pyke asked if the brick would crack, would they have the option to take the cracked brick. Mayor Walters stated that they could, but, logistically, to find all the people for all those bricks would be difficult. He stated that, if they're replicated and they're still left behind, they can make a way to make those available. They still have a list of the owners.

Mrs. Pyke stated that, sometimes, she likes to look over at the Administrative Rail to see their reactions to the vote. When Council voted for Front Street, Mayor Walters sat up straight and gave out a big smile. Mayor Walters stated that he wants to thank Council, the Administration and, most of all, the public for being involved in this from the start. It has been a lengthy process and it doesn't end here. The public involvement is going to be quite strong. They will have hardhat tours and a ground breaking. There are existing businesses down there now, and they want them to thrive and do well throughout the construction. There is going to be a lot of focus starting today. Mrs. Pyke stated that she would really recommend that the naysayers, the people who are not in favor of it come to the public meetings, because, judging by some of the questions that were asked at the Community Expo, people did not understand a lot. She would encourage anyone who is having people come to them with negative comments to encourage those people to come to the public meetings and ask those questions and hear what's being said. Mayor Walters

stated that they are welcome to contact him. It takes him five or ten minutes to give a quick background of where the project is at today and what the cost would be even if the roadway was not put in.

Police Chief Davis stated that, every year, the Police Department does an annual report that gets posted on the City website. The Police Department appreciates the support it gets from Council and the Administration. In 2016, there was a five-percent decrease in the Part One crimes reported to the police department. Those are major criminal categories. In burglaries, there was another 15-percent reduction. Last year, there was a pretty substantial size reduction, so he was surprised to see another 15 percent. That is to the credit of their detectives, who go out and work those very hard, as well as their patrolmen, who are very active. People don't want to come into a city and do crimes where they might be pulled over. The Police Department has also increased citizen involvement. People are willing to report things, which is huge. The police cannot be everywhere all the time, so they count on citizens calling them when see something out of the ordinary, so it can be checked out. They are out there 24 hours a day, 7 days a week.

Chief Davis stated that under Miscellaneous Crimes, again, those numbers are up a little bit. Those are self-initiated activities, so those numbers can be lower if the guys aren't out looking for DUIs, making drug arrests and things like that. If there are any questions on that, let him know, but that comes from having an active police department. The Department made over 10,683 traffic stops last year. There used to be 90-some police officers and they now have 73. They are still doing a lot of stops and are still very active. They have hired a lot of new officers in the last couple years and have young crew out there now. They're very active, but they're very considerate. He receives a lot more compliments than complaints on police officers. As busy as they are, he has people calling him and telling him how polite the officer was that wrote them a ticket. Some of the things to look at for the future, again, the opiates, they are trying everything under the sun to get a handle on that. If anybody has ideas, please call him. They are happy to try about anything. With synthetic drugs, the laws can't keep up with what's being produced out there, so they are constantly working on that. Recruitment of officers, the pool is getting smaller and smaller for people that want to get into law enforcement. It's important, as a city and as a department, that they remain very competitive with wages, as well as offer them an excellent work environment with good training facilities. There has been an increase in state training requirements. It adds up to 20 continuing education credits that must be completed just for the certification. Being a state-certified police department, there are other requirement that must be met, and then the jail makes us meet certain requirements. Chief Davis stated that it is important to continue to communicate concerns from residents and Council. Everyone on Council knows his cell number. Don't be afraid to use it. Don't be afraid to call the dispatch center or front desk. That's what they're here for.

Chief Davis stated that Officer Ted Davis is on the cover of their annual report. He is back to work. For those who don't know, he was an officer that was severely injured on duty. The community support was great and he would like to thank everyone. Mrs. Pyke stated that she would like to thank Chief Davis, the officers and all the employees within the Police Department for the great work that they do. She asked if K9 office Kilo is retired. Chief Davis stated that Kilo

is kind of retired. Mrs. Pyke asked when K9 Lylou was brought on. Chief Davis stated that Lylou has been around for years and partnered with Captain Tabak. Mrs. Klinger congratulated Chief Davis and the Police Department for their third-year win over the Fire Department. Chief Davis stated that it's a great fundraiser and it's even better when they win. The Police Department has good, hardworking men and women working for the city, and they appreciate all the support they receive.

Mr. James moved to adjourn, second by Mr. Iula. Motion passed, voice vote (11-0). Meeting adjourned at 7:11 p.m.

Mary Ellen Pyke, Council President

Dana M. Capriulo, Council Clerk