

Proponent testimony was offered by Planning Director Fred Guerra, who gave a presentation detailing the manner in which “payday” lenders have been treated by the Zoning Code, the amendments to the Zoning Code made since 2005 in an effort to control the spread of “payday” lenders, and the unsuccessful application of “LoanMax” to site a new auto title loan store on State Road in 2012 and 2013.

The Chair recognized Mr. Rubino, who asked how Mr. Guerra’s presentation relates to the legislation. Mr. Guerra stated that his presentation does not directly relate to the legislation, but provides background on how the City currently regulates auto title loan businesses.

The Chair recognized Mrs. Pyke, who stated that the presentation provides background demonstrating that there has been an ongoing concern over these types of businesses for several years.

The Chair stated that the purpose of the presentation was to give a background on these types of businesses.

The Chair recognized Mr. Rubino, who stated that the legislation calls for the municipal regulation of auto title lenders on a basis other than zoning, and the presentation did not address regulation other than zoning regulation.

The Chair stated that the legislation is the next step in developing the City’s approach to these types of businesses.

The Chair recognized Mr. Mader, who stated that he is in support of the legislation, and the presentation provides background demonstrating that the City has been in active opposition to these types of businesses for a number of years, and this legislation is a logical follow-up to the City’s previous efforts. Mr. Mader thanked Mr. Pallotta for his work in urging state legislators to address this issue.

The Chair recognized Mrs. Klinger, who stated that she spoke with Senator LaRose concerning auto title loans. The City is facing huge financial interests that lobby on behalf of these businesses. This issue must be kept in front of state representatives and legislators, or it will be forgotten. These businesses have a huge negative impact on the City. Mrs. Klinger thanked Mr. Pallotta for his efforts.

The Chair recognized Mr. Rubino, who stated that while Cuyahoga Falls and other cities have used zoning laws to limit the expansion of these types of businesses, this resolution asks for something distinct from zoning. Mr. Rubino asked what is this legislation is calling for the local municipal government to do.

The Chair stated that this legislation calls for the loopholes in consumer protection laws to be closed and for auto title loans to be regulated by the state in the same manner as “payday” loans under state law.

Mr. Rubino asked if there would be a next step if the preemption of municipal regulation should be repealed, including municipal regulation of interest rates. The Chair stated that if the preemption of local regulation were repealed, there would be further legislation.

The Chair recognized Mrs. Pyke, who stated that the resolution simply urges the Governor and the General Assembly to enforce existing laws, or to repeal the preemption of local regulation, or to allow municipalities to enforce existing state laws.

The Chair noted that the existing state laws already set interest rates for “payday” lenders, but municipalities are not permitted to enforce them.

The chair recognized a member of the public, Jeff Wilhite, Director of Family Promise of Summit County. Mr. Wilhite related the experience of his agency’s

clients with auto title loans. His agency assists homeless families with affordable housing and transportation, the two factors which prevent families from getting ahead. Many poor families live in a state of desperation and have no ability to assess the dangers of entering into an auto title loan. The leadership of Council is vital to taking this issue to the next level. The business of making loans is not the issue. The predatory nature of the loans is the issue. The community must make it clear that it will not allow its citizens to be exploited. The Council's leadership in doing this is extraordinary, and is supported by communities across Summit County.

There was no opponent testimony.

Motion by Mr. Weinhardt to release Temp. Res. A-49 with a favorable recommendation. Seconded by Mr. DeRemer. Motion adopted by acclamation.

Temp. Ord. A-50

An ordinance authorizing the Mayor to enter into an agreement with the International Association of Firefighters, Local 494, effective January 1, 2014, and declaring an emergency.

Proponent testimony was offered by the Law Director. He stated that this ordinance authorizes the City to enter into a collective bargaining agreement with the firefighters' union. The agreement has been ratified by the members of the union. The City's position was explained in executive session.

The Chair recognized Mrs. Klinger, who asked if the increased costs incurred in this year as a result of this contract will be covered by projected \$1 million in payroll savings identified by the Finance Director, thus mitigating any effect on the fund balance in the General Fund. Assistant Finance Director Scott Fitzsimmons stated that he believes this is so. The Assistant Finance Director also stated that the administration is considering a mid-year appropriations ordinance to reflect payroll

adjustments. Mrs. Klinger stated that she would welcome a mid-year budget adjustment.

The chair recognized a member of the public, David Witner, President of IAFF Local 494, who stated that the ordinance is a collaborative agreement between the administration and the union. It has been ratified by the members. Mr. Witner stated that the parties are in the sixth year of an agreement which has been extended several times, with no raises in any of those extensions. This contract extends the current agreement with no changes, other than the raise, to June 30, 2015. This extension gives both sides breathing room to sit down at the table and talk, and there is a plan to facilitate that using consultants. Using the SERB dispute resolution process would not be good for either side. Health care is the biggest issue.

The Chair recognized Mrs. Pyke, who stated that last year there was some perception in the community that the city is not safe, and asked Mr. Witner if the community is safe. Mr. Witner stated that the administration has committed to keeping the Fire Dept. at 68 people, 5 at every fire station and a shift commander every day. Mr. Witner stated that whether he is "comfortable" is "for another day." "We are as safe as we can be, staffed as we are currently."

The Chair recognized Mrs. Klinger, who commended the administration and the union for creating a new process and dialog by coming to the table with an open mind.

There was no opponent testimony.

Motion by Mr. Weinhardt to release Temp. Ord. A-50 with a favorable recommendation. Seconded by Mr. DeRemer.

Motion adopted by acclamation.

Temp. Ord. A-51

An ordinance amending Ordinance 95-2004 which implemented Sections 3735.65 through 3735.70 of the Ohio Revised Code, and established and described the boundaries of a Community Reinvestment Area in the City of Cuyahoga Falls, and declaring an emergency.

Without objection, Temp. Ord. A-51 was held in committee on request of the administration.

Temp. Ord. A-52

An ordinance authorizing the Director of Public Service to enter into a contract or contracts to perform emergency clean up, restoration, and repair to City Hall, and declaring an emergency.

Proponent testimony was offered by the Service Director. He stated that the City has some expenses due to storm damage to the Municipal Building. He introduced the Maintenance Director Jeff Amburn.

The Chair recognized Mr. Amburn, who stated that the storm damage on the previous Monday night was worst he's seen in 22 years with the City. The entire basement was under water, including the jail, Information Technology, and elevator pits. The City hired Before, which worked on site from early Tuesday morning through Saturday. Before removed carpeting, drywall, and insulation.

The Chair asked if the clean-up work is complete. Mr. Amburn stated that it is. This is the same company that was hired after the January flood. They are very familiar with the building.

The Chair asked if the money to pay Before is budgeted. Mr. Amburn stated it is not budgeted.

There was no opponent testimony. There was no public comment.

Motion by Mr. Weinhardt to release Temp. Ord. A-52 with a favorable recommendation. Seconded by Mr. DeRemer.

Temp. Ord. A-53

Motion adopted by acclamation.

An ordinance authorizing the Director of Finance to enter into a contract or contracts, according to law, for the purchase of hardware and software associated with the update of the City's personal computers, and declaring an emergency.

Motion by Mr. Weinhardt to amend Temp. Ord. A-53 by substitution with Substitute Temporary Ordinance A-53 (5/19/2014). Seconded by Mr. DeRemer.

Motion adopted by acclamation. The Substitute was approved.

Proponent testimony was offered by Director of Information Services John Konich. He stated the City needs to buy new computers to replace those lost in the flood.

The Chair asked if the City's losses were covered by insurance. The Law Director stated that the City has coverage in the amount of \$1,151,000. These expenses will be fully covered except for a \$5,000 deductible.

The Chair asked if an upgrade is also included in this ordinance. Mr. Konich stated that there is no upgrade included in this ordinance. The upgrade had already been installed and these components were lost and will need to be purchased again.

The Chair recognized Mr. Weinhardt, who asked if the new computer equipment will be located in some location. Mr. Konich stated that the City's main servers have been temporarily relocated to NeoNet. Permanent relocation is a matter being evaluated.

The Chair recognized Mrs. Klinger who asked the new recently purchased personal computers were lost. Mr. Konich stated that of the \$120,000 in new computers purchased, \$110,000 worth were lost, some still in their boxes.

There was no opponent testimony. There was no public comment.

Motion by Mr. Weinhardt to release Sub. Temp. Ord. A-53 (5/19/2014) with a favorable recommendation. Seconded by Mr. DeRemer.

Motion adopted by acclamation.

Non-Agenda Items


None.

Adjournment

Without objection, Chairman Pallotta adjourned the meeting at 11:21 p.m.



Victor Pallotta, Chair



Paul A. Janis, Clerk of Council