

CUYAHOGA FALLS CITY COUNCIL

Minutes of the Council Meeting

June 25, 2018

- Call to Order:** Ms. Nichols-Rhodes at 6:30 p.m.
- Roll Call:** Mr. Brillhart, present; Mr. Colavecchio, absent; Mr. Gorbach, present; Mr. Iona, present; Mr. Iula, present; Mr. James, present; Mr. Miller, present; Ms. Nichols-Rhodes, present; Mr. Pallotta, present; Mrs. Pyke present; Mr. Reilly, present.
- Invocation:** Mr. Brillhart
- Pledge of Allegiance:** Mr. Reilly
- Approval of Minutes:** None.
- Reports and Communications:** None.

New Legislation

(First Reading)

Temp. Ord. A-57 (Planning and Zoning)

An ordinance accepting the Planning Commission approval, findings and conditions of the site plan for the City of Cuyahoga Falls new Fire Station 3 at 1601 Portage Trail, and declaring an emergency.

Temp. Ord. A-58 (Finance)

An ordinance authorizing the Parks and Recreation Board to enter into a contract or contracts, according to law, to renovate the basketball courts and construct a new tennis court at Kennedy Park, and declaring an emergency.

Temp. Ord. A-59 (Finance)

An ordinance authorizing the Mayor to enter into a land swap agreement with Cuyahoga Falls City School District in connection with the new Fire Station 3 at 1601 Portage Trail, and declaring an emergency.

Temp. Ord. A-60 (Public Improvements)

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, with Kenmore Construction Company, Inc., for emergency service to repair and stabilize the roadway and ditch failure along Yellow Creek Road, between Sand Run Road and Bath Road, and declaring an emergency.

Reports of Council's Standing Committees

(Third Reading)

Planning & Zoning

Temp. Ord. A-48

An ordinance authorizing and approving the Woodland Preserve Final Subdivision Plat and Improvement Plans for Parcel 35-06575, and declaring an emergency.

Mr. Brillhart moved to adopt Temp. Ord. A-48, second by Mr. Iona. Motion passed, voice vote (9-1) (Pyke).

Temp. Ord. A-49

An ordinance accepting the Planning Commission approval, findings and conditions of the site plan for the City of Cuyahoga Falls Police Department indoor shooting range and police training facility at 3497 Wyoga Lake Road (Parcels 35-02402, 35-01823, 35-01824, 35-01822, 35-01821 and 35-01820), and declaring an emergency.

Mr. Brillhart moved to adopt Temp. Ord. A-49, second by Mr. Iona. Motion passed, voice vote (10-0).

Finance & Appropriations:

Temp. Ord. A-50

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the demolition and removal of demolition debris from dangerous buildings located at 2464 23rd Street and certifying the cost thereof to the County Fiscal Officer for collection in the manner provided by law, and declaring an emergency.

Mr. Gorbach stated that the question was asked by Mrs. Pyke at the committee meeting if this had gone through court. Since the last meeting, Council has received information saying that this had gone through the Mayor's Court. There was five separate hearings regarding it. The owner had attended it, and the owner was aware that the City was going to be pursuing this legislation for demolition.

Mr. Gorbach moved to adopt Temp. Ord. A-50, second by Mr. James. Motion passed, voice vote (10-0).

Temp. Ord. A-51

An ordinance providing for the issuance and sale of bonds in the maximum aggregate principal amount of \$11,170,000, for the purpose of paying the costs of (a) improving Front Street, Second Street, Oakwood Drive, Stow Avenue and Broad Boulevard between certain termini, including the improvement, construction and installation of sidewalks, bike lanes, curbs, pavement, signalization, street lighting, turn lanes, and all related improvements and appurtenances, (b)

improving the City's storm and sanitary sewer systems by constructing and replacing storm and sanitary sewer lines, manholes, service connections and laterals on 18th Street between Ohio Avenue and Phelps Avenue, together with all necessary appurtenances thereto and (c) constructing, reconstructing, improving and rehabilitating the City's Green Parking Garage, Blue Parking Garage and Red Parking Garage by the construction, improvement and installation of concrete and masonry, the waterproofing of the existing structures, the construction of drainage upgrades, and the acquisition and installation of new elevators and the modernization of existing elevators, and all related improvements and appurtenances, and declaring an emergency.

Mr. Gorbach stated that, for the record, Mr. Balthis sent all of Council a link to the Ohio Revised Code that references what was discussed at the last meeting with respect to the maximum years allowed for debt for certain items.

Mr. Gorbach moved to adopt Temp. Ord. A-51, second by Mrs. Pyke. Motion passed, voice vote (10-0).

Temp. Ord. A-52

An ordinance authorizing the Mayor to enter into a contract or contracts, without competitive bidding, with Out Of The Box Enterprises, LLC and MUI Construction for the acquisition and construction of a seasonal ice rink, and declaring an emergency.

Mr. Gorbach stated that, for the record, Council did receive information concerning this legislation throughout last week. Mrs. Kline had sent Council an e-mail indicating that the City will use their facilities to store the ice rink. In addition, Council received the contract requested from Mr. Balthis. It did confirm that this price is for the ice rink and the construction the first year of install and teardown. Years two and three were options.

Mr. Gorbach moved to adopt Temp. Ord. A-52, second by Mr. James. Motion passed, voice vote (9-1) (Iona).

Public & Industrial Improvements:

Temp. Ord. A-53

An ordinance authorizing the Director of Public Service to purchase certain interests in real property located on Parcel 02-19574, necessary for the improvement of Howe Avenue between Main Street and Buchholzer Boulevard, and declaring an emergency.

Mr. James moved to adopt Temp. Ord. A-53, second by Mr. Iula. Motion passed, voice vote (10-0).

Public Affairs:

Temp. Res. A-54

A resolution of intent to appropriate certain property along Howe Avenue between Main Street and Buchholzer Boulevard, and declaring an emergency.

Mr. Brillhart moved to adopt Temp. Ord. A-54, second by Mr. Reilly. Motion passed, voice vote (10-0).

Temp. Ord. A-55

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

Mr. Brillhart moved to adopt Temp. Ord. A-55, second by Mr. Pallotta. Motion passed, voice vote (10-0).

Community Development:

Temp. Ord. A-56

An ordinance authorizing the Mayor to execute the Summit County Intergovernmental Memorandum of Understanding for Job Creation and Retention and Tax Revenue Sharing, and declaring an emergency.

Mr. Reilly moved to adopt Temp. Ord. A-56, second by Mr. Gorbach. Motion passed, voice vote (10-0).

Schedule of Committee Meetings

Planning & Zoning:	July 2, 2018, 6:30 p.m.
Finance:	July 2, 2018, 6:35 p.m.
Public Improvements:	July 2, 2018, 6:40 p.m.
Public Affairs:	Subject to Call.
Community Development:	Subject to Call.
Special Committee:	July 2, 2018, 6:45 p.m.

Miscellaneous Business

Mr. Bryan Hoffman, Finance Director, stated that, in the General Fund Revenues under Real Estate, the City has received its settlement. Those are up to where they had anticipated. Local Government, from the County perspective, is up almost \$19,874 from last year. In the other funds under Revenue, one that they have been watching very carefully is Municipal Income Tax. Currently, through the month of May, it's down \$296,725 from 2017. They have been tracking

that on a weekly basis, and there is some growth in withholding. Where they see some lagging numbers is in net profit. That is the one area the State has partly taken over. They do have a number of accounts that have gone through the State system. There's going to be a little bit of a lag there from their filing. He will have updates on that monthly, and they will be discussing that as time goes on.

Mr. Hoffman stated that, in the SCMR Fund, the gasoline excise tax has continued to creep up a little bit more from last month. It's now \$5,576 from 2017. The Leisure Time charges for services, the Natatorium is up \$5,593 over 2017. That's really flat. They haven't seen much variation in the Natatorium as the year has gone on. Waterworks is up \$47,475. That is primarily due to passes this year. They will start to see actual daily activity in the next report through June. There were only a couple days they were open in May, so, there's not a lot of daily activity in there. Brookledge is down \$33,127 and Downview is down \$12,644. He attributes that to the weather not being good this spring. Hopefully, as time goes on this summer, they will be able to see those numbers normalize and get better.

Mr. Hoffman stated that the expense side of things seem to be pretty stable. He does report on Hospitalization, Dental and Prescription, because those are line items that they have been watching closely. On a cash basis in the Self-Insurance Fund, Hospitalization and Dental is only up \$2,933, but Prescription Drugs are up \$114,697. Those are fairly flat. He is not worried about those at this point in time. He will continue to watch them.

Mr. Gorbach asked if, regarding the Municipal Income Tax, the State given any guidance insofar as what they feel their payment frequency is going to be and/or what the lag time is from when they receive a return. Mr. Hoffman stated that they have given them a number of about two months. They'll receive it, and it will take them a little bit of time to get it reconciled on their end; then they'll distribute it to the City. This is new to them, so they're working through some bumps, and they're trying to get everything together on their end, so that the reporting is done, and they can distribute. They will see how this process goes as time goes on.

Mrs. Pyke stated that, on pages 15 and 16 of the budget sheet, the actual as-of date is 4/30/17 instead of 5/31. She asked if those are numbers for 4/30 or for 5/31. Mr. Hoffman stated that that was in error. It is actually 5/30.

Mr. James moved to excuse the absence of Mr. Colavecchio from tonight's meeting, second by Mr. Gorbach. Motion passed, voice vote (10-0).

Mr. James moved to adjourn, second by Mr. Iula. Motion passed, voice vote (10-0). Meeting adjourned at 6:54 p.m.

Mary Nichols-Rhodes, Council President

Dana M. Capriulo, Clerk of Council