

Cuyahoga Falls City Council

Minutes of the Council Meeting of November 24, 2014

Call to Order Mrs. Pyke called the meeting to order at 6:30 p.m.

1. Roll Call

Present: Mr. Colavecchio
Mr. DeRemer
Mr. Iula
Mr. James
Mrs. Klinger
Mr. Mader
Mr. Pallotta
Mr. Rubino
Mrs. Snyder
Mr. Weinhardt
Mrs. Pyke

2. Invocation

The invocation was given by Mr. Mader.

3. Pledge of Allegiance

The Pledge of Allegiance was led by Mr. DeRemer.

4. Approval of Minutes of Previous Council Meeting.

Without objection, the minutes of the November 10, 2014 Council meeting were approved as submitted.

5. Reading of petitions, claims, communications and reports of City officials.

(None.)

6. Introduction of new ordinances and resolutions.

The following ordinances and resolutions were introduced and referred as noted:

To the Finance Committee:

Temp. Res. A-106: A resolution requesting the Summit County Fiscal Officer to make advance distribution of tax receipts payable to the City of Cuyahoga Falls, and declaring an emergency.

The following ordinance was introduced:

Temp. Ord. A-107: An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the replacement of a waterline in Schiller Avenue, from State Road to Portage Trail, and declaring an emergency.

Motion by Mr. Iula to suspend rule 111.05(f) to permit Council's consideration of Temp. Ord. A-107 without referral to committee. Seconded Mr. Mader. The President noted that the motion was requested by the administration. Motion adopted by acclamation, 10-1, Mr. Weinhardt objecting.

To the Public Affairs Committee:

Temp. Ord. A-108: An ordinance authorizing the Mayor to enter into an agreement with the Utility Workers' Union of America, Local 399 effective January 1, 2015, and declaring an emergency.

Temp. Ord. A-109: An ordinance authorizing the Mayor to enter into agreements to allow Fiber Technologies Networks, LLC, to access the City's rights of way and electric poles for the construction and maintenance of fiber optic cable, guy wires, new poles and other telecommunications equipment, and declaring an emergency.

Temp. Ord. A-110: An ordinance authorizing the Director of Law to enter into a contract or contracts with Mazanec, Raskin & Ryder Co., LPA, for legal services related to pending and potential tort litigation, and declaring an emergency.

To the Community Development Committee:

Temp. Ord. A-111: An ordinance authorizing the Director of Community Development to enter into a Community Reinvestment Area agreement with Arkay Properties, LLC, and declaring an emergency.

Motion by Mr. Pallotta to enter into executive session to review collective bargaining negotiations with the City's negotiating team, and to discuss pending litigation with legal counsel.

Seconded by Mr. Iula.

The President recognized Mr. Pallotta, who stated that his motion was made on request of the administration.

The question was called by Mr. Mader.

The roll was called.

Yes: Mr. Colavecchio No: (None)
Mr. DeRemer
Mr. Iula
Mr. James
Mrs. Klinger
Mr. Mader
Mr. Pallotta
Mr. Rubino
Mrs. Snyder
Mr. Weinhardt
Mrs. Pyke

Motion adopted. The Council entered executive session at 6:37 p.m.

The Council re-convened at 7:29 p.m.

Motion by Mr. Pallotta Mader to terminate the executive session. Seconded by Mr. Iula.

The roll was called.

Yes: Mr. Colavecchio No: (None) Absent:
Mr. DeRemer
Mr. Iula
Mr. James
Mrs. Klinger
Mr. Mader
Mr. Pallotta
Mr. Rubino
Mrs. Snyder
Mr. Weinhardt
Mrs. Pyke

Motion adopted. The executive session was terminated at 7:29 p.m.

The President read the title of Temp. Ord. A-107 : An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the replacement of a waterline in Schiller Avenue, from State Road to Portage Trail, and declaring an emergency.

The President recognized City Engineer Tony Demasi. Mr. Demasi stated that the administration is proposing to construct a new 12" water main in Schiller Ave. between State Road and Portage Trail, to improve water pressure in the area of State Road and Schiller Ave. Planning for this project began in 2012 when low pressure was discovered at a hydrant in that area. Design work was completed in 2013 and the EPA approved the project in 2014. In June 2014 the City applied for funding of the project from the Ohio Public Works Commission ("OPWC"), which was denied. The City decided to proceed with the project since it was budgeted for 2014. The purpose for requesting suspension of the rules is to allow the contract to be signed and 2014 money encumbered during the 2014 fiscal year. This project is not budgeted in 2015. The project bids were opened during the prior week and six bids were received. Construction will begin in March, 2015 and should be complete in two to three months.

The President asked if the new water main will receive new tap-ins. Mr. Demasi stated that taps on the 6-inch main will be transferred to the 12-inch main. The President asked if the main is under the pavement. Mr. Demasi stated the new main will be about 6 feet off of the north curb. The President asked if the street will be resurfaced one year later per the usual policy. Mr. Demasi stated the City is considering a new type of backfill that may permit immediate repaving. Whether that occurs has not been determined. The President asked if the repaving will be only over the trench as had occurred on Chestnut Blvd. Mr. Demasi stated that the repaving will be a "full mill and fill."

The President recognized Mr. Weinhardt, who asked why OPWC funding for the project was denied. Mr. Demasi stated that the City's projects compete for funding with other projects. The only project in District 8 that was awarded funding in 2014 was the \$8 million East Market Street project in Akron. The other two projects proposed by the City, Second Street water main and Purdue Street Storm Sewer, were also not funded. Mr. Weinhardt asked if the Schiller Ave. water main is the highest priority of the three projects. Mr. Demasi stated the City will proceed with the Second Street water main in 2015. The Purdue Street project will be considered later.

The President recognized Mrs. Klinger, who asked if the existing 6-inch water main crosses State Road. Mr. Demasi stated that it does. Mrs. Klinger asked if the 6-inch water main serves Cathedral Towers. Mr. Demasi stated it does not. Cathedral Towers is served by a water main on Maitland Ave., which was replaced in 2013.

Motion by Mr. Iula to adopt Temp. Ord. A-107. Seconded by Mr. Mader. Motion adopted by acclamation, 11-0. The ordinance was passed.

7. Public Hearings.

There were no public hearings.

8. Reports of Special Council Committees.

There were no reports of special committees.

9. Reports of Council's Standing Committees

Planning & Zoning Committee:

Temp. Ord. A-101: An ordinance accepting the Planning Commission approval, findings and conditions of the Riverwalk Mixed-Use Development-Phase 1 at 1749 S. Front Street and 1797 S. Front Street, 1803 S. Front Street and located on existing parcels 02-17769, 02-03122, 02-03123, 02-03124, 02-17696 and 02-1770 [sic] and declaring an emergency.

Motion by Mr. Mader to adopt Temp. Ord. A-101. Seconded by Mr. Weinhardt.

Remarks by the Committee Chair: None

Mr. Colavecchio called the question.

Motion adopted by acclamation, 11-0. The ordinance was passed.

Finance & Appropriations Committee:

Temp. Ord. A-104: 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.

Motion by Mrs. Klinger to adopt Temp. Ord. A-104. Seconded by Mr. James.

Remarks by the Committee Chair: None

Mr. James called the question.

Motion adopted by acclamation, 11-0. The ordinance was passed.

Public Improvements Committee:

(No report.)

Public Affairs Committee:

(No report.)

Community Development Committee:

Sub. Temp. Ord. A-105 (11/17/14): An ordinance authorizing the Mayor to enter into a contract or contracts, according to law, for cost sharing and reimbursement for environmental mitigation at 1745 S. Front Street with Falls River, LLC, and declaring an emergency.

Motion by Mr. Weinhardt to adopt Sub. Temp. Ord. A-105. Seconded by Mr. Pallotta.

Remarks by the Committee Chair: None.

Mr. Mader called the question.

Motion adopted by acclamation, 11-0. The ordinance was passed.

10. Announcement of Schedule of Council Committee meetings.


Planning and Zoning:	Dec. 1, 2014 at 6:30 p.m.
Finance:	Dec. 1, 2014 at 6:35 p.m.
Public Improvements:	Subject to call.
Public Affairs:	Dec. 1, 2014 at 6:40 p.m.
Community Development:	Dec. 1, 2014 at 6:45 p.m.

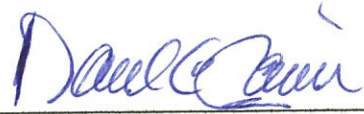
11. Miscellaneous Business

The President recognized Mrs. Klinger, who stated that she supports the Riverwalk development approved under Temp. Ord. A-101, but the City has a long history of parking problems in the South Front Street area. The City must address a long term solution to the parking problems there, even if it means putting money into the long term capital plan. The City will offer tax abatement and brownfield money to these projects, but future Councils will be burdened with another problem if the parking problem is not addressed in the City's long-term planning.

12. Adjournment

Motion by Mr. James to adjourn. Seconded by Mr. Lula. Motion adopted by acclamation. The meeting was adjourned at 7:42 p.m.


Mary Ellen Pyke
Council President



Paul A. Janis
Clerk of Council