

Cuyahoga Falls City Council
Minutes of the Finance and Appropriations Committee Meeting

October 17, 2022

Members: Mary Nichols-Rhodes, Chair
Tim Gorbach
Adam Miller

Ms. Nichols-Rhodes called the meeting to order at 6:37 p.m. All members were present.

Legislation Discussed

Temp. Ord. A-106

Temp. Ord. A-107

Temp. Ord. A-108

Temp. Ord. A-109

Discussion:

Temp. Ord. A-106

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, with Independent Diesel Services to repair the CF1 #6 diesel generator located at 2550 Bailey Road, and declaring an emergency.

Mr. Rod Troxell, Assistant Superintendent, Electric Department, presented Temporary Ordinance A-106 to Council. The CF1 #6 diesel generator failed during use for peaking generation on June 22, 2022. The engine's top end of the #6 diesel generator was disassembled for inspection, and the repairs to the CF1 #6 diesel generator were found to be extensive and unable to be completed with previously allocated funds. Independent Diesel Services is qualified to make repairs of this nature and was the only bidder for a public bid opened on September 28, 2022.

The Director of Public Service will be authorized to enter into a contract or contracts with Independent Diesel Services to repair the CF1 #6 diesel generator located at 2550 Bailey Road. The Director of Finance will be authorized to make payment for same from the Electric Fund, Line Item Capital Outlay.

Ms. Nichols-Rhodes asked how long it will take to be repaired. Mr. Troxell stated that he does not have an estimate with him, but there may be something back in the shop. It is going to be repaired before next season. For some of the parts, there was a 40 to 50-day lead time estimated at the time of the quote, so may have changed. He anticipates it will take three to four months.

Mr. Gorbach asked if there is a limited warranty on the repair. Mr. Troxell stated that there is no listing of a warranty on the paper that he has with him, but he will look and see if there is anything listed on the official contract. Usually, with a repair of this type, there is not a lot of warranty offered. They will test it after they make the repair to see if anything happens right away.

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Ms. Nichols-Rhodes asked if all nine generators are the same age. Mr. Troxelll stated that they are not. The three at Substation 7 are a little bit newer than the six that they have.

Mr. Gorbach moved to bring out Temp. Ord. A-106 with a favorable recommendation, second by Mr. Miller. Motion passed (3-0).

Temp. Ord. A-107

An ordinance authorizing the Director of Finance to enter into a contract or contracts, without competitive bidding, with Wichert Insurance Services, Inc. for the professional services necessary to manage the City's Risk Management and Insurance Program and for the purchase of public entity insurance coverages, and declaring an emergency.

Mr. Bryan Hoffman, Finance Director, presented Temporary Ordinance A-107 to Council. The Director of Finance will be authorized to enter into a contract or contracts, without competitive bidding, with Wichert Insurance Services, Inc., for the professional services necessary to manage the City's risk management and insurance program, including purchase of comprehensive public entity insurance coverages, for a period of one year. The Director of Finance will be authorized and directed to make payment for same from funds properly appropriated to the various departments of the City for these purposes, according to an apportionment of costs as between the departments.

Mr. Hoffman stated that this year's renewal represents a seven-percent increase, due to a combination of different factors, including increased valuation to City property, and the number of vehicles which includes trailers, backhoes and other items that are not necessary thought of as being vehicles. The cyber liability service has decreased.

Ms. Nichols-Rhodes stated that this includes auto insurance, property insurance, comprehensive general liability insurance, boiler insurance, umbrella and excess liability insurance, NFP coverage, security bonds for gas wells, comprehensive crime insurance and cyber liability insurance. Because the Law Department performs many things in house, there are times when they have lawsuits or different claims that Wichert examines, which is a service that many other insurance companies do not offer.

Mr. Gorbach stated that when it says, "without competitive bidding," Wichert bids out to the best insurance carriers that they find, so there is, in fact, competitive bidding. The City cuts the purchase order to Wichert, but inside of that, Wichert is making sure the City gets the best company for what they are doing at the time. Over the years, Wichert has helped the City with legal matters and has given insight. There is definitely value added that is not part of the premium. He is glad the City is able to continue with them, and he is comfortable with them and the services they provide.

Mr. Stams asked if Wichert is the insurance broker for the City. Mr. Hoffman stated that they are the broker and not the underwriter. Mr. Stams asked how the City makes sure it is getting the best

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analysis possible. He does not see why the City needs Wichert other than to gather all the quotes together. All of these insurance companies that Wichert is quoting are more than capable of providing insurance and providing quotes themselves.

Ms. Nichols-Rhodes stated that Wichert's specialty is municipalities. There are many other communities that also use them.

Mr. Balthis stated that the City's rates actually went down in the area of cyber security, and it is rare that any costs go down, particularly with insurance. He believes that that was due to best practices that the City was able to point out and advocate. He asked Mr. Hoffman if he could express more about why that rate dropped on cyber security and what role Wichert played in advocating and allowing the City to get lower rates.

Mr. Hoffman stated that he does not personally know what they are doing in IT regarding all the different software that is involved, but one thing that they do is work closely with the insurance carrier for cyber security. The insurance carriers are incentivized to help in any way they can to secure the networks because they are on the hook for a portion of that loss. They have resources far above what the City has to get penetration of the City's system and help with the type of software and firewalls that need to be put in place so that all of the City's positions and procedures comply with best practices. That has really been a big help.

Mr. Stams stated that he is sure Wichert is a quality broker, but for the City to see no increase or reduction is unusual, and he wants to know if other municipalities in the area also received no increase or reduction. He asked whether, in the future, Wichert's role in this process should be sent out for bid, citing that competition is good for everyone.

Mr. Gorbach moved to bring out Temp. Ord. A-107 with a favorable recommendation, second by Mr. Miller. Motion passed (3-0).

Temp. Ord. A-108

An ordinance authorizing the Mayor to enter into a real estate purchase agreement for the sale of certain real property known as 1863 Second Street, 1869 Second Street, and 1877 Second Street, and declaring an emergency.

Ms. Diana Colavecchio, Community Development Director, presented Temporary Ordinance A-108 to Council. Council adopted Resolution 16-2012 supporting the Summit County Land Reutilization Corporation as an entity to acquire, renovate, rehabilitate, demolish, and otherwise acquire real property that is abandoned, vacant, or blighted and to put the same back into productive use and tax status. Council adopted Ordinance 105-2021 on December 13, 2022, authorizing the Mayor to enter into a purchase agreement with PJT Pointe West, LLC and a CDBG subrecipient agreement with the Summit County Land Reutilization Corporation for the remediation and demolition of the structures located on the real property known as 1863 Second Street (Parcel 02-08369), 1869 Second Street (Parcel 02-00900), and 1877 Second Street (Parcel

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02-00535). The Summit County Land Reutilization Corporation has successfully remediated and demolished the structures located at 1863 Second Street (Parcel 02-08369), 1869 Second Street (Parcel 02-00900), and 1877 Second Street (Parcel 02-00535) The City of Cuyahoga Falls wishes to sell the real property known as 1863 Second Street (Parcel 02-08369), 1869 Second Street (Parcel 02-00900), and 1877 Second Street (Parcel 02-00535) to the Summit County Land Reutilization Corporation, in an amount not to exceed \$3.00, for the redevelopment of the aforementioned real property.

The Mayor will be authorized to enter into a real estate purchase agreement with the Summit County Land Reutilization Corporation, for the sale of the real property known as 1863 Second Street (Parcel 02-08369), 1869 Second Street (Parcel 02-00900), and 1877 Second Street (Parcel 02-00535), in a total amount not to exceed \$3.00, for the redevelopment of the aforementioned property. Council will further authorize the Mayor, Director of Finance, Director of Community Development, Director of Law and any other city officials, individually and/or collectively as may be appropriate, to prepare and execute such other documents and do other things as are necessary for and incidental to carrying out the requirements of this ordinance

Ms. Nichols-Rhodes stated that this is all part of the redevelopment plan on South Front Street that they City is engaged in with the Summit County Land Bank and Testa Builders. They have already passed Temporary Ordinance B-107 allowing the City to sell these three properties to the Land Bank.

Mr. Gorbach moved to bring out Temp. Ord. A-108 with a favorable recommendation, second by Mr. Miller. Motion passed (3-0).

Temp. Ord. A-109

An ordinance amending Ordinance 36-2022 to authorize the Mayor to enter into a modification of Contract No. 8542 with Dant Clayton, making the necessary appropriations for the same, and declaring an emergency.

Mr. Michael Fallis, Assistant Parks and Recreation Superintendent, presented Temporary Ordinance A-109 to Council. The original Dant Clayton quote did not include seatbacks for the benching seating portion of this project which are necessary for this venue. The Mayor will be authorized to enter into a modification of Contract No. 8542 with Dant Clayton, in an amount not to exceed \$10,000.00. The total contract price after modification as authorized herein shall not exceed \$68,900. The Director of Finance will be authorized to increase appropriations in the Community Development Block Grant Fund, CDBG, Line Item Capital Outlay and reduce Community Development Block Grant Fund, CDBG, Line Item Other Operations by \$10,000, and make payment from the Community Development Block Grant Fund, CDBG, Line Item Capital Outlay.

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Mr. Fallis stated that the initial project bid did not allow for back rests on the bench seating. The extra \$10,000 will be from grant monies received as part of this project, and not from the Parks and Recreation budget.

Mr. Gorbach moved to bring out Temp. Ord. A-109 with a favorable recommendation, second by Mr. Miller. Motion passed (3-0).

The meeting adjourned at 7:00 p.m.