

CUYAHOGA FALLS CITY COUNCIL

Minutes of the Council Meeting

September 12, 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. Iona

Approval of Minutes: None.

Reports and Communications: A Notice from the Ohio Division of Liquor Control regarding a transfer application to Gill Oakwood, Inc., DBA Oakwood Convenient, 2765 Oakwood Drive, Cuyahoga Falls, Ohio, 44221, from Northfield Realty LLC, dba Oakwood Convenient, 2675 Oakwood Drive, Cuyahoga Falls, Ohio, 44221.

A Notice from the Ohio Division of Liquor Control regarding a stock ownership transfer application to Walgreen Co., dba Walgreens 03572, 2645 State Road, Cuyahoga Falls, Ohio, 44223.

A letter from Suzanne Wiegand, 1651 17th Street, Cuyahoga Falls, Ohio, 44223, requesting Council's support of Temp. Ord. A-56 (Sub. Dated 9/16/16).

New Legislation

(First Reading)

Temp. Ord. A-63 (Planning & Zoning)

An ordinance accepting the Planning Commission approval, findings and conditions of the site plan for the construction of a new 9,975 square foot office building at 242 West Portage Trail extension on Parcel 35-05608, and declaring an emergency.

Temp. Ord. A-64 (Planning & Zoning)

An ordinance accepting the Planning Commission approval, findings and conditions of the Portage Crossing LLC/Stark Enterprise site plan for the construction of a new 9,428 square foot retail building at 2929 State Road on Parcel 02-20631, and declaring an emergency.

Temp. Ord. A-65 (Planning & Zoning)

An ordinance accepting the planning commission approval, findings and conditions of the Woodridge School District site plan for the construction of a new elementary school and high school gymnasium on Parcel 35-06504, Parcel 35-00803, Parcel 35-00804, Parcel 35-00805 and Parcel 35-00127, and declaring an emergency.

Temp. Ord. A-66 (Finance)

An ordinance authorizing the Director of Public Service to execute a modification of Contract No. 7267 with Rotary Lift for the purchase of one R70C rotary lift including installation, and declaring an emergency.

Temp. Ord. A-67 (Finance)

An ordinance authorizing the Director of Finance to enter into a contract and/or contracts without competitive bidding with the Auditor of State of Ohio for statutory auditing services, and declaring an emergency.

Temp. Ord. A-68 (Finance)

An ordinance providing for the issuance and sale of Bonds in the maximum aggregate principal amount of \$8,000,000 for the purpose of paying the costs of refunding Bonds previously issued, in part, by the City for the purpose of (I) refunding at a lower interest cost certain of the City's outstanding various purpose improvement Bonds, series 1998, which were issued to pay costs of improving the recreational facilities in the City by constructing the Water Works Family Aquatic Center, improving the municipal waterworks system in the high pressure water district, and constructing sanitary sewer lines, and (II) paying costs of constructing a community recreation center and acquiring real estate and interests in real estate therefor, and declaring an emergency.

Temp. Ord. A-69 (Finance)

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the construction work needed to replace Substation #5, and declaring an emergency.

Temp. Ord. A-70 (Public Affairs)

An ordinance authorizing the Parks and Recreation Board and/or the Mayor to enter into an Ohio Department of Natural Resources (ODNR) Grant agreement for \$99,000.00 and authorizing the appropriation and payment of the grant funds and matching funds for a future trailhead for the Mud Brook-Mill Pond Greenway, and declaring an emergency.

Temp. Ord. A-71 (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. A-72 (Public Affairs)

An ordinance amending Chapter 164, Municipal Income Tax, to comply with state law, and declaring an emergency.

Temp. Ord. A-73 (Public Improvements)

An ordinance authorizing the Parks and Recreation Board to enter into a contract or contracts, according to law, for repair of the Aquatic Center roof, and declaring an emergency.

Temp. Ord. A-74 (Public Improvements)

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for improvements to the Broad Boulevard exit ramp storm sewer outfall, and declaring an emergency.

Temp. Ord. A-75 (Community Development)

An ordinance authorizing the Director of Community Development to enter into a contract, without competitive bidding, with Neighborhood Development Services for costs associated with the Comprehensive Housing Rehabilitation Program, and declaring an emergency.

Reports of Council's Standing Committees

(Third Reading)

Planning & Zoning

Temp. Ord. A-56 (Sub. Dated 9/6/16)

An ordinance approving regulatory text amendments for Section 1133.04(A)(6) Beekeeping and Section 1114.03(I)(3)(c) Beekeeping in the Cuyahoga Falls General Development Code, and declaring an emergency.

Mr. Iona moved to refer Temp. Ord. A-56 (Sub. Dated 9/6/16) back to the Planning & Zoning Committee, second by Mr. James. Motion passed (3-0).

Council recessed into the Planning & Zoning Committee meeting at 6:42 p.m. and reconvened at 8:08 p.m.

Temp. Ord. A-56 (Amended Sub. Dated 9/6/16)

An ordinance approving regulatory text amendments for Section 1133.04(A)(6) Beekeeping and Section 1114.03(I)(3)(c) Beekeeping in the Cuyahoga Falls General Development Code, and declaring an emergency.

Mr. Iona moved to adopt Temp. Ord. A-56 (Amended Sub. Dated 9/6/16), second by Mr. Rubino. Motion passed, voice vote (11-0).

Finance & Appropriations:

No Report.

Public & Industrial Improvements:

No Report.

Public Affairs

Temp. Ord. A-61

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

Mr. Pallotta moved to adopt Temp. Ord. A-61, second by Mr. Miller. Motion passed, voice vote (11-0).

Community Development

Temp. Res. A-62 (Sub. Dated 9/6/16)

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.

Mr. Miller moved to adopt Temp. Ord. A-62 (Sub. Dated 9/6/16), second by Mr. Pallotta. Motion passed, voice vote (11-0).

Schedule of Committee Meetings

Planning & Zoning:	September 19, 2016, 6:30 p.m.
Finance:	September 19, 2016, 6:35 p.m.
Public Improvements:	September 19, 2016, 6:40 p.m.
Public Affairs:	September 19, 2016, 6:45 p.m.
Community Development:	September 19, 2016, 6:50 p.m.

Miscellaneous Business

Mrs. Pyke announced that on September 20th, 2016, the Administration has asked the Cuyahoga Falls City Council to meet at the Stow City Council Chambers. This meeting is to gather information about the joint residential dispatch proposed by the Cities of Cuyahoga Falls, Stow and Tallmadge. All three City Councils will be present. In order for Cuyahoga Falls City Council to change location of a meeting, it takes a two-thirds vote. Mrs. Pyke stated that, at this time, she would consider a vote to change the location of the September 20th, 2016, Cuyahoga Falls City Council meeting to the Stow City Council Chambers.

Mrs. Klinger moved to move the location of the September 20, 2016, Cuyahoga Falls City Council meeting; second by Mr. Iula. Motion passed, voice vote (11-0).

Mrs. Pyke formally announced that the Cuyahoga Falls City Council will be meeting September 20th, 2016, in the Stow City Council Chambers at 7 p.m.

Mayor Walters stated that he would like to give a brief update on Utility Billing. He will be providing updates moving forward. The City Utility Department has six billing cycles: The 1st, 5th, 10th, 15th, 20th and 25th of each month. So far, in September, the 1st, 5th, and 10th are back to normal, going out with actual readings. Right now, they are working hard on getting the 15th prepared to go out this Thursday. They are also aggressively fielding and returning calls to help explain questions for June, July and August, because those are still out there. Mayor Walters asked Council to please forward any future correspondence to him, and he will answer those questions, as well. Mrs. Pyke stated she had sent Mayor Walters questions on September 8th, and asked if he knew when she could expect the answers to those questions. Mayor Walters stated that those answers were being finalized today and will be sent to her tomorrow. Mrs. Pyke stated that some residents were being told that the problem with Utility Billing was that the software was bad. She asked Mayor Walters if the problem was bad software or the need for additional testing. Mayor Walters stated that there were three separate software vendors. He stated the communication may not have been the best, but that the software is not corrupt or faulty. Mrs. Pyke thanked Mayor Walters and asked him to continue to update Council, so that they can relay those updates to residents who call them.

Mr. Iona stated that he would like to thank the Law Department for the fantastic job they did on the beekeeping legislation. They were very cooperative and updated him regularly. Mrs. Pyke stated she wanted to apologize to the public for the legislation taking so long and thank them for their patience. If they can come to the middle and meet, then she feels that they have a really good piece of legislation.

Mr. James moved to adjourn, second by Mr. Iula. Motion passed, voice vote (11-0). Meeting adjourned at 8:21 p.m.

Mary Ellen Pyke, Council President

Dana M. Capriulo, Council Clerk