

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

**December 20, 2021**

**Members:** Mary Nichols-Rhodes, Chair  
Frank Stams  
Adam Miller

Ms. Nichols-Rhodes called the meeting to order at 7:01 p.m. All members were present.

The minutes of the November 15, 2021 Public Improvements Committee were approved as written.

**Legislation Discussed:**

Temp. Ord. B-128

Temp. Ord. B-129

Temp. Res. B-130

Temp. Ord. B-131

**Discussion:**

**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.

Mr. Tony Demasi, City Engineer, presented Temporary Ordinance B-128 to Council. Resolution No. 12-2020, created the Sidewalk and Drive Approach Repair and Replacement District for the year 2021, and determined the necessity of adjusting or replacing certain sidewalks and drive approaches within the district. Such sidewalks and drive approaches within the district have been repaired or replaced. The portion of the total cost and expense of repairing or replacing sidewalks and drive approaches located within the Sidewalk and Drive Approach Repair and Replacement District for the year 2021 to be paid for by special assessments is hereby established at the rate of \$18.00 per linear foot for replacement of sidewalks and \$8.00 per square foot for drive approaches. That portion of the total cost of the improvement to be paid for by special assessments will be levied and assessed upon the lots and lands provided for in the schedule of special assessments now on file with the Clerk of Council, which special assessments are in proportion to the special benefits and are not in excess of any statutory limitation and which are hereby adopted and confirmed. The assessment against each lot or parcel of land shall be payable within 30 days from the levy thereof to the office of the Finance Director with the further provision that all assessments thereof remaining unpaid at the expiration of said 30 days shall be certified by the Clerk of Council to the County Fiscal Officer to be placed on the tax duplicate and collected in two (2) semi-annual installments. A certified copy of this ordinance shall be provided to the County Fiscal Officer by the Clerk of Council within twenty (20) days after its passage.

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Mr. Stams asked about the cost. Mr. Demasi stated that, for sidewalks, it is \$18 a linear foot and, for drive approaches, it is \$8 a linear foot. This is the cost for this year. They will not know next year's cost until the end of next year's program. Mr. Stams asked for the percentage of the increase. Mr. Demasi stated that, last year, they were at \$15 a linear foot for sidewalks and \$7 a linear foot for driveways.

Ms. Nichols-Rhodes stated that this is the amount that is being assessed to the property owner, and the City is also paying half. It would be a \$28 a linear foot. Mr. Demasi stated that these figures represent half of the total cost.

Mr. Stams asked if there were any programs not eligible for that. Mr. Demasi stated that the way the ordinance read is that they do not typically cover commercial properties. Because they are in the business of making money, they are charged 100 percent of the cost. This program is geared towards residents. They do little commercial work.

Mr. Stams moved to bring out Temp. Ord. B-128 with a favorable recommendation, second by Mr. Miller. Motion passed (3-0).

**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.

Mr. Tony Demasi, City Engineer, presented Temporary Ordinance B-129 to Council. Pursuant to Resolution, a sidewalk and drive approach replacement or adjustment district was created within the City of Cuyahoga Falls for the purpose of replacing or adjusting sidewalks, drive approaches and curbs throughout the City. The Director of Public Service will be authorized to enter into a contract or contracts, according to law, for replacement or adjustment of concrete sidewalks, drive approaches and curbs at various locations in the City of Cuyahoga Falls. All bids submitted must conform to and be in accordance with the specifications for the same now on file by mail to the Office of the City Engineer. The Director of Finance will be authorized and directed to make payment for same from the Capital Projects Fund, Line Item Capital Outlay.

Mr. Demasi stated that this is an ordinance that allows them to enter into a contract to do the same work that was just discussed for 2022. The current plan is to open those bids on March 22, 2022. As always, they work around when school lets out mid-June and it runs through the rest of the year.

Mr. Miller moved to bring out Temp. Ord. B-129 with a favorable recommendation, second by Mr. Stams. Motion passed (3-0).

**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

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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.

Mr. Tony Demasi, City Engineer, presented Temporary Ordinance B-130. Certain sidewalks and drive approaches abutting on the streets, alleys or public roadways within the City of Cuyahoga Falls are in disrepair. A Sidewalk and Drive Approach Repair or Replacement District is hereby created for the year 2022 containing those streets, alleys or public roadways within the corporate limits of the City of Cuyahoga Falls.

Mr. Demasi stated that this resolution gives them the authority to do what was discussed in the last two ordinances. This establishes the City as an assessment sidewalk and drive approach district, so they work with property owners to do this work. The way this program works is, first, property owners are responsible to maintain their sidewalks. His office issues permits daily to owners that want to replace their sidewalks on their own. This offers an opportunity to help residents that are not able to pay for them right away. They do the work and send them the invoices the next year.

Mrs. Spinner asked what timeframe residents have to make those requests to participate. Mr. Demasi stated that they collect requests year round. They are collecting requests right now for next year. Sometime around early summer, they cut off those requests for that particular year. Those residents can go on the list, and they will be on the program for the following year.

Mrs. Penta asked how long the list is for next year. Mr. Demasi stated that, this year, they are about through the entire list. Next year, they have a short list, but it grows once it gets some press and airtime. They get requests from pedestrians and property owners.

Mr. Stams moved to bring out Temp. Res. B-130 with a favorable recommendation, second by Mr. Miller. Motion passed (3-0).

**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.

Mr. Tony Demasi, City Engineer, presented Temporary Ordinance B-131 to Council. The Director of Public Service will be authorized to enter into a contract or contracts, according to law, for stabilization of the Cuyahoga Riverbank, behind Ledgewater Falls Condominiums. 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. Demasi stated that, after the dams were removed in 2013 at the Cuyahoga River, they have been monitoring the banks of the river upstream and looking for erosion and unstable slopes. One area is behind Riverfront Park, the Ledgewater Falls condos. This area has experienced significant movement and erosion since 2013. After surveys, and in coordination with the Army Corp of Engineers and the EPA, they have devised a program that will stabilize the slope. Bids for this

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project will be open tomorrow. Work is anticipated to begin in the spring of 2022 and should be completed sometime next year.

Mr. Stams asked if this project is going up for private contract for bid. Mr. Demasi stated that that was correct. The bids open tomorrow.

Mr. Balthis asked if this is where the dock used to be that was removed, and how much of the area is it that the work is anticipated. Mr. Demasi stated that that is correct. It is from that dock, south to Riverfront Parkway. Mr. Balthis asked how long the construction will take. Mr. Demasi stated that it would be one construction season, so approximately four months.

Mr. Stams asked if it would be possible for residents in Ward 8 that are experiencing erosion to have the City help them out as well. Mr. Demasi stated that, every year, they work on Akron-Peninsula Road and make slope stabilization. This is land that the City owns. They are not doing any work on private property. This is all public land.

Mr. Miller moved to bring out Temp. Ord. B-131 with a favorable recommendation, second by Mr. Stams. Motion passed (3-0).

The meeting adjourned at 7:13 p.m.