

Cuyahoga Falls City Council

Minutes of the Council Meeting of June 23, 2014

Call to Order

Mrs. Pyke called the meeting to order at 6:32 p.m.

1. Roll Call

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

Absent: Mrs. Klinger
Mr. Pallotta
Mr. Weinhardt

2. Invocation

The invocation was given by Mr. Mader.

3. Pledge of Allegiance

The Pledge of Allegiance was led by Mrs. Snyder.

4. Approval of Minutes of Previous Council Meeting.

Without objection, the minutes of the June 9, 2014 Council meeting were approved as submitted.

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

The following communications were read into the record:

1. From the Dept. of Liquor Control, Notice dated June 2, 2014 of the application for a liquor agency contract by Tamarkin Co. dba Portage Crossing Giant Eagle #4036, 2687 State Road.

2. From the Finance Director, Report 21 as of May 31, 2014.

6. Introduction of new ordinances and resolutions.

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

To the Planning & Zoning Committee:

Temp. Ord. A-61

An ordinance authorizing the Director of Public Service to issue an encroachment permit to McDonalds Real Estate Co. for the purpose of constructing and maintaining a business identification sign in a portion of Graham Road Circle right of way and declaring an emergency.

Temp. Ord. A-62

An ordinance authorizing the vacation plat for sections of Portage Trail and Second Street associated with building encroachments at 140 Portage Trail and an amendment to an access agreement for Parcel 02-07052 and declaring an emergency.

To the Finance Committee:

Temp. Ord. A-63

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for overhead line clearance services including tree maintenance, tree and brush removal services, and mowing, for a period not to exceed two years, and declaring an emergency.

Temp. Ord. A-64

An ordinance providing for the issuance and sale of Notes in the aggregate principal amount of \$6,600,000, in anticipation of the issuance of Bonds, for the purpose of revitalizing the State Road redevelopment area by acquiring, clearing and improving certain properties in that area, and declaring an emergency.

To the Public Affairs Committee:

Temp. Ord. A-65

An ordinance authorizing Administration [sic] to enter into a contract or contracts after obtaining proposals for energy efficiency programs, and declaring an emergency.

Temp. Ord. A-67

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

Temp. Ord. A-68

An ordinance authorizing the Mayor to enter into an agreement with the Ohio Patrolmen's Benevolent Association effective January 1, 2014, and declaring an emergency.

Temp. Ord. A-69

An ordinance authorizing the Mayor to enter into an agreement with the Ohio Patrolmen's Benevolent Association effective January 1, 2014, and declaring an emergency.

To the Community Development Committee:

Temp. Res. A-70

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.

Motion by Mr. Iula to suspend rule 111.05(f) and to permit the introduction of Temp. Res. A-66 without referral to committee. Seconded by Mr. Mader.

The President recognized Mr. Iula, who stated that the administration has requested that the Council consider and vote on Temp. Res. A-66 at this meeting.

Mr Mader called the question. Motion adopted by acclamation, 8-0.

The following resolution was introduced without referral to committee:

Temp. Res. A-66

A resolution pledging cooperation by the City of Cuyahoga Falls, Ohio, in the matter of the improvements of sanitary sewers and storm sewers on Purdue Street, and declaring an emergency.

Motion by Mr. Iula to amend Temp. Res. A-66 by substitution with Temp. Res. A-66 dated 6/23/14. Seconded by Mr. James. Mr. Iula called the question. Motion adopted by acclamation, 8-0. The amendment was approved.

The President recognized the City Engineer Tony Demasi, who stated that the McCoy Study completed after the 2003-2004 flooding recommended improvements to storm sewers at several locations one of which being Purdue Street. The design work for this sewer upgrade was done in 2006-

2007, and the cost estimate was \$1.4 million at that time. This resolution will allow the City to apply for a grant from the Ohio Public Works Commission to perform this work. Previous grant funding requests were denied in 2007 and 2009. If successful this project would replace existing 66" sewers with 72" sewers, and existing 72" sewers with 78" sewers on Purdue Street from Hollywood Ave. to Graham Road. Incidental sanitary sewer, street and curb work would be included. The urgency relates to the fact that the application is due on June 27th. If the project receives funding, the money will be available July 1, 2015, and the project would be bid in 2016.

The President asked for the amount of the grant request. Mr. Demasi stated the project cost estimate is now \$2.4 million and the City is requesting 50% of that. The President asked if the project would proceed if the grant funding were not approved. Mr. Demasi stated that should the grant be denied, the decision to move forward with 100% City funds would need to be made by the administration. The President asked if this is the largest storm sewer project waiting to be funded. Mr. Demasi stated that this is the last of the large projects recommended in the McCoy Report. The other projects are smaller in scale.

The President recognized Mr. Colavecchio, who asked when the recommendations to make these improvements were made. Mr. Demasi stated the recommendations were made in 2005 and 2006. Mr. Colavecchio asked if the recent flooding changes the City's priorities, and whether there are other more important projects that should be funded first. Mr. Demasi stated that this project is not budgeted at all, and therefore it is not taking away funding from any other project.

Motion by Mr. Mader to adopt Substitute Temporary Resolution A-66 (6/23/14). Seconded by Mr. Iula.

Mr. Mader called the question.

Motion adopted by acclamation, 8-0. The resolution was adopted.

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

Finance & Appropriations Committee:

Temp. Res. A-56: A resolution authorizing the Director of Public Service to apply for and accept financial assistance in the form of a grant or loan from the Ohio Public Works Commission for replacement of a 6" water main in Second Street, and declaring an emergency.

Motion by Mr. Lula to adopt Temp. Res. A-56. Seconded by Mr. James.

Remarks by the Committee Chair: None

Mr. James called the question.

Motion adopted by acclamation, 8-0. The resolution was adopted.

Temp. Res. A-57: A resolution authorizing the Director of Public Service to apply for and accept financial assistance in the form of a grant or loan from the Ohio Public Works Commission for replacement of a 6" water main in Schiller Avenue, and declaring an emergency.

Motion by Mr. Lula to adopt Temp. Res. A-57. Seconded by Mr. James.

Remarks by the Committee Chair: None

Mr. James called the question.

Motion adopted by acclamation, 8-0. The resolution was adopted.

Public Improvements Committee:

Temp. Ord. A-58: An ordinance authorizing the Director of Public Service to enter into a contract or contracts without competitive bidding with Arbor Construction Company for the construction of sidewalks, landscaping and other public improvements on State Road, Portage Trail, and Lillis Drive, and declaring an emergency.

Motion by Mr. Lula to amend Temp. Ord. A-58 by substitution with Substitute Temp. Ord. A-58 dated 6/23/14. Seconded by Mr. Mader.

Remarks by the Committee Chair: Mr. Lula stated that this amendment adds the wording "in an amount not to exceed \$315,000" on line 15.

The President stated that the same wording has been added on line 52.

Mr. Mader called the question.

Motion adopted by acclamation, 8-0. The amendment was approved.

Motion by Mr. Iula to adopt Sub. Temp. Ord A-58 (6/23/14). Seconded by Mr. Mader.

Remarks by the Committee Chair: None

Mr. Mader called the question.

Motion adopted by acclamation, 8-0. The ordinance was passed.

Public Affairs Committee:

Temp. Ord. A-59: An ordinance authorizing the Mayor to enter into an agreement with the Fraternal Order of Police, Ohio Labor Council, Inc. effective January 1, 2014, and declaring an emergency.

Motion by Mr. DeRemer to adopt Temp. Ord. A-59. Seconded by Mrs. Snyder.

Remarks by the Committee Chair: None

Mrs. Snyder called the question.

Motion adopted by acclamation, 8-0. The ordinance was passed.

Temp. Ord. A-60: An ordinance authorizing the Mayor to enter into an agreement with the American Federation of State, County and Municipal Employees (AFSCME), Local 2662, effective January 1, 2014, and declaring an emergency.

Motion by Mr. DeRemer to adopt Temp. Ord. A-60. Seconded by Mrs. Snyder.

Remarks by the Committee Chair: None

Mrs. Snyder called the question.

Motion adopted by acclamation, 8-0. The ordinance was passed.

10. Announcement of Schedule of Council Committee meetings.

Planning and Zoning:	July 7, 2014 at 6:30 p.m.
Finance:	July 7, 2014 at 6:35 p.m.
Public Improvements:	Subject to call.
Public Affairs:	July 7, 2014 at 6:45 p.m.

Community Development: July 7, 2014 at 6:50 p.m.

11. Miscellaneous Business

The President announced the formation of an ad hoc committee to investigate the feasibility of a resolution recommending an alternative to payday and auto title lenders for the residents of Cuyahoga Falls, Mr. Pallotta as Chair, Mr. Mader as Vice Chair, and Mrs. Snyder as member.

The President recognized the Finance Director, who provided comments on the Report 21 as of May 31, 2014. Total General Fund revenue YTD is up \$139,000 over 2013. The City budgeted for estate tax proceeds of \$150,000 but recently received a report from the County Fiscal Officer that such proceeds are estimated to be \$400,000 in 2014. Income tax transfers in (General Fund portion) YTD are up \$270,000 over 2013. In Special Revenue Funds, gasoline excise taxes are up \$10,000 YTD over 2013; however, cable television franchise fees are down \$26,000. In the Enterprise Funds, charges for services in the Water Fund are up \$52,000 YTD over 2013. High pressure surcharge fees are up \$246,000. These increases are associated with new construction, primarily the French Mill Run development. The Electric fund is up \$1.878 million YTD over 2013 due to the Power Cost Factor. Basic charges for services are up \$416,000. The City budgeted \$1.3 for this line item. It is projected the City will finish the year \$755,000 higher than this amount. Natatorium charges for services are still down, but not as severely as in prior months. The hospitalization fund is a bit higher YTD but the excess is expected to even out in July. On the expenditure side, total General Fund expenditures are up \$159,000 YTD over 2013. This is due to some one-time payments and timing issues. Prescription drugs benefit payments remain quite a bit higher than last year, currently \$29,000 per week versus \$20,000 per week in 2013. This is primarily due to the cost of name-brand prescription drugs. The fiscal year for the Community Development Block Grant Fund will change from a July 1st start to a January 1st start. As a result, the City's allocation for this fiscal year will increase \$300,000 as a result. The state has indicated that emergency funds will cover 75% of the public infrastructure costs associated with the recent flooding. The administration is currently preparing a report supporting this assistance.

The President recognized Mr. Rubino, who asked if the Finance Director is able to predict what the City's final General Fund balance will be at the end of the year. The Finance Director stated that the original projection that the balance would be \$1.5 million less than 2013 has been revised and is now projected to be only \$500,000 less than 2013.

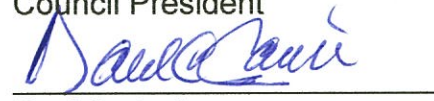
Motion by Mr. Iula to excuse the absences of Mrs. Klinger, Mr. Pallotta and Mr. Weinhardt. Seconded by Mr. James. Motion adopted by acclamation, 8-0.

12. Adjournment

Motion by Mr. James to adjourn. Seconded by Mr. Iula. Motion adopted by acclamation. The meeting was adjourned at 7:02 p.m.



Mary Ellen Pyke
Council President



Paul A. Janis
Clerk of Council