

CUYAHOGA FALLS CITY COUNCIL

Minutes of the Council Meeting

September 23, 2013

- Call to Order: Mr. Walters at 6:31 p.m.
- Roll Call: Mr. Rubino, present; Mr. James, present; Mrs. Snyder, present; Mr. Colavecchio, present; Ms. Nichols-Rhodes, present; Mrs. Klinger, present; Mrs. Pyke, present; Mr. Mader, present; Mr. Iula, present; Mr. Pallotta, present; Mr. Walters, present.
- Invocation: Mrs. Snyder
- Pledge of Allegiance: Mr. Iula
- Approval of Minutes: The minutes from the September 9, 2013 meeting were approved as submitted.
- Reports and Communications:
1. A Notice from the Ohio Division of Liquor Control regarding a new license to JJF Management Group LLC, 4065 State Road, Cuyahoga Falls, OH.
 2. A Notice from the Ohio Division of Liquor Control regarding a Liquor Agency Only Application to Tamarkin Co. dba Giant Eagle #4022, 75 Graham Road, Cuyahoga Falls, OH.

New Legislation

(First Reading)

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

An ordinance designating a Revitalization Signage Area for the Portage Crossing Redevelopment Site consisting of Parcel Nos. 02-05240, 02-05241, 02-14014, 02-01811, 02-18517, 02-18768, 02-18769, 02-20436, 02-20437, 02-20439 and 02-02885, authorizing a corresponding amendment of the City's official zone maps, making certain findings in connection therewith, and declaring an emergency.

Mr. Walters announced that a public hearing on Temp. Ord. B-64 is scheduled for November 4, 2013 at 6:30 p.m.

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

An ordinance approving a Minor Plat for a Minor Subdivision of land at 2374 and 2386 Second Street (Parcel Nos. 02-00787 and 02-13215), and declaring an emergency.

Temp. Ord. B-66 (Planning & Zoning)

An ordinance approving the preliminary and final subdivision plat of Portage Crossing No. 1 Subdivision, vacating portions of Coolidge Avenue, 21st Street, and two Service Drives located therein, and declaring an emergency.

Temp. Ord. B-67 (Finance)

An ordinance authorizing the Director of Public Service to enter into a modification of Contract No. 6486 with RS Resources Inc., dba Employ-Temps Staffing Services, and declaring an emergency.

Temp. Ord. B-68 (Finance)

An ordinance authorizing the Director of Public Service to enter into a contract for employment agency services related to seasonal and occasional employees, and declaring an emergency.

Temp. Ord. B-69 (Finance)

An ordinance authorizing the Mayor to enter into a settlement agreement in the case of Melisa Makcen v. City of Cuyahoga Falls, et al., and declaring an emergency.

Temp. Ord. B-70 (Finance)

An ordinance authorizing the Director of Community Development to enter into a third modification of Contract No. 6519 with SRW Environmental Services, Inc. for professional environmental assessment services related to remediation of certain real property known as 4610 State Road (Parcel No. 37-00002), and declaring an emergency.

Temp. Ord. B-71 (Finance)

An ordinance authorizing the Director of Finance to enter into a contract or contracts without competitive bidding with Wichert Insurance Services, Inc. for the professional services necessary to manage the City's risk management and insurance program and for the purchase of public entity insurance coverages, and declaring an emergency.

Temp. Ord. B-72 (Public Affairs)

An ordinance approving the application of Portage Crossing, LLC for the designation of a Community Entertainment District at the Portage Crossing Redevelopment Site, making certain findings in connection therewith, 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. Ord. B-59

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

Mr. James moved to adopt Temp. Ord. B-59 , second by Mr. Pallotta. Motion passed, voice vote (11-0).

Temp. Ord. B-60

An ordinance authorizing the Director of Public Service to issue an encroachment permit to Boston Buckeye Realty, LLC for the purpose of installing a business identification sign in a portion of State Road abutting the property at 1760 State Road (Parcel No. 02-00019), and declaring an emergency.

Mr. James moved to adopt Temp. Ord. B-60 , second by Mr. Colavecchio. Motion passed, voice vote (11-0).

Community Development:

Temp. Ord. B-61

An ordinance approving an amendment to the Community Development Block Grant Annual Action Plan for Fiscal Year 2012, and declaring an emergency.

Mr. Colavecchio moved to adopt Temp. Ord. B-61 , second by Mr. Iula. Motion passed, voice vote (11-0).

Temp. Ord. B-62

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

Mr. Colavecchio moved to adopt Temp. Ord. B-62 , second by Ms. Nichols-Rhodes. Motion passed, voice vote (11-0).

Temp. Ord. B-63

An ordinance authorizing the Director of Community Development to enter into a Community Reinvestment Area Tax Exemption Agreement jointly with the Tamarkin Company, Giant Eagle, Inc. and GetGo Partners South (GP), LLC, and declaring an emergency.

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Mr. Colavecchio stated that the Community Development Committee had brought this ordinance out for a vote with a neutral recommendation. Mr. Colavecchio moved to adopt Temp. Ord. B-63, second by Mr. Iula. Mrs. Klinger stated she cannot support this ordinance at a time when our school districts are struggling for each tax dollar they can get. Ms. Nichols-Rhodes stated she did not support this tax abatement. People in the City are already supporting clearing of the roads, and additional fire and police services that will be needed for Portage Crossings. She cannot vote to give up \$104,000 of tax money to a company in this situation. Mr. Pallotta concurred with Mrs. Klinger and Ms. Nichols-Rhodes. He cannot see taking away \$100,000 from the school system either. Mr. Mader stated he could not understand, when a tool is available to bring in business, that the City would reject business. He was concerned with the ramifications if the company walked away from this. These tax exemptions are a tool to draw businesses to the City. He is in total support of this legislation. Mrs. Pyke stated that Council voted to create a CRA and, by voting for it, it tells businesses to come to the City and we will consider giving you tax breaks. She will support this legislation. She wants to see this business come to the City. Mr. Iula stated he is supporting this because the company will spend \$3 million building the business and employing 28 new people. It will help taxes. Ms. Nichols-Rhodes stated the district designation does not require that the City give the abatement. She believes Giant Eagle is already receiving some sort of deal on the other side of State Road. Having a Get-Go on the corner will be very lucrative for the company. People she spoke to in her ward do not want this tax exemption to happen. Roll call: Mr. Rubino, yes; Mr. James, no; Mrs. Snyder, no; Mr. Colavecchio, no; Ms. Nichols-Rhodes, no; Mrs. Klinger, no; Mrs. Pyke, yes; Mr. Mader, yes; Mr. Iula, yes; Mr. Pallotta, no; Mr. Walters, no. Motion failed (4-7).

Schedule of Committee Meetings

Planning & Zoning:	October 7, 2013, 6:30 p.m.
Finance:	October 7, 2013, 6:35 p.m.
Public Improvements:	Subject to call
Public Affairs:	October 7, 2013, 6:40 p.m.
Community Development:	Subject to call

Miscellaneous Business:

Mr. Brodzinski stated that Mr. Konich wanted to address Council this evening. John Konich stated it was brought to his attention that a comment was made last week regarding the City's IT Department. The Department's goal is to find technical solutions to improve productivity at less cost. Over the years, the Department has saved the City hundreds of thousands of dollars by implementing several projects. They have accomplished a lot even though their staff has been reduced by 50% over the past ten years. Since he was not present at last week's meeting, he was unable to address the concern that was raised. He asked Mr. Colavecchio what his specific issue was with the IT Department. Mr. Walters stated that Council has heard the point Mr. Konich was making but that there would not be a debate during a Council meeting. Mr. Konich stated he would appreciate it if someone had an issue with his Department, that they would contact him directly. He pointed out that he has handled all problems that have been brought to his attention. Mr. Walters thanked him for his comments and recommended that he and Mr. Colavecchio get together outside of Council to discuss Mr. Colavecchio's concern.

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Mrs. Carr wanted to remind everyone that the public river clean-up will be held on Saturday. They have over 70 people signed up. The City holds an annual clean-up every year but this year it has been expanded due to the dam removals. They will be using the event to educate the community. Last week, they found many things impeding the river, including over 440,000 lb. of tires. The river is in a healing stage. They are trying to get the message out that the dams were up for 100 years. Many people recognize that fact. On Thursday, the City received a Champion of the River award from the Port Authority of Cleveland. Only four of these awards were given out. This shows that the City is doing a lot of things correctly. She is disappointed there is some negativity out there. Mrs. Snyder asked if there was an age limit for kids wanting to help. Mrs. Carr stated that kids should be 10 years old and up. Kids and families will stay in the Waterworks area. She added there will still be areas that will be off limits along the river. Some will need to be done from boats.

Ms. Nichols-Rhodes stated she attended the Electric Department event. She recognized that the employees work very hard. It was interesting to see the different demonstrations done. It was a nice event. She congratulated the Public Utility Department for 125 years of service. Mrs. Carr thanked Ms. Nichols-Rhodes and added she was aware she had attended. They are proud of the department. There were quite a few people who came out. They gave away 125 energy efficient items which were paid for by a grant.

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

Don Walters, Council President

Cathleen J. Meacham, Clerk of Council