

CUYAHOGA FALLS CITY COUNCIL

Minutes of the Council Meeting

September 25, 2017

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. Miller

Approval of Minutes: The minutes of the Council meetings held 9-11-17 and 9-18-17 were approved as written.

Reports and Communications: None.

New Legislation

(First Reading)

Temp. Ord. B-70 (Finance)

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, for the sale of Cuyahoga Falls Bulk Electric System (BES) 138KV assets to American Transmission Systems Inc. (ATSI), a First Energy Subsidiary, and declaring an emergency.

Temp. Ord. B-71 (Finance)

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, without competitive bidding, with OMEGA JV1 for the “as is” purchase of all JV1 assets on City property and to terminate the OMEGA JV1 lease agreement, and declaring an emergency.

Temp. Ord. B-72 (Finance)

An ordinance authorizing the Director of Public Service to enter into a contract or contracts for the purchase of two automated packer trucks for use by the Sanitation Division, and declaring an emergency.

Temp. Ord. B-73 (Finance)

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for professional services necessary for engineering, bidding and management of the JV1 upgrade project, and declaring an emergency.

Temp. Ord. B-74 (Public Affairs)

An ordinance amending Section 303.07 of the Codified Ordinances, relating to impounding of vehicles in the City of Cuyahoga Falls, and declaring an emergency.

Reports of Council's Standing Committees

(Third Reading)

Planning & Zoning

Temp. Ord. B-64

An ordinance accepting the Planning Commission approval, findings and conditions of the site plan for the construction of a 15,900 square foot warehouse addition for Eagle Elastomer at 70 Cuyahoga Falls Industrial Parkway on Parcel 35-05746, and declaring an emergency.

Mr. Iona moved to adopt Temp. Ord. B-64, second by Mr. Rubino. Motion passed, voice vote (11-0).

Finance & Appropriations:

Temp. Ord. B-65

An ordinance authorizing the Parks and Recreation Board and/or Director of Public Service to enter into a cooperative procurement agreement with The Cooperative Purchasing Network ("TCPN"), waiving competitive bidding for the purchase of products, services, materials and supplies purchased through cooperative purchase agreements administered by TCPN, and declaring an emergency.

Mrs. Klinger moved to adopt Temp. Ord. B-65, second by Mr. Brillhart. Motion passed, voice vote (11-0).

Public & Industrial Improvements:

Temp. Ord. B-67

An ordinance authorizing the Director of Public Service to execute a modification of Contract No. 7424 with Chagrin Valley Paving, Inc, and declaring an emergency.

Mr. Iula moved to adopt Temp. Ord. B-67, second by Mr. Miller. Motion passed, voice vote (11-0).

Public Affairs:

Temp. Ord. B-66

An ordinance authorizing the Mayor to enter into a lease agreement or agreements with Riverside Community Urban Redevelopment Corporation, and declaring an emergency.

Mr. Pallotta moved to adopt Temp. Ord. B-66, second by Mr. James.

Mrs. Pyke asked if there were any comments. Mrs. Klinger stated that this piece of legislation was presented as a like-kind exchange, and there is a discrepancy because it is not a like-kind exchange. The City is exchanging unimproved property for improved property to the tune of a quarter of million dollars that will be required on the part of the City, with the taxpayers' money, to invest in the improvement of the parking lot. The City gave Sheraton thousands of dollars in interest back when they borrowed money from the City by forgiving debt. Mrs. Klinger stated that she has an issue with a very lopsided agreement that has been presented to Council. If the Sheraton wants to come back and improve their property first and then do an exchange, or if the City wants to approach the property owners that are being affected by this and ask them to invest in the property and then do an exchange, she is in favor of that, but the way that the legislation is written and the agreement is written, she cannot support it.

Mr. Rubino asked if Mrs. Klinger would think it reasonable to send it back to committee to have her issues addressed rather than vote on it tonight. Mrs. Klinger stated that would be fine with her. Mr. Rubino asked if that would be something that would be advisable. Mrs. Pyke stated that, at that point, it has already been brought out of committee, so Council would have to table it and make a motion to bring it off the table for discussion to send back to committee, or they can make a motion to send it directly back to committee. Mrs. Klinger stated that she would take either option, but would be more than happy to have it go back to committee for more discussion.

Mr. Rubino moved to send Temp. Ord. B-66 back to committee, second by Mr. James. Motion passed, voice vote (10-1).

Mrs. Pyke stated that before they move on to the next committee, she would like to explain that even though there was a motion and a second on the table to approve -- sending it back to committee, there was nothing to approve.

Temp. Ord. B-69

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

Mr. Pallotta moved to adopt Temp. Ord. B-69, second by Mr. Miller. Motion passed, voice vote (11-0).

Community Development:

Temp. Ord. B-68

An ordinance authorizing the Director of Community Development to enter into a Community Reinvestment Area Tax Exemption Agreement with McHale Group Ltd and Eagle Elastomer Incorporated, and declaring an emergency.

Mr. Miller moved to adopt Temp. Ord. B-68, second by Mr. Pallotta. Motion passed, voice vote (11-0).

Schedule of Committee Meetings

Planning & Zoning:	Subject to Call.
Finance:	October 2, 2017, 6:30 p.m.
Public Improvements:	Subject to Call.
Public Affairs:	October 2, 2017, 6:35 p.m.
Community Development:	Subject to Call.

Miscellaneous Business

Mr. Hoffman stated that finances are stable. Under Admissions Tax, it has been a pretty decent year at Blossom, so they anticipate being about to hit that budget number this year. The Local Government Fund, State of Ohio, that number is \$18,526 this year. That would be all that they receive in that account. The City did anticipate \$113,268 this year. The State of Ohio, with the recent budget passage in June, decided not to fund that anymore. The State of Ohio continued to take away some local government funds.

In other funds, one bright spot has been the Municipal Income Tax. There was a soft fourth quarter of 2016 and soft first quarter of 2017. Municipal income tax did start to pick up in the second quarter and then to the third quarter. Currently, it sits at a net positive, \$820,000. The reason he has been reporting it as a net positive is that the City did make an accounting change based on the JEDD that the City has with Boston Township and started including some of those income tax receipts into a separate fund. In the SCMR, the Cable Franchise Fees continues to be down. This is primarily AT&T and their U-verse product, as well as Time-Warner, now Spectrum, and their cable. Time-Warner has been flat and AT&T has been down this year, so those items are contributing to this being down. When looking at the entire fund, it is not a substantial number, but it is something they have been watching closely and will have to make up somewhere else, most likely in municipal income tax dollars and other General Funds tax revenues. In the Leisure Time Fund, charges for services in the Natatorium are up \$33,202. Brookledge is up \$8,468. Downview is up \$17,000 and Waterworks was down \$41,000 this year. In the Natatorium, under Line Item “Other” is the Silver Sneakers Program, which continues to grow, as well as other insurance-funded programs. Under the Self Insurance Fund, they have seen claims go up rapidly this year. Those are \$354,000. Hospitalization and Prescriptions are up \$319,000. The Health Care Committee did meet this past month to talk about next year. One of the things that would help curb some of these prescription drug costs is to do a carve-out of prescription drugs from a Medical Mutual carrier to a CVS carrier. That will hopefully help contain some of these costs. The City did receive their property tax settlement. It's not reflected in the report this month. It is within a couple thousand dollars of the estimate for this year. There will be a report on that next month.

Mr. Colavecchio stated that he noticed there a little over \$8.7 million in in the General Fund, so that has been going up. There is a lot more in Municipal Income Tax. It has been increasing steadily. He asked if Mr. Hoffman anticipates that that amount of \$8.7 million will continue to go in an upward direction. Mr. Hoffman stated that they have done some preliminary forecasting for the budget for next year. Their preliminary forecast through August numbers do show that. With income taxes coming in strong through May, June and July, they are anticipating that number to go up slightly this year.

Mr. James moved to adjourn, second by Mr. Iula. Motion passed, voice vote (11-0). Meeting adjourned at 6:50 p.m.

Mary Ellen Pyke, Council President

Dana M. Capriulo, Council Clerk