

**Cuyahoga Falls City Council**  
**Minutes of the Finance Committee Meeting**  
**May 21, 2007**

**Members:** Tim Gorbach, Chair  
Jerry James  
Carol Klinger

Mr. Gorbach called the meeting to order at 6:22 p.m. All members were present.

**Legislation Held:**

None

**Legislation Considered**

Temp. Ord. B-65  
Temp. Ord. B-73

**Discussion:**

**Temp. Ord. B-73**

An ordinance authorizing the Director of Finance to pay Kenmore Construction Company, Inc., for emergency repairs to the road embankment on Akron-Peninsula Road north of Ira Road, and declaring an emergency.

Mr. Demasi stated that recent rains have caused severe erosions along the Cuyahoga River. The damage was to the basin and guard rail. The repairs were completed in March. They worked closely with the Army Corps, who issued the required permit quickly due to the urgency of making the repairs.

Mr. Gorbach confirmed that the money was coming out of the storm drainage utility fund. Mr. Demasi stated it would come out of the line item called "miscellaneous repairs." He stated that the repairs made last year to North Hampton Road also came out of that fund.

*The Committee recommended bringing out Temp. Ord. B-73 for approval.*

**Substitute Temp. Ord. B-65**

An ordinance authorizing the Director of Public Service to enter into a contract or contracts according to law with the City of Akron to provide for water sharing and tax sharing, and declaring an emergency.

Mr. Gorbach stated that since this ordinance was related to B-74 in Public Affairs, the two committees may combine in order to discuss both aspects of the legislation.

Mrs. Carr stated the City has been in negotiations with Akron for three years on a water agreement. There was a clause in the Hardy Road Landfill agreement that stated both parties would negotiate in good faith to come to agreement concerning water lines and water service in the area. Customers will be charged Akron's rate plus 45%. This is standard in all of Akron's agreements.

The first part that was negotiated were the areas that had existing Akron-owned water lines. If a resident lives on a parcel on one of these lines, that resident may tap into the line and pay Akron's tap-in fee which is based on front footage. The resident would then pay the Akron rate plus 45% for their usage. The second group negotiated were areas where lines do not exist but it is feasible that connector lines could be installed. The full cost of the installation of these lines would be borne by either a developer looking to develop a particular parcel or parcels or by a group of residents who would get together and have the lines built. The lines would be approved by Akron and also belong to Akron. The third part were areas in the City that are currently served by Akron. The first area looked at in this part was Towpath Village. Currently, residents there are paying Akron's rate plus 70%. The additional amount over the 45% was paid into an account that would then be used to make repairs to the lines. Over the course of negotiations, there is \$30,000 in an account held by Akron and also \$30,000 in an account held by Cuyahoga Falls. The agreement states the City will release control of the lines back to Akron, and will forward the City's share of this money (\$30,000) which was paid towards replacement of the lines. These lines are 35 years old. Engineering has estimated that it would cost in excess of \$700,000 to replace the lines based on 2005 rates. This agreement will also revise the rate paid by residents of Towpath Village to Akron's rate plus 45%. With regard to the businesses on Akron-Peninsula Road, there are currently five agreements that pay a rate of Akron's rate plus 45% and, also, there is an additional 50% tax sharing. The negotiated agreement now states that any business currently tapped into the Akron water line will be grandfathered in and those parcels will no longer be subject to tax-sharing. However, if a parcel is sold or developed or if there is a change in ownership, it will then fall under the tax-sharing agreement.

In addition, the agreement allows the Cuyahoga Falls to place fire hydrants on the lines. Akron has been very cooperative with the City in this regard. The City has ordered the hydrants and will be installing them as soon as the agreement is signed. The term of the agreement is 50 years.

Mr. Gorbach confirmed that the City will still be responsible for the roads. Mrs. Carr indicated that the City and Akron have worked well with coordinating areas that need pavement work done and water line repair/replacement. There is a coordination meeting held each year and replacement plans and schedules are made based on that meeting.

Mrs. Carr also stated that in regard to the Akron-Peninsula properties, they will be able to get the water but the City does not have to enter into tax sharing until the property changes hands or is sold. She added that there are a couple of parcels that are exceptions to the tax-sharing agreement. Those parcels are located on Portage Trail. The exception is because the Akron-Peninsula water was in before this line.

Mrs. Klinger asked if Akron has voted on this agreement. Mrs. Carr stated they wanted to make sure the Cuyahoga Falls City Council was in favor first. It has not yet been introduced.

Mr. Barnhart asked for an opinion on what the estimated cost would be to get water to the properties on Dillon. Mrs. Carr stated she would get that.

Mrs. Klinger asked if the line on Akron-Peninsula was a high-pressure line. Mrs. Carr stated she believed it was. Mrs. Klinger also stated that the last time the City looked at an Akron water agreement, there was a cap at a dollar limit or front footage. Mrs. Carr stated there was no cap in this agreement. It refers to a chart that changes each year as the rates change. She offered to take a random parcel and calculate the costs out so Council could see what was involved.

Mrs. Carr stated the water agreement goes together with the boundary adjustments but since the County needs to approve the boundary adjustments, they felt it was best to split them into two pieces of legislation...one for the Akron side and one for the County side. She also wanted to point out there was

one other tax agreement that was currently being worked on when this agreement was put together and that was the sixth amendment to the current tax agreement. 3077 Akron-Peninsula Road is the national park who has been trying to get water for over a year. Akron wanted to wait until this agreement was in place. 1919 Akron-Peninsula is currently getting Akron water but there is a change of company so they will probably fall under the tax sharing. There is also another good faith statement attached to this agreement. Our sewer agreement with Akron has expired and we need to renegotiate. This agreement says we will in good faith renegotiate that agreement.

Mrs. Carr stated all of the properties affected by the swap. Mrs. Syx stated the four parcels are on Smith Road are already in the City of Akron and would like to be in Akron. Mr. Gorbach added that the property owners have been petitioning for this change. Mrs. Syx stated the other the properties are off of Smith Road and are complete surrounded by Akron. In exchange, the City receives the parcel at the northwest corner of Ascot, which abuts the former horse farm. Basically, we are getting 20.07 acres and we are giving 23.83 to Akron.

Mrs. Ritzinger stated the owner of the property was present. John Stathopolis stated since he bought the property five or six years ago, he and his daughter have wanted that property to be annexed by the City. He stated it is zone industrial and now that the City is getting it, it will have control over what type of development actually occurs.

Mrs. Pyke confirmed that the properties going to Akron were served by First Energy, including the motorcycle club. Mrs. Hummelasked if the swap included all of the motorcycle club property or just the part at Riverview and Smith Roads. Mrs. Car stated it was just the bottom part.

***The Committee recommended bringing out Substitute Temp. Ord. B-64 for approval.***

The meeting adjourned at 6:55 p.m.