

CUYAHOGA FALLS CITY COUNCIL

Minutes of the Council Meeting

December 28, 2021

- Call to Order:** Mr. Brillhart at 6:30 p.m.
- Roll Call:** Mr. Balthis, present; Mr. Brillhart, present; Mr. Gorbach, present; Mr. Iula, present; Mr. James, present; Ms. Loza, present; Mr. Miller, present; Ms. Nichols-Rhodes, present; Mrs. Penta, present; Mrs. Spinner, present; Mr. Stams, present.
- Invocation:** Mrs. Spinner
- Pledge of Allegiance:** Jonathan Meybaum, Troop 273
- Approval of Minutes:** The minutes of the December 13, 2021, Council and Committee-of-the-Whole meetings were approved as written.
- Reports and Communications:** A letter dated December 22, 2021, from Mayor Walters regarding reappointments to various Boards.

New Legislation

(First Reading)

Temp. Ord. B-136 (Planning & Zoning)

An ordinance accepting the Planning Commission's recommendation for the approval of a conditional zoning certificate for a wireless communication facility on City property at Oak Park located at 2136 13th Street and declaring an emergency.

Temp. Ord. B-137 (Finance)

An ordinance authorizing the Mayor or his designee to enter into a contract or contracts, without competitive bidding, with Atlantic Emergency Solutions, Inc. for various vehicle repairs, supplies and equipment used by the Fire Department, and declaring an emergency.

Temp. Ord. B-138 (Community Development)

An ordinance approving and authorizing the Mayor to execute and submit the Annual Action Plan to the U.S. Department of Housing and Urban Development for Program Year 2022, and declaring an emergency.

Reports of Council's Standing Committees
(Third Reading)

Planning & Zoning

No Report.

Finance & Appropriations:

Temp. Res. B-118

A resolution requesting the Summit County Fiscal Officer to make advance distribution of tax receipts payable to the City of Cuyahoga Falls, and declaring an emergency.

Mr. Gorbach moved to adopt Temp. Res. B-118, second by Ms. Nichols-Rhodes. Motion passed, voice vote (11-0).

Temp. Ord. B-119

An ordinance providing for supplemental and/or amended appropriations of money for current operating expenses and capital expenditures of the City of Cuyahoga Falls, and authorizing the transfer of appropriations within and for the various funds hereinafter set forth, and declaring an emergency.

Mr. Gorbach moved to adopt Temp. Ord. B-119, second by Mr. Iula. Motion passed, voice vote (11-0).

Temp. Ord. B-120

An ordinance amending the Codified Ordinances of the City of Cuyahoga Falls, Ohio Title 7, Chapter 941, Refuse Collection and Disposal, establishing definitions, rates, and regulations for the collection and disposal of solid waste in the City of Cuyahoga Falls, Ohio, and declaring an emergency.

Mr. Gorbach moved to adopt Temp. Ord. B-120, second by Ms. Nichols-Rhodes. Motion passed, voice vote (10-1). (Miller)

Temp. Ord. B-121

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the purchase of annual requirements of certain materials and supplies for use by the Sanitation Division during 2022, and declaring an emergency.

Mr. Gorbach moved to adopt Temp. Ord. B-121, second by Mr. Iula. Motion passed, voice vote (11-0).

Temp. Ord. B-122

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the purchase of annual requirements of certain materials and supplies for use by the Street Division during 2022, and declaring an emergency.

Mr. Gorbach moved to adopt Temp. Ord. B-122, second by Ms. Nichols-Rhodes. Motion passed, voice vote (11-0).

Temp. Ord. B-123

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the purchase of annual requirements of certain services, materials, supplies, and equipment for use by the Electric Division during 2022, and declaring an emergency.

Mr. Gorbach moved to adopt Temp. Ord. B-123, second by Mr. Iula. Motion passed, voice vote (11-0).

Temp. Ord. B-124

An ordinance amending ordinance 100-2020 authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the purchase of annual requirements of certain materials, supplies and services for use by the Garage Division during 2021, and declaring an emergency.

Mr. Gorbach moved to adopt Temp. Ord. B-124, second by Ms. Nichols-Rhodes. Motion passed, voice vote (11-0).

Temp. Ord. B-125

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the purchase of annual requirements of certain services, materials, and supplies for use by the Garage Division during 2022, and declaring an emergency.

Mr. Gorbach moved to adopt Temp. Ord. B-125, second by Mr. Iula. Motion passed, voice vote (11-0).

Temp. Ord. B-126

An ordinance authorizing the Mayor, as Director of Public Safety, or the Director of Public Service to enter into a contract or contracts, according to law, for the purchase or lease of various vehicles and related equipment for use by the City, and declaring an emergency.

Mr. Gorbach moved to adopt Temp. Ord. B-126 second by Ms. Nichols-Rhodes. Motion passed, voice vote (11-0).

Temp. Ord. B-127

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the purchase of the City's requirements of certain services, materials and supplies for use by the Water and Sewer Division during 2022, and declaring an emergency.

Mr. Gorbach moved to adopt Temp. Ord. B-127, second by Mr. Iula. Motion passed, voice vote (11-0).

Public Improvements:

Temp. Ord. B-128

An ordinance levying special assessments for the repair or replacement of sidewalks and drive approaches in the Sidewalk and Drive Approach Repair and Replacement District, for the year 2021, and declaring an emergency.

Ms. Nichols-Rhodes moved to adopt Temp. Ord. B-128, second by Mr. Stams. Motion passed, voice vote (11-0).

Temp. Ord. B-129

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the replacement or adjustment of concrete sidewalks, drive approaches and curbs at various locations in the City of Cuyahoga Falls, and declaring an emergency.

Ms. Nichols-Rhodes moved to adopt Temp. Ord. B-129, second by Mr. Miller. Motion passed, voice vote (11-0).

Temp. Res. B-130

A resolution creating for the year 2022 a Sidewalk and Drive Approach Repair or Replacement District containing such streets, alleys, or public roadways within the corporate limits of the City of Cuyahoga Falls, declaring the necessity of repairing or replacing the sidewalks and drive approaches abutting on such streets, alleys or public roadways within said corporate limits and providing the method for levying special assessments, and declaring an emergency.

Ms. Nichols-Rhodes moved to adopt Temp. Res. B-130, second by Mr. Stams. Motion passed, voice vote (11-0).

Temp. Ord. B-131

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for stabilization of the Cuyahoga Riverbank, behind Ledgewater Falls Condominiums, and declaring an emergency.

Ms. Nichols-Rhodes moved to adopt Temp. Ord. B-131, second by Mr. Miller. Motion passed, voice vote (11-0).

Public Affairs:

Temp. Ord. B-116 (Sub. Dated 12/6/21)

An ordinance authorizing the Mayor to enter into a Cooperative Agreement with the County Of Summit, the City of Akron, the City of Fairlawn and the City of Tallmadge whereby the county will acquire, design, construct, furnish, maintain and finance a Joint PSAP building and authorizing the Mayor to enter into those agreements defined in the Cooperative Agreement, including but not limited to, an Intergovernmental Agreement for the establishment of a Council of Governments with the County of Summit, the City of Fairlawn and the City of Tallmadge, for the purpose of operating a consolidated primary PSAP, and a guaranty agreement, lease agreement, and a joint use agreement for the use and operation of the joint PSAP building located in the City of Tallmadge, and further authorizing the Mayor to execute documents with the City of Stow also being a member of the council of governments, with any appropriate modifications and revisions to the agreements necessitated by the City of Stow's inclusion as a party to the same, and declaring an emergency.

Mr. Balthis stated that public safety is one of the most important things that is done on Council, and that he appreciates all of the work and research put into this measure. He stated that this ordinance will provide the City's dispatchers with the best technology and training so that they can continue to perform their duties. Both Chief Davis and Chief Martin have asked Council to vote to move forward on this plan.

Mr. Balthis moved to adopt Temp. Ord. B-116 (Sub. Dated 12/6/21), second by Ms. Loza. Motion passed, voice vote (10-1). (Miller)

Temp. Ord. B-133

An ordinance establishing the authorized staffing of the Fire Department, creating the position of Deputy Fire Chief, and declaring an emergency.

Mr. Balthis moved to adopt Temp. Ord. B-133, second by Mr. Iula. Motion passed, voice vote (11-0).

Temp. Ord. B-134

An ordinance amending Codified Ordinance Title 5, Chapter 129, Police Department, Sections 129.01 and 129.05, and establishing the authorized staffing of the Police Department, and declaring an emergency.

Mr. Balthis moved to adopt Temp. Ord. B-134, second by Ms. Loza. Motion passed, voice vote (11-0).

Temp. Ord. B-135

An ordinance establishing positions and pay grade classifications for non-bargaining employees of the City of Cuyahoga Falls, and declaring an emergency.

Mr. Balthis moved to adopt Temp. Ord. B-135, second by Mr. Iula. Motion passed, voice vote (11-0).

Community Development:

No Report.

Reports of Council’s Special Committees

Committee-of-the-Whole:

Temp. Ord. B-117

An ordinance subdividing the City into wards pursuant to the 2020 Federal Decennial Census, and declaring an emergency.

Mr. Brillhart moved to adopt Temp. Ord. B-117, second by Mr. James. Motion passed, voice vote (11-0).

Schedule of Committee Meetings

Planning & Zoning:	January 4, 2022, at 6:35 p.m.
Finance:	January 4, 2022, at 6:40 p.m.
Public Improvements:	Subject to Call.
Public Affairs:	Subject to Call.
Community Development:	January 4, 2021, 6:45 p.m.

Miscellaneous Business

Mr. Iula addressed Council and the Administration, as this was his last meeting as a Councilman-at-Large. He mentioned the many accomplishments and improvements that he, as a member of Council, witnessed and participated in during his 12 years serving on City Council. He then went on to comment about his fellow councilmembers and members of the Administration. His fellow council members applauded Mr. Iula’s vast knowledge of Cuyahoga Falls’ history and his long-standing dedication to the City.

Mr. Brillhart thanked Council and the Administration for the honor of serving as Council President the last two years. He stated that he considered it serving as Council President these past two years one of his greatest accomplishments.

Mr. Iula moved to adjourn, second by Mr. James. Motion passed, voice vote (11-0).

Meeting adjourned at 7:30 p.m.

Michael Brillhart, Council President

Dana M. Capriulo, Clerk of Council