

CUYAHOGA FALLS CITY COUNCIL

Minutes of the Council Meeting

September 26, 2016

Call to Order: Mrs. Pyke at 6:32 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 from the July 25, 2016 and September 12, 2016 meetings were approved as written

Reports and Communications: A Notice from the Ohio Division of Liquor Control regarding a stock ownership transfer application to JAS Art, Inc. dba Cashmere Cricket & Patios, 2235 Front Street, Cuyahoga Falls, Ohio, 44221.

An e-mail from Dawn Tallent, 534 Lynn Drive, Cuyahoga Falls, Ohio, 44221, regarding the setback portion of Temp. Ord. A-56 (Amended Sub. Dated 9/6/16).

A Fiscal Officer's Certificate from the Director of Finance relating to Temp. Ord. A-76 being introduced this evening.

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New Legislation

(First Reading)

Temp. Ord. A-76 (Finance)

An ordinance providing for the issuance and sale of Notes in the maximum principal amount of \$2,150,000, in anticipation of the issuance of Bonds, for the purpose of paying a portion of the costs of constructing a community recreation center and acquiring real estate and interests in real estate therefor, and declaring an emergency.

Temp. Ord. A-77 (Finance)

An ordinance providing for the issuance and sale of Notes in the maximum principal amount of \$1,800,000, in anticipation of the issuance of Bonds, for the purpose of paying the costs of constructing waterlines in Graham Road, together with all appurtenances thereto, and declaring an emergency.

Temp. Ord. A-78 (Finance)

An ordinance authorizing the Director of Finance to create a Boston Township-City of Cuyahoga Falls Joint Economic Development District (JEDD) Fund, and declaring an emergency.

Reports of Council's Standing Committees

(Third Reading)

Planning & Zoning

Temp. Ord. A-63

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.

Mr. Iona moved to adopt Temp. Ord. A-63, second by Mr. Rubino. Motion passed, voice vote (11-0).

Temp. Ord. A-64

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.

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

Temp. Ord. A-65

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.

Mr. Iona moved to adopt Temp. Ord. A-65, second by Mr. Iula. Motion passed, voice vote (11-0).

Finance & Appropriations:

Temp. Ord. A-66

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.

Mrs. Klinger moved to adopt Temp. Ord. A-66, second by Mr. Iona. Motion passed, voice vote (11-0).

Temp. Ord. A-67

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.

Mrs. Klinger moved to adopt Temp. Ord. A-67, second by Mr. Brillhart. Motion passed, voice vote (11-0).

Temp. Ord. A-68

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.

Mrs. Klinger moved to adopt Temp. Ord. A-68, second by Mr. Iona. Motion passed, voice vote (11-0).

Temp. Ord. A-69

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.

Mrs. Klinger moved to adopt Temp. Ord. A-69, second by Mr. Brillhart. Motion passed, voice vote (11-0).

Public & Industrial Improvements:

Temp. Ord. A-73

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.

Mr. Iula moved to adopt Temp. Ord. A-73, second by Mr. Miller. Motion passed, voice vote (11-0).

Temp. Ord. A-74

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.

Mr. Iula moved to adopt Temp. Ord. A-74, second by Ms. Nichols-Rhodes. Motion passed, voice vote (11-0).

Public Affairs

Temp. Ord. A-70

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.

Mr. Pallotta moved to adopt Temp. Ord. A-70, second by Mr. James. Motion passed, voice vote (11-0).

Temp. Ord. A-71

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.

Mr. Pallotta moved to adopt Temp. Ord. A-71, second by Mr. Miller. Motion passed, voice vote (11-0).

Temp. Ord. A-72

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

Mr. Pallotta moved to adopt Temp. Ord. A-72, second by Mr. James. Motion passed, voice vote (11-0).

Community Development

Temp. Ord. A-75

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.

Mr. Miller moved to adopt Temp. Ord. A-75, second by Mr. Pallotta. Motion passed, voice vote (11-0).

Schedule of Committee Meetings

Planning & Zoning:	October 3, 2016, 6:30 p.m.
Finance:	October 3, 2016, 6:31 p.m.
Public Improvements:	October 3, 2016, 6:40 p.m.
Public Affairs:	October 3, 2016, 6:45 p.m.
Community Development:	October 3, 2016, 6:50 p.m.

Miscellaneous Business

Mrs. Pyke asked Mr. Hoffman to give Council an overview of Report 21. Mr. Hoffman stated that interest revenue is up about \$84,000 over 2015. That is continuing to be stronger than anticipated. In the General Fund, they have received payments back from USO and BEI, two loans that had been outstanding from CDBG. In the General Fund revenues, they will have an update next month on property taxes. In the Municipal Income Tax Fund, revenue is up and collections are up 3.1 percent over 2015. In the Leisure Time Fund, for the Natatorium, charges for services are up 3.1 percent. Waterworks ended a little bit down at 4 percent. Brookledge is up 4.1 percent and Downview is down 13.3 percent. The numbers have actually been pretty good numbers this year, so there is nothing to worry about. They have managed expenses right along with revenues in the Leisure Time Fund. Next week, one of the ordinances for the Leisure Time Fund shows \$2.15 million in notes to be purchased. Mr. Hoffman stated that he spoke with Ed Stewart, Superintendent. As they were putting together next year's budget, they decided they were going to pay down another \$500,000 on those notes. They will be at \$1.65 million on those notes. In 2017, they will be paid off. Depending on how well the Leisure Time Fund does in 2017, the plan is that the last payment in the Capital Fund will be in 2017.

One of the new funds that they have is the State Road Public Improvement Fund. It's the TIF Fund for the Portage Crossing District. They have received all of the money that is due to them in the second half of this year. Mr. Hoffman stated he will report on it next month, but it looks like they will be able to pay all the debt, plus have about \$100,000 to reimburse the Capital Projects Fund each year from that fund. Those are even better than projections had indicated. Also, with the development that's going up, they will add to those numbers. The SCMR Fund, total expenses this

year were \$506,914. The Self Insurance Fund, hospitalization claims are up 31.6 percent. As discussed in the last report, a couple claimants have hit the \$250,000 stop loss. There haven't been any new large claimants come on. The last report, it was up 41 percent, so they are starting to see some normalization. Prescription Drugs are still down considerably from 2015, 27.1 percent. Currently, they are working on the 2017 budget numbers in the Health Care Committee, so The Self Insurance Fund is being followed closely by them and their consultant. Mr. Hoffman stated that that is all he had for Report 21, and he would be happy to answer any questions Council may have.

Mr. Colavecchio asked Mr. Hoffman why the interest is up substantially from last year. Mr. Hoffman stated that there were a couple things at play. One of the biggest things is they have made small tweaks to their investment policy over almost two and a half years. Their investment policy is still fairly conservative in comparison to other communities in the area. One of the items that they changed in the investment policy was changing the length of time in which they can invest in CD's from two years to five years. That change in the length of maturity has allowed them to structure cash in a way that allows them to take advantage of longer-term interest rates, but still allows them to maintain enough cash on hand to weather any cash that's needed in the intermediate. That is the main reason why there is an increase in interest. Mr. Colavecchio asked if Mr. Hoffman knew the percentage of the increase in the amount of interest. Mr. Hoffman stated that he hadn't calculated that percentage amount, but it is considerable.

Mrs. Pyke asked Mayor Walters if he had an update on Utility Billing. Mayor Walters stated that they have sent out both the paper statements and the e-bills for the September 25th billing cycle today, September 26th, because yesterday was Sunday. For the entire month of September, the cycles have hit that 28 to 32 days. There's a variation based on the weekends. So, again, the 1st, 5th, 10th, 15th, 20th and 25th, have all gone out on time as they always have. Moving forward, they look for that to continue. They do not foresee any delays like they had during the summer. Mayor Walters stated that they are working through whatever calls and whatever questions they have. They have additional people trained to answer questions if need be. If any residents contact Council, have them contact them. They can pull up the months of June, July and August and explain the usage and the charges pretty clearly. When a customer has all three months explained, it is easier for them to understand, because one specific month may not make sense to that customer.

Mrs. Pyke stated that since the billing cycle is back on its regular 28, 30-day schedule, they shouldn't be seeing those balance forwards anymore, so the bills will be paid before the next bills comes out. Mayor Walters stated that that depends on when they would send the check in. If they wait until the due date to put their check in the mail or pay through bank pay, and that payment hasn't posted by the time the next bill is generated, certainly it will show the balance forward, because it's crossed in the mail. In the next billing cycle, if there is a balance forward noted on the bill, it will say, "If paid, thank you." That should catch their eye. If they know they put their check in the mail yesterday, they're not going to pay that balance forward twice. On a 30-day cycle, if they have paid on time, they should not see a balance forward. Mrs. Pyke asked if the automatic bank drafts have been taken care of and all of those balance forwards be eliminated then. Mayor

Walters stated that when paying through his bank, he is at their mercy as to when they will cut a check and Utility Billing will receive it. If the mail is delivered late in the day, it may not post. There is always that risk. Mrs. Pyke stated that her daughter's bill this month was correct.

Mayor Walters stated that he would like to show what level of trust he has in their Council president. On Saturday, they both were at the Bhutanese-Nepali Festival. He was to go on stage and speak. Mrs. Pyke actually was the translator and wrote down what he was supposed to say in their native language. He had no clue what he was saying, so he was at her mercy. When he went on stage and said it, they didn't throw him out, so he would like to thank her for that.

Mr. Pallotta stated that he would like to address the Administration and say that he thought their quick response to the Cleveland.com suggestion that the City's water supply was full of cancer-causing Chromium 6 was a good and wise thing to do. The response calmed a lot of people's fears, and he was glad they were able to respond to that right away. Mrs. Pyke stated that she would like to go on record as saying that it is just appalling to her that anyone would publish something like that without first consulting experts. To put fear like that in the community when those facts that they put out, to her knowledge cannot be proved, is very irresponsible. She, personally, only had one call. When you start talking about parts per million and parts per billion, it's small, but if you're above an EPA permissible amount, it's scary. When you start throwing out names like Erin Brokovich and cancer, in her opinion, that is the worst type of reporting there can be.

Mayor Walters stated that Cuyahoga Falls is one of the rare communities with a water supply that is not surface water. Lake Rockwell, Lake Erie and, obviously Toledo, had a lot of problems. The City of Cuyahoga Falls' water is already permeated and it's below ground and, usually, Mother Nature has already cleansed that. There are certainly minerals and other things. He stated that Mrs. Pyke received a letter from Dave Young that kind of gives a rundown on all the testing they're required to do daily; almost hourly. He will make sure everyone on Council gets that letter, but, again, understand that the City has one of the best water sources there are. Most cities do not have that. They have surface water, which will catch most of the contaminants from acid rain and other things. Mrs. Pyke stated that she asked Mr. Young what company the City was using to test their water, and the company they are using is truly one of the best companies out there for testing water. They are certified and well-known for what they do, and she has no doubt of their results.

Mr. Iona stated that, as he looks on the rail, there are a majority of member who are of Italian descent. October 10th, Columbus Day, is coming soon. Cuyahoga Falls is the second largest city in Summit County. It does nothing for Columbus Day. What he would like to suggest that maybe there could be a Columbus Day Parade on a Saturday. They will have a great downtown area soon. Maybe in the next year or two, they should think about that. Mayor Walters stated that they will certainly explore that, as well as many other things for the Riverfront during the next few years.

Mr. Pallotta stated that if could revert back to the water issue, on the heels of the Flint, Michigan water fiasco, he thinks there should be some kind of responsibility for the people that put out

scare-tactic reports that have no foundation. There should be some kind of recompense for that, and there should be some kind of response the City should have in that regard.

Mr. James moved to adjourn, second by Mr. Iula. Motion passed, voice vote (11-0). Meeting adjourned at 7:08 p.m.

Mary Ellen Pyke, Council President

Dana M. Capriulo, Council Clerk