

CUYAHOGA FALLS CITY COUNCIL

Minutes of the Council Meeting

April 24, 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:** Mr. Iula
- Approval of Minutes:** The minutes of the Council meeting held 4-10-17 were approved as written.
- Reports and Communications:** A Notice from the Ohio Division of Liquor Control regarding a transfer application to Crave Cantina, LLC, 1st Floor Basement & Patio, 2097 Front Street, Cuyahoga Falls, Ohio, 44221, from Navarre Two, Inc., 1st Floor Basement & Patio, 2097 Front Street, Cuyahoga Falls, Ohio, 44221.

Council recessed into Committee meetings at 6:34 p.m. and reconvened at 6:36 p.m.

New Legislation

(First Reading)

Temp. Ord. B-34 (Public Improvements)

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the Woodridge Drive Storm Sewer Improvements, and declaring an emergency.

Temp. Ord. B-35 (Public Improvements)

An ordinance authorizing the Director of Public Service to execute a Modification of Contract No. 7448 with Karvo Companies for the replacement of the sanitary sewer and concrete pavement on 18th Street, from Ohio Avenue to Phelps Avenue, and declaring an emergency.

Temp. Ord. B-36 (Public Affairs)

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the demolition and removal of demolition debris from dangerous buildings located at 1738 4th Street and certifying the cost thereof to the County Fiscal Officer for collection in the manner provided by law, and declaring an emergency.

Reports of Council's Standing Committees
(Third Reading)

Planning & Zoning

No Report.

Finance & Appropriations:

No Report.

Public & Industrial Improvements:

No Report.

Public Affairs:

Temp. Res. B-30

A resolution expressing support for Ohio House Bill 123 which will close an existing loophole and cap the annual interest rate for payday loan lenders, and urging the Ohio Legislature and Governor Kasich to support the same, and declaring an emergency.

Mr. Pallotta stated that he wanted to thank the Administration and members of Council for standing against the greed and usury that enslaves many of the City's citizens. Mr. James stated that Mr. Pallotta had spearheaded this legislation awhile back and Council has supported him all the while. He would like to thank Mr. Pallotta again for all the effort he has put forth on this Resolution.

Mr. Pallotta moved to adopt Temp. Ord. B-30, second by Mr. James. Motion passed, voice vote (11-0).

Temp. Ord. 31 (Amended Sub. Dated 4-17-17)

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

Mr. Pallotta moved to adopt Temp. Ord. B-31 (Amended Sub. Dated 4-17-17), second by Mr. Miller. Motion passed, voice vote (11-0).

Temp. Ord. B-32

An ordinance amending Section 933.123 of Title Five, Part Nine of the Codified Ordinances, relating to demand response of retail electric customers of the City's Electric Department, authorizing the Director of Public Service to approve or disapprove customer requests to enroll

with a third-party curtailment service provider and/or PJM Interconnection, LLC ("PJM") for PJM's Capacity Only Option demand response program, and declaring an emergency.

Mr. Pallotta moved to adopt Temp. Ord. B-32, second by Mr. James. Motion passed, voice vote (11-0).

Community Development:

Temp. Ord. B-29

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.

Mr. Miller moved to adopt Temp. Ord. B-29, second by Mr. Pallotta. Motion passed, voice vote (11-0).

Temp. Ord. B-33

An ordinance authorizing the Mayor to enter into a Community Reinvestment Area Agreement with 2821 Front Street LLC, and declaring an emergency.

Mr. Miller moved to adopt Temp. Ord. B-33, second by Mr. Pallotta. Motion passed, voice vote (11-0).

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 moved to adopt Temp. Ord. B-15, second by Mr. Pallotta. Motion passed, voice vote (11-0).

Schedule of Committee Meetings

Planning & Zoning:	Subject to call.
Finance:	Subject to call.
Public Improvements:	May 1, 2017, 6:30 p.m.
Public Affairs:	May 1, 2017, 6:35 p.m.
Community Development:	Subject to call.

Miscellaneous Business

Mrs. Pyke stated that she had received a phone call last Friday about the City's policy as far as removing trees during a sidewalk program. The resident didn't want to come to tonight's meeting. The City removed most of the Maple trees in the area of 8th Street between Sackett Avenue and Falls Avenue. She stated that she and Mayor Walters had spoken about the possibility of going around trees. She asked if that was going to be a policy and if these residents would be the first on the list to replace the trees. Mayor Walters stated that he spoke with that resident at length, and they are going to replace the tree, although it won't be the same as what was removed. Prior to his becoming mayor, the policy was started that when tree roots are compromised and there was any doubt of the safety of the tree, the tree needed to come down. They have continued that policy. There are exceptions, but, by and large, if the roots are severed to put in the new slab, then the tree would be removed. The City does make every effort to save the tree, and he has instructed Engineering to look at all of those. Mr. Tony Demasi, City Engineer, stated that any time tree roots are compromised, at the recommendation of an arborist and in consultation with the Law Department, it is policy that that tree is removed if the sidewalk need replaced. They have had discussions, many times, with property owners, and if there is a strong feeling about removing the tree, but the sidewalk does need replaced, the tree gets removed and there will be a replacement tree. Mrs. Pyke requested that the Administration compose a form letter to let the residents know that the tree is coming down. They can't work with residents to give them an option if they don't know that the tree is coming down.

Mr. Bryan Hoffman, Finance Director, stated that, in the General Fund, the Local Government State fund is down, from 2016, about \$6,000. An update is due from the State of Ohio on the Local Government Fund any day now, so they're waiting to receive an update on their projections. They were following their projections from December throughout January and February, and then, in March, they noticed a little bit of a dip. In the Municipal Income Tax, Income Tax net impact, they are down about \$131,000 in income tax revenues this year. That has actual gotten better from last month. Taxes were due on April 18th, so they will have a better indication of where they are. In the Municipal Income Tax, most of the collections that have been down are in the net profit tax and on the individual side. Hopefully, people are just waiting to file this year. In the Leisure Time Fund, Natatorium charges for services were down last month and are now up 1.2 percent, about \$11,000. There is a little fluctuation here and there at the Natatorium, but, all in all, it is steady. Brookledge is still up about \$5,000. Waterworks is up \$4,594. This is all in Nat passes. The Self Insurance Hospitalization Fund is still up \$45,000. That is better than last month. Prescriptions are up. These are due to a few claimants who have been expensive this year. With the size of the Self Insurance Fund and with the size of the group, a few claimants can have a significant impact on the fund. They are watching it closely. They do plan for bad years, and they have the resources to adjust for these things. Last year was very good year, so there are some funds available to cover these increased expenses. In the SCMR Fund, it is spring, so, hopefully, there will not be any more snow. On Report 21, expenses seem to be up a little bit on what was paid out, but, on the encumbrance side, the encumbrances are very low compared to last year. They are saving money in that fund. Mrs. Pyke asked who is reviewing the prescription plan, and if, for specific prescriptions, generics are available. Mr. Hoffman stated that, in many cases, there are generics

available. These prescription drugs are reviewed by a consultant that they have for health care. It is also reviewed by the Health Care Committee that was formed with the unions and City officials. With these name-brand prescription drugs, it becomes difficult when doctors write prescriptions for them, because, sometimes, those are the only drugs that do work for individuals. So, it becomes difficult to keep costs in check. Mrs. Pyke asked Mr. Hoffman for a list of who is on the Health Care Committee.

Ms. Nichols-Rhodes asked Mrs. Pyke if each Council member could have a copy of the journal book of resident comments from the Expo held on March 25, because Council members would like to address and respond to each person's comment from their own constituency. Mrs. Pyke stated that they did not require residents to write down their names, but she can make copies of that.

Mr. Pallotta asked Ms. Diane Sheridan, Development Director, about the Dickerson Run Grant. Ms. Sheridan replied that it was funded on April 20th. They are going to do an independent appraisal on the property to make sure that everything is in check. Mr. Russell Balthis, Law Director, stated that he did run into Mr. Walter Davis, Woodridge School District Superintendent, at the groundbreaking held before tonight's meeting. The City is really excited to collaborate with the school district. That is what makes this project unique. The other good news is that the Metro Parks also had some great projects that were in consideration and it ended up working out they were able to fund all the projects before them this year. So, it worked out well for everybody involved. He stated that he appreciates all the hard work from everybody and Council's support of the resolution.

Mrs. Pyke asked Police Chief Davis if he could get her a report of accidents that have occurred for the last two years at Ira Road and Riverview Road. She received a request from a resident who would like to see stop signs there. She will forward the e-mail to him after Council.

Mr. James moved to adjourn, second by Mr. Iula. Motion passed, voice vote (11-0). Meeting adjourned at 6:56 p.m.

Mary Ellen Pyke, Council President

Dana M. Capriulo, Council Clerk