

CUYAHOGA FALLS CITY COUNCIL
Minutes of the Council Meeting

April 10, 2023

- Call to Order:** Mr. Balthis at 6:30 p.m.
- Roll Call:** Mr. Ashton, present; Mr. Balthis, present; 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, present.
- Invocation:** Mrs. Spinner
- Pledge of Allegiance:** Mr. Gorbach
- Approval of Minutes:** The minutes of the March 27, 2023 Council Meeting were approved as written.

Reports and Communications: A Notice from the Ohio Division of Liquor Control regarding New Permit Number 26312758390 to Family Dollar Stores of Ohio LLC dba Family Dollar Store 31190, 1841 Bailey Road, Cuyahoga Falls, Ohio, 44221.

A Notice from the Ohio Division of Liquor Control regarding New Permit Number 65215090700 to Ohio Springs, Inc., dba Sheetz 317, 1210 Main Street, Cuyahoga Falls, Ohio, 44221.

A letter dated March 28, 2023, received from Mr. Timothy N. Gorbach, Council-At-Large, resigning his current Council-At-Large seat (term ending December 31, 2023) effective April 14, 2023, with his last meeting being on April 10, 2023.

New Legislation
(First Reading)

Temp. Ord. B-34 (Planning & Zoning)

An ordinance authorizing and approving the Final Subdivision Plat for dedication of the Bellaire Lane cul-de-sac located on Bellaire Lane approximately 2,500 feet west of Quick Road, and declaring an emergency.

Temp. Ord. B-35 (Planning & Zoning)*

An ordinance approving a regulatory text amendment to Section 1133.04(A)(5) to allow for the keeping of chickens in R-2, R-3 and R-4 Zoning Districts, and declaring an emergency.

***Public Hearing to be held on May 15, 2023 at 6:30 p.m. at the Natatorium.**

Temp. Ord. B-36 (Public Improvements)

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the Second Street Sanitary Sewer Rehabilitation, and declaring an emergency.

Temp. Res. B-37 (Public Affairs)

A resolution expressing support for and urging passage of Issue 8, the Woodridge Local School District Levy, at the Primary Election to be held on May 2, 2023, and declaring an emergency.

Mr. James moved to recess into a Special Public Affairs Committee meeting, second by Mr. Gorbach. Motion passed, voice vote (11-0). Council recessed at 6:34 p.m.

Mr. James moved for Council to reconvene, second by Mr. Gorbach. Motion passed, voice vote (11-0). Council reconvened at 6:42 p.m.

Reports of Council's Special Committees

(Third Reading)

Sustainability, Energy & Environment:

Temp. Ord. B-31

An ordinance authorizing the Mayor to enter into a NOPEC Energized Community Grant Agreement with Northeast Ohio Public Energy Council, Inc. for energy efficiency or energy infrastructure projects, and declaring an emergency.

Ms. Nichols-Rhodes moved to adopt Temp. Ord. B-31, second by Mr. Miller. Motion passed, voice vote (11-0).

Reports of Council's Standing Committees

(Third Reading)

Planning & Zoning:

No Report.

Finance & Appropriations:

Temp. Ord. B-29

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, without competitive bidding, with Bell Equipment Company to purchase a used rear load sanitation truck, and declaring an emergency.

Ms. Nichols-Rhodes moved to adopt Temp. Ord. B-29, second by Mr. Gorbach. Motion passed, voice vote (11-0).

Temp. Ord. B-30

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, without competitive bidding, with Sherman and Reilly Inc. for the purchase of braking reel trailer equipment, appurtenances, and services, and declaring an emergency.

Ms. Nichols-Rhodes moved to adopt Temp. Ord. B-30, second by Mr. Gorbach. Motion passed, voice vote (11-0).

Public Improvements:

No Report.

Public Affairs:

Temp. Ord. B-32

An ordinance authorizing the Mayor to execute the participation forms for settlement with Teva, Allergan, CVS, Walgreens, and Walmart pursuant to the OneOhio Memorandum of Understanding and consistent with the material terms of the proposed settlement agreements, and declaring an emergency.

Ms. Loza moved to adopt Temp. Ord. B-32, second by Mr. Brillhart. Motion passed, voice vote (11-0).

Temp. Res. B-33

A resolution authorizing the Mayor to apply for the Ohio Department of Natural Resources Clean Ohio Trails Fund Grant to construct Phase II of the Mud Brook Greenway, and declaring an emergency.

Ms. Loza moved to adopt Temp. Res. B-33, second by Mr. Miller. Motion passed, voice vote (11-0).

Temp. Res. B-37

A resolution expressing support for and urging passage of Issue 8, the Woodridge Local School District Levy, at the Primary Election to be held on May 2, 2023, and declaring an emergency.

Ms. Loza moved to adopt Temp. Res. B-37, second by Mr. Miller. Motion passed, voice vote (11-0).

Community Development:

No Report.

Schedule of Committee Meetings

Planning & Zoning:	April 17, 2023 at 6:30 p.m.
Finance:	Subject to Call.
Public Improvements:	April 17, 2023, at 6:35 p.m.
Public Affairs:	April 17, 2023, at 6:40 p.m.
Community Development:	Subject to Call.

Miscellaneous Business

Mr. James stated that, back in early to mid-2000s and again since 2017, it has been a pleasure to work with Mr. Gorbach. He stated that they are going to miss his wit, good humor, efficiency, and the pertinent questions that he always asked. It is not going to be the same without him.

Ms. Nichols-Rhodes stated it has been an honor to serve on Council with Mr. Gorbach. He has a great sense of humor, is intelligent, has a great institutional knowledge and has been extremely helpful to all of them. He truly is a public servant and he works hard for people. He is a person of integrity and will be missed.

Mayor Walters stated that it was an amazing ride. When he started in 2001, what sticks out in his mind is Parcel 108 where the stage and the pavilion are now located. That was controversial at the time. They were on Council, and there were several concerns and heated discussions, and it turned out genuinely nice. People also do not know that before the Municipal Court left Cuyahoga Falls, Mr. Gorbach was tasked with brokering a deal with the powers that be. It has been a pleasure serving with him all these years.

Mr. Tom Sullivan, 447 Tallmadge Road, stated that he remembers when Mr. Gorbach worked in the Tax Department. The City is not going to be the same without him. Aside from Mr. James, he is one of the only ones that have been here longer than him. There is a lot to be said for the amount of experience he has. No one at the rail knew what Budget was like until Mr. Gorbach showed everyone how to do it, because it went it from a four-to-five-hour night to the streamlined process it is now.

Mr. Ashton thanked Mr. Gorbach. He has served on Council the least amount of time of time, but Mr. Gorbach has truly taught him what it is like to be a Councilperson and to not be afraid to ask hard questions and challenge everyone to think harder. He has been an excellent shepherd of this city and his leadership will be missed.

Ms. Colavecchio stated that they have all known each other about 20 years. The Mayor and she and Mr. James go back a long time. She appreciates what Mr. Gorbach has done for the Community Development Department. He has been a great consultant. She speaks for everyone on the rail that

when they bring large projects down to Council, in the back of their minds, they would ask themselves what Mr. Gorbach is going to think of it, what is he going to do and what constructive criticism he will offer.

Mr. Brillhart stated that he is going to miss Mr. Gorbach. He has been an exemplary Councilperson and he has enjoyed serving with him. He was also his neighbor years ago and he was exemplary as a neighbor.

Ms. Loza thanked Mr. Gorbach for the leadership that he has shown her in her few years on Council. He is going to be missed.

Mr. Hoffman stated that he would like to thank Mr. Gorbach for the years he had been Finance Chair and for being able to work with him on the budget and allowing it to run smoothly. They had a good working relationship so that they had the best piece of legislation that was presented at Council and that worked for the citizens of Cuyahoga Falls.

Ms. Ciotola thanked Mr. Gorbach for his great service to the City and to the Law Department. She had the pleasure of meeting him when she came to the city in 2014. His reputation preceded him and everyone told her how wonderful, intelligent and witty he was, and he stood up to that reputation. When preparing legislation, she often asks herself what questions Mr. Gorbach is going to ask and stay late and spends extra hours making sure she will be able to answer them. He kept her on her toes. She treasures their friendship and wishes him the best.

Mr. Balthis stated that it has been a pleasure to know Mr. Gorbach for over 20 years. The amount that he has contributed to Council is hard to express. Being one of the people who, like the Mayor, has had experience serving with him on Council and on the Administration, he has his cell phone number for those that do not have it, and plans on still calling him about things going on and getting his thoughts, because there is no question the City is a better place because of him and the work that he has done.

Mr. Gorbach stated that his wife is at her first Council meeting tonight. If she is tearing up, it is because he is going to be home on Monday nights. He came back once and he can come back again; just let him know. He appreciates what everyone has said. It has been a pleasure to be back, They definitely are all doing what they feel is best for the City. Regardless of where they land on a piece of legislation, everybody has to look in the mirror and say that their duty is what they felt was best for Cuyahoga Falls. He stated that he loved budget nights because he loved seeing the second wave. They all know the Administration; typically, they call them right away, but they do not often see the management levels below and all the hard work that they do. It is nice to put faces to names and get into the nitty-gritty of what they are thinking, and they represent themselves well with all the professionalism and all the hard work.

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

Meeting adjourned at 7:04 p.m.

Russ Balthis, Council President

Dana M. Capriulo, Clerk of Council