

CUYAHOGA FALLS CITY COUNCIL

Minutes of the Council Meeting

July 25, 2016

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. Pallotta

Approval of Minutes: The minutes from the July 11, 2016 Council meeting were approved as written.

Reports and Communications: A Notice from the Ohio Division of Liquor Control regarding the expiration of all permits to sell alcoholic beverages in the City of Cuyahoga Falls on October 1, 2016.

A Notice from the Ohio Division of Liquor Control regarding a change in the stock ownership of Walgreen Company dba as Walgreen's 12543, 755 Howe Avenue, Cuyahoga Falls, Ohio, 44221.

A Notice from the Ohio Division of Liquor Control regarding the transfer application from the Falls Discount Tobacco & Beverage, Inc., 344 Tallmadge Road, Cuyahoga Falls, Ohio, 44221, from 344 Tallmadge Country Store, LLC, dba One Stop & Shop, 344 Tallmadge Road, Cuyahoga Falls, Ohio, 44221.

New Legislation

(First Reading)

Temp. Ord. A-61 (Public Affairs)

An ordinance amending Section 107.07 of the Codified Ordinances, Meetings Open to the Public, and declaring an emergency.

Temp. Res. A-62 (Community Development)

A resolution accepting the recommendations of the Tax Incentive Review Council and the Community Reinvestment Area Housing Council concerning Enterprise Zone and Community

Reinvestment Area Tax Exemption Agreements within the City of Cuyahoga Falls, and declaring an emergency.

Reports of Council's Special Committees
(Third Reading)

Special Committee on Transparency and Best Practices:

Temp. Res. A-60

A resolution supporting the recommendations of Council's Special Committee on Transparency and Best Practices, and declaring an emergency.

Mr. Miller moved to adopt Temp. Res. A-60, second by Mr. Iona. Motion passed, voice vote (11-0).

Reports of Council's Standing Committees
(Third Reading)

Planning & Zoning

No Report.

Finance & Appropriations:

Temp. Ord. A-57

An ordinance re-assigning the non-bargaining position of Juvenile Diversion Caseworker to the appropriate pay grade within the classification and compensation plan, amending Exhibit "A" of Ordinance 117-2015, and declaring an emergency.

Mrs. Klinger moved to adopt Temp. Ord. A-57, second by Mr. Brillhart. Motion passed, voice vote (11-0).

Temp. Ord. A-58

An ordinance providing for supplemental and/or amended appropriations of money for current operating expenses and capital expenditures of the City of Cuyahoga Falls, and authorizing the transfer of appropriations within and for the various funds hereinafter set forth, and declaring an emergency.

Mrs. Klinger moved to adopt Temp. Ord. A-58, second by Mr. Iona. Motion passed, voice vote (11-0).

Public & Industrial Improvements:

Temp. Ord. A-59 (Sub. Dated 7-18-16)

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the design and engineering of the Downtown Circulation Project relative to the reconstruction of the downtown pedestrian mall and adjacent streets, and declaring an emergency.

Mr. Iula stated that he is very much in favor of the project and hopes they will get enough grants and money to pay for the whole thing.

Mr. Iula moved to adopt Temp. Ord. A-59 (Sub. Dated 7-18-16), second by Mr. Miller. Motion passed, voice vote (11-0).

Public Affairs

No Report.

Community Development

No Report.

Schedule of Committee Meetings

Planning & Zoning:	September 6, 2016, 6:30 p.m.
Finance:	Subject to call.
Public Improvements:	Subject to call.
Public Affairs:	September 6, 2016, 6:35 p.m.
Community Development:	September 6, 2016, 6:40 p.m.

Miscellaneous Business

Mayor Walters stated that he would like to thank Council for their support for the ordinance for the Front Street design engineering. Council will definitely be kept in the loop as things move forward.

Mayor Walters then stated that the events that transpired over the weekend are a reminder of the dangers that the City's first responders face every day that they come to work to serve and protect all citizens. The officer involved has shown tremendous strength throughout this horrific incident, as has his family. He stated that he remains in frequent contact with the family and police chief and wants everyone to rest assured that the Administration, Police Department, the FOP and outside organizations are working to collaborate to find the best means and avenues to support this family.

Mayor Walters stated that he wanted to commend the first responders from the Police and Fire Departments who were there this weekend and handled this entire event with the utmost professionalism, as the City's officers and firefighters always do. He stated that he cannot be more proud of each and every one of them. He stated that Chief Davis has shown tremendous leadership throughout this incident, and he was present to provide Council with an update.

Chief Davis stated that it was going to be a brief update. This is a criminal case and, because of that, the Department does not share a lot of information. They will put out what they can to keep everybody informed. For those not familiar with what happened, at about 1:20 Saturday morning, the police department received a call in their dispatch center. Basically, a person was making some threats and then, shortly thereafter, appeared in the back lot in a pickup truck and started smashing into cruisers. The back end of Car 2 was torn off. One of the Department's SUVs sustained minimal damage. Diesel was in the vehicle when Car 29, the canine car, got hit. Diesel is okay. The truck has some damage. The Department has been working with Donnie Williams in the garage. He has already had a body man out, and it appears that most of the vehicles are going to be repairable. Obviously, the car that Officer Davis was in was severely damaged, and probably will be totaled. Chief Davis stated that they have been fortunate in that Council and the Administration has always provided the Department with resources. They are using cars that wouldn't normally be in service, and some new cars were purchased this year that they are working on getting out there, so there are enough cars to handle what they need to do.

Chief Davis stated that the officers were tremendous that night. This isn't something that happens every day in Cuyahoga Falls, but it's amazing watching them work when it happens. Not only were they very supportive of their officer, they handled the proper procedures with the subject and then made sure the scene was secure and started doing the investigation work. The detectives are working on the case now. They have conducted a search warrant on the house overnight, just to try to see what's going on with this person. They do not have charges yet. The subject is in the hospital. The officer is still in the hospital. Their main concern is making sure Officer Davis and his family are taken care of. The support in our community is wonderful. There are a lot of organizations that help officers and firefighters, and those will be taken advantage of as well. Chief Davis stated that they are working with the Law Department. There will be charges when the time comes and they will make sure there is justice.

Mrs. Pyke stated that when she spoke with Chief Davis over the weekend, he had stated, "We are all family." She asked Chief Davis if he could just extend to Officer Davis' family their thoughts and prayers, and if there is something Council can do, please let them know as soon as possible. Chief Davis stated that the family knows that and is very appreciative. Mayor Walters was there until 5:30 in the morning. That was amazing and meant a lot to the officers. It obviously meant a lot to the family. He has shared with them some of the e-mails, and he will definitely share their concern with them tonight. Mr. James stated that when it comes to the conversation Mrs. Pyke had with Chief Davis about, "We are all family," that stretches far and wide, and means so much to him. The Police Department is a huge fraternity. They have to thank God every day that police and fire and all the safety forces come back home safe at the end of their shift. He stated that this kind of event hits him now, more than ever. His brother was a police officer for 30 years and his son is a police officer. The City has a second-to-none safety force, led by great people, and he has nothing but the utmost respect for them and prays for them

every day. Chief Davis thanked Council and the Administration and stated that he will keep them updated as the family allows.

Mr. James moved to allow Mrs. Rose Morrison to speak before Council, second by Mr. Iula. Motion passed, voice vote (11-0).

Mrs. Morrison stated that she would like to thank Teresa Hazlett. By 10:00 the morning after the last Committee meeting, Ms. Hazlett had an answer to her about her utility bill. She stated she also wanted to thank the Mayor and all of Council for passing the law to allow spouses to be buried in the military section of Oakwood Cemetery. Her husband, Jack, died last year, and she had him buried at Ohio Western Reserve Rittman. When she found out the law had passed allowing spouses to be buried in the military section of the cemetery, she had had him moved there. She is the first spouse to have her name on the back of the headstone. It is a beautiful cemetery and, now, she is able to drive through there every day and say hello.

Mrs. Pyke stated that they will now hear from Mr. Hoffman on Report 21. Mr. Hoffman stated that, overall, the City's finances continue to be stable, and there is not much variance from the original budget. On the revenue side of things, in the General Fund, interest revenue continues to be strong. A budget of \$404,000 was originally anticipated, and that currently is anticipated to be around \$450,000 this year. In the Local Government Fund, there was a slight trend downward coming from the county this year. They are down 4.2 percent this year. They have some inquiries out on that, and will continue to keep an eye on that. In other financing sources, the second CDBG loan was paid off, so both those loans have now been paid off. That has been deposited in the General Fund. In the Municipal Income Tax Fund, income tax revenues are up 6.1 percent over the year. That is anticipated to continue. Most of that has been in current collections. In the Leisure Time Fund, the Natatorium is up 2.5 percent, Waterworks is up 29 percent and Brookledge is up 6.8 percent. Downview is down 4.5 percent, but that 4.5 percent is right around four to five thousand dollars. It has been fairly flat. Last month, Downview was down 10 percent, so they are seeing a catch-up through June.

Mr. Hoffman stated that, on the expense side, as he has noted before, in July of 2016, there are three pays. Last year, those were in the first half of the year, so that will equal out in the Personal Service line items in Report 21. In the Self Insurance Fund, hospitalization claims are still up 41.7 percent. That trend is starting to flatten out. Last month, it was up 60 percent, so that is starting to normalize, as was anticipated. The stop loss was reached on a couple of claims. Prescriptions are down 35 percent. That trend is continuing. Last month, it was right around 30 percent. Mr. Hoffman stated that, overall, the finances have been pretty stable, and that he would be happy to answer any questions that Council might have. Mr. Colavecchio asked if Downview being down 4.5 percent was for the year. Mr. Hoffman stated that it was for the year over 2015. Mr. Colavecchio asked if Downview made money during the past month and that is what lowered it down to 4.5 percent. Mr. Hoffman stated that was correct. Mr. Colavecchio thanked Mr. Hoffman.

Mr. James moved to adjourn, second by Mr. Iula. Motion passed, voice vote (11-0). Meeting adjourned at 6:55 p.m.

Mary Ellen Pyke, Council President

Dana M. Capriulo, Council Clerk