

Cuyahoga Falls City Council

Minutes of the Council Meeting of July 28, 2014

Call to Order

Mrs. Pyke called the meeting to order at 6:35 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. Weinhardt.

4. Approval of Minutes of Previous Council Meeting.

Without objection, the minutes of the July 14, 2014 and July 21, 2014 Council meetings 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 Public Improvements Committee:

Temp. Ord. A-81: An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the

reconstruction of concrete pavement at various locations in the City, and declaring an emergency.

Motion by Mr. Mader to enter into executive session to discuss pending litigation with legal counsel.

Seconded by Mr. Iula. 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 6:38 p.m.

The Council re-convened at 6:57 p.m.

Motion by Mr. 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 6:57 p.m.

The President recessed the meeting at 6:57 p.m. for a special meeting of the Public Affairs Committee.

The President reconvened the meeting at 7:51 p.m.

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:

(No report.)

Finance & Appropriations 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.

Motion by Mrs. Klinger to adopt Temp. Ord. A-63. Seconded by Mr. Iula.

Remarks by the Committee Chair: None

Mr. James called the question.

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

Temp. Ord. A-71: An ordinance providing for the issuance and sale of Notes in the aggregate principal amount of \$500,000, in anticipation of the issuance of Bonds, for the purpose of paying costs of widening State Road from Graham Road to Quick Road by constructing sidewalks, bike lanes, curbs, storm water management improvements, signalization and street lighting and other improvements, and declaring an emergency.

Motion by Mrs. Klinger to adopt Temp. Ord. A-71. Seconded by Mr. Iula.

Remarks by the Committee Chair: None

Mr. James called the question.

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

Temp. Ord. A-72: An ordinance authorizing the Director of Public Service to enter into a contract or contracts without competitive bidding with ATT for special phone circuits, and declaring an emergency.

Motion by Mrs. Klinger to adopt Temp. Ord. A-72. 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.

Sub. Temp. Ord. A-73 (7/14/14): An ordinance authorizing the Director of Public Service to enter into a contract without competitive bidding with Siemens Industry, Inc. for the purchase and installation of equipment for the 23kv upgrade project for use by the Electric Department, and declaring an emergency.

Motion by Mrs. Klinger to adopt Sub. Temp. Ord. A-73 (7/14/14). Seconded by Mr. Iula.

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:

Sub. Temp. Ord. A-65 (7/21/14): An ordinance authorizing the Director of Public Service and Director of Community Development to enter into a contract or contracts, after obtaining proposals, for an energy efficient program or programs, and declaring an emergency.

Motion by Mr. Pallotta to adopt Sub. Temp. Ord. A-65 (7/21/14). Seconded by Mr. Weinhardt.

Remarks by the Committee Chair: Mr. Pallotta thanked Mr. Dougherty for his work on the program, which will save residents and businesses substantial energy costs.

Mr. DeRemer called the question.

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

Temp. Ord. A-75: An ordinance amending Part Nine of the Codified Ordinances of the City of Cuyahoga Falls by the amendment of Section 933.121(a), and declaring an emergency.

Motion by Mr. Pallotta to adopt Temp. Ord. A-75. Seconded by Mr. Weinhardt.

Remarks by the Committee Chair: None

Mr. DeRemer called the question.

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

Temp. Ord. A-76: An ordinance authorizing the Mayor to enter into a contract or contracts, according to law, to allow Don Sitts Auto Sales, Inc. access to the City's rights of way, and declaring an emergency.

Motion by Mr. Pallotta to adopt Temp. Ord. A-76. Seconded by Mr. Weinhardt.

Remarks by the Committee Chair: Mr. Pallotta stated that each encroachment needs to be assessed on an individual basis.

Mr. DeRemer called the question.

Motion adopted by acclamation, 10-1, Mrs. Pyke objecting. The ordinance was passed.

Temp. Ord. A-77: An ordinance establishing compensation levels for non-bargaining employees of the City of Cuyahoga Falls for calendar years 2014, and 2015, and declaring an emergency.

Motion by Mr. Pallotta to adopt Temp. Ord. A-77. Seconded by Mr. Weinhardt.

Remarks by the Committee Chair: Motion by Mr. Pallotta to amend Temp. Ord. A-77 by substituting the Exhibit "A" with a new Exhibit "A" dated July 21, 2014, and to re-title the new Exhibit "A" as "Full-time non-bargaining position & pay grade classifications as of July 28, 2014."

Seconded by Mr. Weinhardt. Mr. DeRemer called the question.

Motion adopted by acclamation, 11-0. The amendment was approved.

The matter on the floor became the adoption of Temp. Ord. A-77 as amended.

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

Community Development Committee:

Sub. Temp. Res. A-70 (7/21/14): 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. Weinhardt to adopt Sub.Temp. Res. A-70 (7/21/14).
Seconded by Mr. Pallotta.

Remarks by the Committee Chair: Mr. Weinhardt thanked the President and the Community Development Director for their work in clarifying the status of rental properties under tax abatement laws.

Mr. Colavecchio called the question.

Motion adopted by acclamation, 11-0. The resolution was adopted.

10. Announcement of Schedule of Council Committee meetings.

Planning and Zoning:	Sept. 2, 2014 at 6:30 p.m.
Finance:	Subject to call.
Public Improvements:	Sept. 2, 2014 at 6:35 p.m.
Public Affairs:	Sept. 2, 2014 at 6:40 p.m.
Community Development:	Subject to call.

11. Miscellaneous Business

The President recognized Mrs. Klinger, who asked the Finance Director to review the Report 21 submitted for the period ending June 30, 2014. On the revenue side, Mr. Hoffman stated that the City is anticipating a small decline in total property tax receipts, approximately in the amount of \$150,000. Admissions tax receipts appear high, but this is a timing issue and the City anticipates these receipts will track almost the same as 2013. The previous report of higher-than-estimate Estate Tax receipts was in error. It is now anticipated that Estate Tax receipts will be only slightly above anticipated budget of \$150,000. Income Tax receipts are up YTD over 2013 and income tax refunds are significantly down YTD. In the

Enterprise funds, the charges for services revenue in the water and sewer funds have increased substantially due to new development in the City. The sewer fund charges for services is up YTD \$106,000 over 2013. The water fund charges for services is up \$213,000 YTD over 2013. In the Electric Fund, the charges for services and PCF charges are both trending up. In the Leisure Time Fund, the Natatorium is still behind last year's YTD. Water Works is up \$15,000 YTD compared to 2013. Brookledge is trending very similar to last year. Quirk is up \$3,800 YTD over 2013. Downview is slightly behind last year's YTD.

On the expenditure side, charges for sewer rates will increase since Akron has announced that sewer rates charged to the City will increase, but the exact amount is not known at this time. Prescription drug costs as part of the City's health care plan are still higher YTD than 2013, although they are now trending closer to last year's numbers. The City spends \$28,000 per week on prescription drugs. Last year it was \$21,000 per week. The problem is the use of name-brand prescription drugs. The City will be working with its health insurance consultant next year to create incentives for employees to use generic rather than name brand prescription drugs.

The President recognized Mr. Lula, who asked the Water Superintendent to report on a water main break on Graham Road. Mr. Christopher stated that the main broke at 1:30 a.m. on July 27 in front of Giant Eagle. The main was isolated and a 10-foot section of 16" main was cut out and replaced with stock the City has on hand. The job was completed at 9:30 p.m. on July 27. There was another main break on a 6" main on Graham at Prange Drive that was repaired later that evening. A boil advisory has been issued for Graham Road area, as a precaution. Mr. Lula asked how much of the road will need to be repaved. Mr. Christopher stated that Perrin asphalt will be on site the next day to backfill for a permanent patch, but it is unclear what other work will be necessary. Mr. Lula asked if this is the same water main which broke at the same location three years earlier. Mr. Christopher stated that it is.

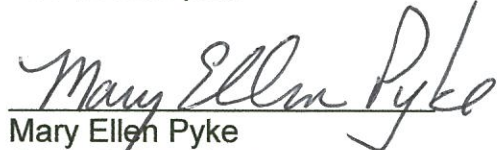
The President presented the Mayor with personal contributions of the members of City Council in the amount of \$650 toward the Mayor's Crime Fighters initiative.

The President recognized Mr. Colavecchio, who asked if the revision to the Menard's property purchase agreement will be submitted to Council in advance of any special meeting in August. Mrs. Pyke asked the Law Director when he anticipates being ready to provide a revised purchase agreement. The Law Director stated that there are only a few issues remaining, but he cannot control how much time will be taken by Menard's management to sign-off on the final language once it is approved by their negotiators. The President stated that Council should plan on a Council

Meeting and a Public Affairs Committee on August 11th. The President recognized Mr. Pallotta, who announced a Public Affairs Committee meeting on August 11, 2014 at 6:30 p.m. The President announced a Council Meeting on August 11, 2014 at 6:29 p.m.

12. Adjournment

Motion by Mr. James to adjourn. Seconded by Mr. Iula. Motion adopted by acclamation. The meeting was adjourned at 8:20 p.m.



Mary Ellen Pyke
Council President



Paul A. Janis
Clerk of Council