

CUYAHOGA FALLS CITY COUNCIL

Minutes of the Council Meeting

May 13, 2013

- Call to Order: Mr. Walters at 6:31 p.m.
- Roll Call: Mr. Rubino, present; Mr. James, present; Mr. Ihasz, present; Mrs. Snyder, present; Mr. Colavecchio, present; Mrs. Klinger, present; Mrs. Pyke, present; Mr. Mader, present; Mr. Barnhart, present; Mr. Iula, present; Mr. Walters, present.
- Invocation: Mrs. Snyder
- Pledge of Allegiance: Mr. Barnhart
- Approval of Minutes: The minutes from the April 22, 2013 Council meeting will be reviewed and approved at the next meeting.
- Reports and Communications: None

New Legislation (First Reading)

Temp. Ord. B-28 (Planning & Zoning)

An ordinance approving the site plan related to construction of a 9,100 square foot retail sales building at 3946 State Road (Parcel Nos. 35-00693 and 35-00694), and declaring an emergency.

Temp. Ord. B-29 (Planning & Zoning)

An ordinance approving the site plan related to construction of retail sales buildings "C," "D," "G," and "H" (Parcel Nos. 02-18517, 02-18769, 02-20436 and 02-20437) at the Portage Crossing Redevelopment Site, and declaring an emergency.

Temp. Ord. B-30 (Finance)

An ordinance authorizing the Director of Public Safety to enter into a contract or contracts, according to law, for the purchase of self-contained breathing apparatus sets and a rescue intervention pack, and declaring an emergency.

Public Hearing

Temp. Ord. B-26

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.

Council recessed at 6:34 p.m. in order to hold the public hearing on Temp. Ord. B-26 and reconvened at

6:36 p.m.

Reports of Council's Standing Committees
(Third Reading)

Planning & Zoning:

No report.

Finance & Appropriations:

Temp. Ord. A-113

An ordinance authorizing an amendment to the amended and restated contract for sale of land for private redevelopment with Portage Crossing, LLC (Contract No. 6779), and declaring an emergency.

Mrs. Klinger moved to adopt Temp. Ord. A-113, second by Mr. James. Mrs. Klinger felt for the past four years, the Mayor has been promising City residents that this new development would have exciting retailers such as Trader Joe's, Kohls, and others, however, the reality appears to be relocated and recycled retailers. She stated the developer indicated they spoke to every retailer and this is all they could get. The market is telling us that this area cannot attract retailers that will keep this center vibrant for the next 30 years. She felt the projections given by the Administration for the number of jobs created were misleading. She supports redeveloping the property but cannot support this contract because it heavily favors the developer at the expense of the taxpayers of this City. The taxpayers have taken on the burden of purchasing and clearing the land, eliminating asbestos and removing the substation. Tax money has also paid for the construction of over \$3 million in infrastructure for road improvements, traffic lights and sidewalks, which are all normally paid for by a developer. The developer is getting \$50,000 in free electric that will not be passed along to the businesses, and he is getting \$1.3 million in tax revenue that the City will need to pay for police and firefighters. Every time this project has come before City Council for a vote, the Mayor has asked for more money to go to the developer. This contract goes too far and steps over the line. She feels this contract is too costly for the families of the City. She supports redeveloping the State Road Shopping Center with a fiscally responsible project that will be viable for the next 50 years, but does not feel the contract that is before Council today is the project that will accomplish that.

Mr. Mader stated this has been a long journey and the project has been a progressively changing and constant moving target, mostly due to the economy. The contract has changed since the City first began dealing with this but he believes everyone has done their best to come up with a viable agreement. Yes it is costing money but it is important we move forward with this because of the time and money already spent.

Mr. Walters stated he intended to vote in favor of this latest and final agreement for Portage Crossing, but not for the reasons one may think. All along, he has viewed this process as City Council representing the residents as the owners of the property and that the Administration was acting as the real estate selling agent. He wants to reject this latest offer, however, the Administration has indicated that without these latest incentives, the developer will walk away. He does not feel that the developer

would do that but it is not within his power to gamble with taxpayer money. Acting on what Council has been told, if the City were to wait for the next buyer to come along, the delay would cost taxpayers significantly more in lost revenue than the bad offer currently on the table. He is not happy that we have been back into a corner.

Roll call: Mr. Rubino, yes; Mrs. Klinger, no; Mr. James, yes; Mrs. Pyke, yes; Mr. Ihasz, yes; Mr. Mader, yes; Mrs. Snyder, no; Mr. Barnhart, yes; Mr. Colavecchio, yes; Mr. Iula, yes; Mr. Walters, yes. Motion passed (9-2).

Temp. Ord. B-25

An ordinance authorizing payment of the Moral Claim of Violet Leathers and the Estate of Noel Leathers as approved by the Claims Commission, and declaring an emergency.

Mrs. Klinger moved to adopt Temp. Res. B-25, second by Mr. James. Motion passed, voice vote (11-0).

Temp. Ord. B-26

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.

Mrs. Klinger moved to adopt Temp. Ord. B-26, second by Mr. Rubino. Motion passed, voice vote (11-0).

Public & Industrial Improvements:

Temp. Ord. B-27

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the reconstruction of concrete pavement at various locations in the City, and declaring an emergency.

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

Public Affairs:

None.

Community Development:

None.

Schedule of Committee Meetings

Planning & Zoning:	May 20, 2013, 6:30 p.m.
Finance:	May 20, 2013, 6:35 p.m.
Public Improvements:	Subject to Call.
Public Affairs:	Subject to Call.
Community Development:	Subject to Call.

Miscellaneous Business:

None.

Mr. James moved to adjourn, second by Mrs. Pyke. Motion passed, voice vote (11-0). Meeting adjourned at 6:45 p.m.

Don Walters, Council President

Cathleen J. Meacham, Clerk of Council