

CUYAHOGA FALLS CITY COUNCIL

Minutes of the Council Meeting

July 23, 2018

- Call to Order:** Ms. Nichols-Rhodes at 6:30 p.m.
- Roll Call:** Mr. Brillhart, present; Mr. Colavecchio, present; 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. Colavecchio
- Approval of Minutes:** The minutes of the July 9, 2018 Council meeting were approved as written.
- Reports and Communications:** None.

Ms. Nichols-Rhodes appointed a Committee-of-the-Whole, with herself as Chair, to review the Mayor's appointments.

Council recessed into a Committee-of-the-Whole at 6:35 p.m. and reconvened at 6:44 p.m.

Reports of Council's Special Committees

Mr. James moved to approve the Mayor's appointments, second by Mr. Pallotta. Motion passed, voice vote (11-0).

New Legislation
(First Reading)

Temp. Ord. A-67 (Finance)

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-68 (Finance)

An ordinance authorizing the Director of Public Service to enter into a contract or contracts with an engineering firm or firms to provide professional engineering services for improvements to Barney's Busy Corners, and declaring an emergency.

Reports of Council's Standing Committees
(Third Reading)

Planning & Zoning

No Report.

Finance & Appropriations:

Temp. Ord. A-61

An ordinance accepting applications submitted by financial institutions and designating depositories for the active and interim funds of the City of Cuyahoga Falls for the five year period beginning August 23, 2018 and ending August 22, 2023, and declaring an emergency.

Mr. Gorbach moved to adopt Temp. Ord. A-61, second by Mrs. Pyke. Motion passed, voice vote (11-0).

Public & Industrial Improvements:

No Report.

Mr. James moved to recess into a Public Affairs Committee meeting, second by Mr. Gorbach. Motion passed, voice vote (11-0).

Council recessed into a Public Affairs Committee meeting at 6:48 p.m. and reconvened at 6:44 p.m.

Public Affairs:

Temp. Ord. A-62

An ordinance amending Chapter 505 of the Codified Ordinances, relating to animals and other fowl in the City of Cuyahoga Falls, and declaring an emergency.

Mr. Brillhart moved to adopt Temp. Ord. A-62, second by Mr. Reilly. Motion passed, voice vote (11-0).

Temp. Ord. A-63 (Substitute Dated 7/16/18)

An ordinance authorizing and directing the submission to the electors of the City of Cuyahoga Falls a proposal to amend Article V, Section 2 of the Charter of the City of Cuyahoga Falls, to establish a May primary election date for municipal elections in the City of Cuyahoga Falls, in order to reduce the cost of the primary election for Cuyahoga Falls taxpayers and uphold the voting rights of military service members and overseas citizens, to be voted upon at the next regular City-wide election on November 6, 2018, and declaring an emergency.

Mrs. Pyke stated that she does not support Temporary Ordinance A-63 (Substitute Dated 7/16/18); however, she will be voting in favor of it to allow it to go before the voters of Cuyahoga Falls for a vote. Mr. Pallotta stated that he agrees with Mrs. Pyke. He has concerns about campaigning in the months of February, March and April and it being dark earlier during the week and the icy conditions. He has seen too many people slip and fall on the ice just on flat ground, let alone when climbing steps to somebody's house. For him, it's a safety issue, but he will let it go to the voters of Cuyahoga Falls to vote on this.

Mr. Gorbach stated that the City would have saved close to \$50,000 moving it to May instead of September. This isn't about City Council. They're not voting here about what's best for them. They're not voting about what's best for someone else that wants to run for City Council. If someone wants to run for City Council, they know there is a primary in May, and they run it in the best way they know how to run it in a satisfactory manner. Cuyahoga Falls is one of a handful of cities in Ohio that has a primary in September, so, clearly, people have figured it out. Cuyahoga Falls is not the only community the Summit County that's looking to do this. There have been a lot of high-ranking people that have given this a lot of thought. Mr. Gorbach stated the he supports it wholly tonight, and he will support it in the ballot box when he votes on it in November. Ms. Nichols-Rhodes stated that she would like to echo Mr. Gorbach's sentiment. It's about the voters having a decision, and it will save the taxpayers money.

Mr. Brillhart moved to adopt Temp. Ord. A-63 (Substitute Dated 7/16/18), second by Mr. Reilly. Motion passed, voice vote (11-0).

Temp. Ord. A-64

An ordinance authorizing the Mayor to enter into an agreement to allow MCImetro Access Transmission Services Corp. to access the City's rights of way and electric poles for the construction and maintenance of fiber optic cable, guy wires and other appurtenances, and declaring an emergency.

Mr. Brillhart moved to adopt Temp. Ord. A-64, second by Mr. Reilly. Motion passed, voice vote (11-0).

Temp. Ord. A-65

An ordinance authorizing and directing the appropriation of certain interests in real property necessary for the improvement of Howe Avenue between Main Street and Buchholzer Boulevard, and declaring an emergency.

Mr. Brillhart moved to adopt Temp. Ord. A-65, second by Mr. Pallotta. Motion passed, voice vote (11-0).

Community Development:

Temp. Ord. A-66

An ordinance approving the Community Development Block Grant Annual Action Plan for fiscal year 2018, and declaring an emergency.

Mr. Reilly stated that he would like to thank Ms. Diane Sheridan and her staff for developing the 2018 Community Action Plan. CDBG is a great program. It helps assist the more vulnerable of the population, but it also helps assist the business community. Cuyahoga Falls is incredibly grateful to have this and be an entitlement community. He proudly supports the 2018 Community Action Plan.

Mr. Reilly moved to adopt Temp. Ord. A-66, second by Mr. Gorbach. Roll Call: Mr. Brillhart, Yes; Mr. Colavecchio, Yes; Mr. Gorbach, Yes; Mr. Iona, No; Mr. Iula, Yes; Mr. James, Yes; Mr. Miller, Yes; Ms. Nichols-Rhodes, Yes; Mr. Pallotta, Yes; Mrs. Pyke, No; Mr. Reilly, Yes. Motion passes, (9-2).

Schedule of Committee Meetings

Planning & Zoning:	Subject to Call.
Finance:	September 4, 2018, 6:30 p.m.
Public Improvements:	Subject to Call.
Public Affairs:	Subject to Call.
Community Development:	Subject to Call.
Special Committee:	Subject to Call.

Miscellaneous Business

Mr. Hoffman stated that he wanted to note that, in Report 21, there is a small date mistake. At the top of each page, it is noted as of 5/31/18, and it should be as of 6/30/18. The columns throughout the report are correct, but the title at the top is one month behind. Mr. Hoffman stated that General Fund revenues are still moving in the same direction they have been this year. Local Government and the County is up \$27,637, or about 4.7 percent. Interest is up over 2017 about \$108,000. They are taking advantage of interest rates rising, especially over the short-term. In other funds, one item they have been watching very closely for quite a while has been Municipal Tax. That is actually down \$494,839 this year. The majority of that is withholding tax and other categories being down, one of which has been the State. They are still figuring all that out with business returns and other things. The SCMR Fund has a positive in Fees, Licenses and Permits. This is the line item that contains cable franchise fees. There has been a decrease over the last few years. Spectrum now sent a payment, so there is a positive there. In the Leisure Time Fund Charges For Services, the Natatorium is still flat. Waterworks is up a little bit through June. Brookledge is still down, and Downview is down a little bit. Those are very weather-dependent facilities. There has

been had some inclement weather through the middle of June. Hopefully, there will be much better revenue numbers on the next report.

Mr. Hoffman stated that, on the expense side, in the Self-Insurance Fund, Hospitalization and Dental is up about \$175,334 and Prescriptions is up \$128,736. The Health Care Committee, as well as our health care consultant, closely monitor those on a monthly basis. It is not something that is a huge concern at this point in time. Overall, the City is doing very well. Mrs. Pyke stated that, on page 13, the Electric Fund is down \$1 million compared to last year, 1.2. She asked if that is due to usage or billing. Mr. Hoffman stated that he does not believe it is due to billing. They have billed out on time every month. Mrs. Pyke stated that she would think with the heat they have had, usage would be high. Mr. Hoffman stated that he will look at the analysis on the Electric Fund.

Ms. Nichols-Rhodes stated that she would to remind anyone that, every year, Council does not meet during the month of August, and Council also doesn't meet on the fifth Monday of a month; therefore, this is the last Council meeting until Tuesday, September 4. She stated there are a couple of upcoming events she wants to make sure Council is aware of. Saturday, August 11th, at 10:00, at the Quirk Cultural Center, the City is holding a public meeting to talk about how to recycle responsibly, which includes hazardous waste, yard waste tips and energy efficiency. Community Outreach Coordinator, Becky McCleary, who is a tremendous resource related to energy and many interesting topics, will be speaking. That is also followed by a Neighborhood Ambassador meeting. On Thursday, August 16th, the new NECCA Department will have an open house and light refreshments, from four to six. Lastly, the three-on-three basketball event is happening again this year at Lions Park on August 25th, at noon. If anyone wants to volunteer, they needs lots of volunteers. It was a terrific event last year, and she is sure it will be again.

Mr. Iula stated that, as everyone knows, he has always been very connected with the Soap Box Derby, and last weekend was the 81st All American. He wanted to announce there were two youngsters from Cuyahoga Falls that were in the race. Caroline Kajimura was the Akron Champ in the Stock, and she won a heat. The other Cuyahoga Falls resident was Zoe Kubick, his granddaughter, who won second in the World. She lost by about four inches. His family has been involved in the Soap Box Derby for 70 years, and they finally made a final heat. His granddaughter won a \$2,000 scholarship and received a trophy.

Mr. Pallotta stated that he had two updates. In April 2017, this Council passed Temporary Resolution B-30, which supported House Bill 123 regulating payday lenders. Right now, the interest rates with them are 591 percent. This will cap them at 28 percent, which is a far better deal for the citizens of Ohio. That's going to put about \$75 million back into residents' pockets, which can be spent in the statewide economy. The House meets tomorrow to give it final approval. They passed it the first time. There have been two small amendments in the Senate. The Senate approved it, and sent it back to the House. The House will approve it tomorrow, and then the governor will sign it into being. He has been down to the Senate and the House of Representatives a number of times, and he is so glad that this is finally come to fruition. Mr. Pallotta stated that his second announcement is a little lighter. His family was able to be on the Steve Harvey Show, Family Feud. During the interview, on television tape, they said the Pallotta Family is from Cuyahoga Falls. His daughter started telling him where Cuyahoga Falls was. Steve Harvey

stopped her and said, “I’ll tell you, I know Cuyahoga Falls. I grew up in the Cleveland. I grew up poor. I lived out of my car. I was homeless for three years. I got a call October 9th, 1985, to perform at Hilarities Nightclub on State Road in Cuyahoga Falls. I won first place. Somebody saw me. My career launched from there. I knew what I was going to do. I’m on eight television shows. I’ve written a novel and I’ve written a book.” He is very much about Cuyahoga Falls. He hopes that they don’t edit that off the show when they show it this spring. Mr. James stated that Mr. Pallotta’s accomplishment working on House Bill 123 is something to be proud of. Ms. Nichols-Rhodes stated that she would like to also give Mr. Pallotta props for seeing this through. This has been an issue that he has really worked hard on. For all those years, it was just a loophole. Mr. Pallotta stuck with it and Council appreciates the work that he did.

Mr. Iona stated that Cuyahoga Falls had the best Italian Festival in Ohio this weekend, with real Italian entertainment brought over from Italy and authentic food. Sitting around afterwards, some members of the committee were talking about when they were worried about the roads being done, Mayor Walters made sure it was done. They were concerned about the landscaping, and the landscaping was done. There were a couple little glitches about how they going to set it up, and Mayor Walters came through. They then realized that no one had had officially thanked Mayor Walters, so he would like to officially thank Mayor Walters for helping the 10th year of Festa Italiana to be the best Italian Festival in Ohio.

Mr. James moved to adjourn, second by Mr. Iula. Motion passed, voice vote (11-0). Meeting adjourned at 7:15 p.m.

Mary Nichols-Rhodes, Council President

Dana M. Capriulo, Clerk of Council