

**Cuyahoga Falls City Council
Minutes of the Public & Industrial Improvements Committee**

July 6, 2021

Members: Mary Nichols Rhodes
Frank Stams
Adam Miller

Ms. Nichols-Rhodes called the meeting to order at 6:33 p.m. All members were present.

The minutes of the June 7, 2021, and June 21, 2021, Public Improvements Committee were approved as written.

Legislation Discussed:

Temp. Ord. B-50
Temp. Ord. B-51
Temp. Ord. B-52
Temp. Ord. B-53
Temp. Ord. B-54

Discussion:

Temp. Ord. B-50

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, with Brandstetter Carroll, Inc., for public engagement and preliminary design services for the Boardwalk Transformation Project, and declaring an emergency.

Ms. Sara Kline, Parks and Recreation Superintendent, presented Temporary Ordinance B-50 to Council. The City followed the procedures set forth in Ohio Revised Code Sections 153.65 to 153.73 in selecting a professional design services firm for public engagement and preliminary design services for the Boardwalk Transformation Project. After review of all the proposals submitted to the City, Brandstetter Carroll, Inc., was selected as the most qualified for the Project. The Director of Public Service will be authorized to enter into a contract or contracts, according to law, with Brandstetter Carroll, Inc., for public engagement and preliminary design services for the Boardwalk Transformation Project. The Director of Finance will be authorized and directed to make payment for same from the Capital Projects Fund, Line Item, Capital Outlay.

Ms. Nichols-Rhodes stated that there has been expert opinion by Palmer Engineering, as well as the City's own conclusion that the boardwalk definitely needs repaired or replaced. It is not going to be exactly how it is now. The discussion will begin in 2022. An RFP went out. In the past, the City worked with Brandstetter Carroll on the Master Plan for Parks and Recreation.

Mr. Stams stated that he wishes them the best of luck. It is a river showcase. He stated that if there is anything he can do as part of this committee to help, just let him know.

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Ms. Kline stated that Mr. Anthony Zumbo, Service Director, and Mr. Tony Demasi, City Engineer, are a huge part of this project. It is a collaborative effort between Service, Engineering and Parks and Recreation.

Mr. Gorbach asked if there was a lead time or when do they think it may be completed. Ms. Kline stated that their goal and what they communicated to Brandstetter Carroll and Palmer is, ideally, to have the plans done by the end of the year. An attainable goal is to be able to have good cost estimates to include in the 2022 budget presented to City Council. Mr. Gorbach stated that he would love to see that be part of the budget process for next year and keep the momentum moving.

Mr. Brillhart asked if there will be any type of input from the public with public meetings being held. Ms. Kline stated that Brandstetter Carroll did public engagement with Parks and Recreation for the Master Plan for Continuous Improvement. She stated that she imagines there will be a mix of the methodology that they use to gather public input, as well as information from Palmer Engineering about what is possible and what is not possible. They look forward to hearing the specifics about what they propose. She anticipates that there will be a number of ways they will engage with stakeholders and the public.

Ms. Nichols-Rhodes asked if Ms. Kline knows what the current length of the boardwalk is. She stated that she did not.

Mr. Stams moved to bring out Temp. Ord. B-50 with a favorable recommendation, second by Mr. Miller. Motion passed (3-0).

Temp. Ord. B-51

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the roof replacement of the Water Treatment Center, and declaring an emergency.

Mr. Russ Kring, Water Utilities Superintendent, presented Temporary Ordinance B-51 to Council. The roof at the Water Treatment Center is reaching its effective life cycle, causing leaks into the structure below. The Director of Public Service will be authorized to enter into a contract or contracts, according to law, for the roof replacement of the Water Treatment Center. The Finance Director will be authorized and directed to make payment for same from the Water Fund, Line Item Capital Outlay. Mr. Kring stated that the City has buildings that make up its water treatment plants. This ordinance is actually for what they call the new filter building, which was built in late 1990. The roof is in bad shape and needs repaired, so this will get that new roof done yet this year.

Ms. Nichols-Rhodes stated that the amount of \$79,900 is for the flat roof that is leaking and in bad shape. Mr. Kring stated that was correct.

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Mr. Miller moved to bring out Temp. Ord. B-51 with a favorable recommendation, second by Mr. Stams. Motion passed (3-0).

Temp. Ord. B-52

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, without competitive bidding, with D&S Landscaping, Inc. for emergency slope repair along West Steels Corners Road between Akron-Peninsula Road and O'Neil Road in the City of Cuyahoga Falls, and declaring an emergency.

Mr. Russ Kring, Water Utilities Superintendent, presented Temporary Ordinance B-52 to Council. Stormwater runoff has caused erosion thereby jeopardizing the safety of West Steels Corners Road. D&S Landscaping completed the emergency work to fully restore public safety on West Steels Corners Road. The Director of Public Service is hereby authorized to enter into a contract or contracts, without competitive bidding, with D&S Landscaping, Inc. for emergency slope repair along West Steels Corners Road between Akron-Peninsula Road and O'Neil Road, in the City of Cuyahoga Falls. The Director of Finance will be authorized and directed to make payment for same from the Storm Drainage Utility Fund, Line Item Capital Outlay.

Mr. Kring stated that this is an area that has had some issues for five or six years. They have made some temporary repairs, and finally decided to go ahead and do a full repair there. The slope was pulling away from the road, and they had to shut down the berm, so they went ahead and made more permanent repairs. This is located opposite of Blossom Music Center, maybe a quarter to a half mile west of the Blossom entrance. They went ahead and contracted with the company, who was available. They put a design together and went ahead and completed the repairs.

Ms. Nichols-Rhodes stated that the repairs have already been done at a cost of \$55,026. The paying is coming out of the Storm Drainage Utility Fund, and she is happy the City has a sufficiently-funded place to pay for these things.

Mr. Stams asked if any of that area is park land. Mr. Kring stated that park land abuts it. It was all within the right-of-way. They did work with the Parks on a couple of areas where they had to go back onto park property to re-swale an area to direct the runoff, but the rest of it was within the City's right-of-way. Mr. Stams asked if that is something that may be eligible for assistance with park resources. Mr. Kring stated that they do not get much financial help from the Parks. The Parks more or less do oversight to make it is done within their specifications. Mr. Stams stated that he and the residents of Ward 8 are grateful for his attention.

Mr. Stams moved to bring out Temp. Ord. B-52 with a favorable recommendation, second by Mr. Miller. Motion passed (3-0).

Temp. Ord. B-53

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the inspection, cleaning, and associated repairs for City Well #17, Well #18, and Well #22 for the Water Department, and declaring an emergency.

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Mr. Russ Kring, Water Utilities Superintendent, presented Temporary Ordinance B-53 to Council. The repair work identified during inspection needs to be completed in conjunction with cleaning to put each well back in service as soon as possible. The City's goal is to establish a regular cycle for inspecting, cleaning and repairing each of the 18 drinking water wells. The Director of Public Service will be authorized to enter into a contract or contracts, according to law, for the inspection, cleaning, and associated repairs for City Well #17, Well #18, and Well #22 for the Water Department. The Director of Finance will be authorized to make payment for same from the Water Fund, Line Item Other Operations for the inspection and cleaning, and Capital Outlay for the repairs.

Mr. Kring stated that there are 18 total wells in city. The numbers are off; that is why they list Well #22. Over the years, some wells have been put out of service. Their goal is to rehab a well every six years, which is about the average lifespan. They are going to try to do three per year. Mr. Kring stated that he is refining the way to do that by doing the inspection of the well and the repairs all in one. This is a little bit different than the way it has been done in the past, but to thoroughly inspect the well, it has to be taken apart to identify the repairs that are required. They want to do the inspection, make the repairs, put the well together and move on to the next well, refining the process to make it smoother to do one well, finish it and start a new well.

Ms. Nichols-Rhodes stated that the inspecting and cleaning come out of the Operational Budget and the repairs come out of Capital. Mr. Kring stated that is correct. Ms. Nichols-Rhodes asked if they would rotate them, so when one is out of service, they will just be one at a time. Mr. Kring stated that their operators at the plant can choose the well they draw the well water from. When one is worked on, they put it out of service and use the other 17 wells. Each has a capacity, so they know what to use when. They use one during the day when it is more high volume versus at night when there is a smaller volume, and they can use a well with smaller capacity.

Mr. Miller moved to bring out Temp. Ord. B-53 with a favorable recommendation, second by Mr. Stams. Motion passed (3-0).

Temp. Ord. B-54

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, with Utility Metering Solutions for professional services to complete the installation and implementation of advanced metering infrastructure systems to support the City's water and electric distribution services, and declaring an emergency.

Ms. Janet Ciotola, Law Director, presented Temporary Ordinance B-54 to Council. On February 19, 2021, the City requested proposals for professional qualifications for the installation and implementation of advanced metering infrastructure systems to support the City's water and electric distribution services. In response to the request, Utility Metering Solutions (UMS) submitted and was subsequently selected by the City as the contractor offering the most responsive proposal requested by the City. UMS is the nation's leading provider of AMI solutions for water,

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electric and gas utilities and, in the past four years alone, UMS has implemented over 150 Advanced Metering projects and installed over 1,000,000 meters and endpoints. UMS is a Certified Installation Services Provider for all the major AMI and Meter manufacturers and is qualified to install and support the Badger Meter, Aclara and Harris technologies that the City has slated for this project.

The Director of Public Service will be authorized to enter into a contract or contracts with Utility Metering Solutions for professional services to complete the installation and implementation of advanced metering infrastructure systems to support the City's water and electric distribution services. The Director of Finance will be authorized to make payment for same from the Water Fund, line item Capital Outlay, Sewer Fund, Line Item Capital Outlay, and Electric Fund, Line Item Capital Outlay. The Director of Public Service, Director of Law, Director of Finance and any other necessary City official will be authorized to provide such information and to execute such other documents and do all other actions as are necessary for and incidental to carrying out the requirements of this ordinance, together with such revisions, additions or amendments as are approved by the Director of Law as being consistent with the objectives and requirements of this ordinance.

Ms. Nichols-Rhodes stated that the money is going to be coming from Capital Outlay lines for the Water Fund, Electric and Sewer. It is going to take some time to implement. The meters are 10, maybe 15 years old, so this is the time to replace the meters. Ms. Ciotola stated that for the electric meters, that is correct.

Mr. Gorbach stated that this is a big deal. He was on Council, as were some other Council members, when they first went through going with the new meters, and they see what happened with that and all the legal recourse the City had to engage in to get out of that and to move forward. They are talking about a big number here. Mr. Gorbach asked Mr. Bryan Hoffman, Finance Director, if he would talk them through how that is going to work, since this was not budgeted, and it is not often they see on a budget information sheet the estimated cost of \$4 million and not budgeted.

Mr. Hoffman stated that this is one piece of an even bigger piece. A part of a settlement agreement authorized contracts with the other companies. They are putting together a financing package that involves a capital restructure, finding the best financing they have today. They will be going out to select a company for that capital lease this year. That capital lease, because it is part of a bigger project, was authorized under that previous ordinance last year, so there are a lot of costs involved. They will put together that capital lease structure and document, but they will not have a payment on that until next year. The incremental annual cost may be a 10-year capital lease something and the timeframe will start in 2022. They will see that in the 2022 budget and every budget going forward.

Mr. Gorbach stated that all of this moving forward is huge, and nobody wants to make another error. Given all the work that the Administration has done on this, particularly Law Director

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Ciotola, he is comfortable with what they before Council regarding the utility matters and what they intend to do going forward. He appreciates all their work and support when they recommend moving forward on this.

Ms. Ciotola stated that they hired UMS to review the contracts that they have with the other three vendors, and they will have AMP look over the agreement they have with UMS to make sure they have the appropriate checks and balances and people with the technical expertise, because this is technically complex. She stated that Mr. Joey Mitchell, Vice-President of UMS, was present at tonight's meeting and available to answer any questions Council may have.

Mr. Balthis stated that this is monumental in terms of capital outlay and also the impact on residents, because going into homes to replace meters is an inconvenience, so it is not something they want to do more than absolutely necessary. Being familiar with the trials and tribulations of the last system, he thinks what is really important is that they have an entity, UMS, that was selected after a very thorough evaluation of everything in the marketplace in order to get an expert that understands not just how each one of these systems work, but how they work together, and to be an agent that represents the City and has a fiduciary duty to the City and not an entity that has a financial incentive to sell a product. That is an important distinction. He stated that he more likely to support this because the City has selected UMS to look out for its interests. Ms. Ciotola thanked Mr. Balthis for starting the City off on this journey. She stated that she appreciates all the time he put into this, as well, when he served as Law Director.

Mr. Stams moved to bring out Temp. Ord. B-54 with a favorable recommendation, second by Mr. Miller. Motion passed (3-0).

The meeting adjourned at 6:58 p.m.