

CUYAHOGA FALLS CITY COUNCIL
Minutes of the Council Meeting

October 24, 2022

- Call to Order:** Mr. Balthis at 6:30 p.m.
- Roll Call:** Mr. Ashton, present; Mr. Balthis, absent; Mr. Brillhart, present; Mr. Gorbach, present; Mr. James, present; Ms. Loza, present; Mr. Miller, present; Ms. Nichols-Rhodes, present; Mrs. Penta, present; Mrs. Spinner, present; Mr. Stams, absent.
- Invocation:** Mrs. Spinner
- Pledge of Allegiance:** Mrs. Spinner
- Approval of Minutes:** The minutes of the September 26, 2022 Council Meeting, October 17, 2022 Special Council Meeting and the September 26, 2022 Committee-of-the-Whole Meeting were approved as written.

Reports and Communications: A Notice from the Ohio Division of Liquor Control regarding New Permit Number 1842140 to CSCF LTD, dba Sense by the Falls, 1749 Front Street, Unit C, Cuyahoga Falls, Ohio, 44221.

A letter dated October 21, 2022, received from Ms. DeAnn Dech, regarding behavior unbecoming of an Elected Official.

New Legislation
(First Reading)

Temp. Ord. A-117 (Finance)

An ordinance amending Ordinance 123-2021 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.

Temp. Ord. A-118 (Finance)

An ordinance authorizing the Mayor to enter into a contract or contracts with Medical Mutual Services, LLC for the administration of the City's self-insured employee medical plans for a period not to exceed two years, and declaring an emergency.

Temp. Ord. A-119 (Finance)

An ordinance authorizing the Mayor to enter into a contract or contracts with Principal Life Insurance Company for the administration of the City's fully-insured employee dental insurance plan, for a period not to exceed three years, and declaring an emergency.

Temp. Ord. A-120 (Finance)

An ordinance authorizing the Mayor to enter into a contract or contracts with TrueScripts for the administration of the City's self-insured employee prescription drug plans for a period not to exceed three years, and declaring an emergency.

Temp. Ord. A-121 (Finance)

An ordinance establishing annual appropriations of money for the current expenses, capital expenditures and other expenses of the City of Cuyahoga Falls for the fiscal year ending December 31, 2023, and declaring an emergency.

Temp. Ord. A-122 (Public Improvements)

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, without competitive bidding, with DLZ Ohio, Inc., for engineering services related to the preliminary evaluation of the main trunk sewer located within the Gorge Metro Park, and declaring an emergency.

Temp. Res. A-123 (Public Affairs)

A resolution expressing support for and urging passage of issue 4, the Cuyahoga Falls City School District levy, at the general election to be held on November 8, 2022, and declaring an emergency.

Mr. Gorbach moved to recess Council, second by Mr. James. Motion passed, voice vote (10-0). Council recessed at 6:36 p.m. and reconvened at 6:39 p.m.

Reports of Council's Standing Committees

(Third Reading)

Planning & Zoning:

Temp. Ord. A-116

An ordinance accepting the Planning Commission's recommendation for the approval of a conditional zoning certificate for a wireless communication facility on City property located at 4175 State Road, and declaring an emergency.

Mrs. Spinner moved to adopt Temp. Ord. A-116, second by Mr. James. Motion passed, voice vote (10-0).

Finance & Appropriations:

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.

Ms. Nichols-Rhodes moved to adopt Temp. Ord. A-106, second by Mr. Gorbach. Motion passed, voice vote (10-0).

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. Nichols-Rhodes moved to adopt Temp. Ord. A-108, second by Mr. Gorbach. Motion passed, voice vote (10-0).

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.

Ms. Nichols-Rhodes moved to adopt Temp. Ord. A-109, second by Mr. Gorbach. Motion passed, voice vote (10-0).

Public Improvements:

No Report.

Public Affairs:

Temp. Ord. A-110

An ordinance amending Chapter 181, Contracts and Competitive Bidding, of the Codified Ordinances of Cuyahoga Falls, Ohio to update the definition of lowest and best bid, and declaring an emergency.

Ms. Loza moved to adopt Temp. Ord. A-110, second by Mr. Brillhart. Motion passed, voice vote (10-0).

Temp. Ord. A-111

An ordinance amending the Traffic Control File by providing for installation of various traffic control devices, and declaring an emergency.

Ms. Loza moved to adopt Temp. Ord. A-111, second by Mr. Miller. Motion passed, voice vote (10-0).

Temp. Res. A-123

A resolution expressing support for and urging passage of issue 4, the Cuyahoga Falls City School District levy, at the general election to be held on November 8, 2022, and declaring an emergency.

Ms. Loza moved to adopt Temp. Res. A-123, second by Mr. Miller. Motion passed, voice vote (10-0).

Community Development:

Temp. Ord. A-112

An ordinance authorizing the Mayor to enter into an agreement with the Community Improvement Corporation of Cuyahoga Falls to administer a Brownfield Remediation Grant, appropriating the necessary funds to administer the grant, and declaring an emergency.

Mr. Ashton moved to adopt Temp. Ord. A-112, second by Mr. Brillhart. Motion passed, voice vote (10-0).

Temp. Ord. A-113

An ordinance designating the Community Improvement Corporation of Cuyahoga Falls as an agency of the City under Ohio Revised Code Section 1724.10, authorizing the execution of an agreement and plan for industrial, commercial, distribution and research development, and declaring an emergency.

Mr. Ashton moved to adopt Temp. Ord. A-113, second by Mr. Miller. Motion passed, voice vote (10-0).

Temp. Ord. A-114

An ordinance authorizing a grant to the Community Improvement Corporation of Cuyahoga Falls and authorizing the execution of a grant agreement with the Community Improvement Corporation of Cuyahoga Falls, and declaring an emergency.

Mr. Ashton moved to adopt Temp. Ord. A-114, second by Mr. Miller. Motion passed, voice vote (10-0).

Schedule of Committee Meetings

Planning & Zoning:	November 7, 2022, at 6:30 p.m.
Finance:	November 7, 2022, at 6:35 p.m.
Public Improvements:	November 7, 2022, at 6:40 p.m.
Public Affairs:	Subject Call.
Community Development:	Subject to Call.

Miscellaneous Business

Mr. Andrew Holland, 2079 Sourek Trail, along with Mr. Nick Flesher and Dr. William Shaheen, presented the Mayor Walters with a piece of artwork from the band Phish for his continuing support and for establishing the Gateway Communities to the Cuyahoga Valley National Park.

Mayor Walters accepted the gift on behalf of the City, and thanked Mr. Holland, Mr. Flesher, Dr. Shaheen and the residents of Sourek Trail for their efforts in making Cuyahoga Falls a better place to live. The artwork will be displayed in the city building.

Ms. Diana Colavecchio, Community Development Director, presented her department's third-quarter report. There has been continued growth in new development, with eight new projects reflected on the third-quarter report. There were \$16.6 million in completed projects in 2022 and 184 new jobs added. Ms. Colavecchio also spoke about the City's community art projects. Artist Stacy Levy has completed the planting of a Topo Swail at Second Street and Falls Avenue that will be dedicated in the spring. Not only does this project serve as a community art piece, but it will also help cleanse water runoff before it reaches the river. The sculpture of a Native American in a canoe by Peter Jones will be ready for installation in November. The Don Drumm sculpture in High Bridge Glens Park will be installed on November 3 and the dedication will be November 9. Ms. Colavecchio stated that the City has also put out a request for bids on the empty lot located on the corner of Front Street and Portage Trail. They would like to see multi-story housing with retail at street level built on that parcel.

Mr. James moved to excuse the absence of Mr. Stams, second by Mr. Gorbach. Motion passed, voice vote (10-0).

Mr. James moved to adjourn, second by Mr. James. Motion passed, voice vote (10-0).

Meeting adjourned at 7:06 p.m.

Russ Balthis, Council President

Dana M. Capriulo, Clerk of Council