

**CUYAHOGA FALLS CITY COUNCIL**  
**Minutes of the Council Meeting**

**March 27, 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. Stams

**Approval of Minutes:** The minutes of the March 13, 2023 Council Meeting were approved as written.

**Reports and Communications:** A Notice from the Ohio Division of Liquor Control regarding Permit Number 9179142 to VanBeverage LLC, 69 Graham Road, Cuyahoga Falls, Ohio, 44223, from Rivalry Brews LLC, dba Rivalry Brews, 1<sup>st</sup> Floor, 124 Lafayette Road, #101, Medina, Ohio, 44256

A Notice from the Ohio Division of Liquor Control regarding New Permit Number 08524870015 to Boss Chicknbeer LLC, dba Boss ChicknBeer, 1791 Front Street, Cuyahoga Falls, Ohio, 44221.

**New Legislation**  
(First Reading)

**Temp. Ord. B-29 (Finance)**

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.

**Temp. Ord. B-30 (Finance)**

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.

**Temp. Ord. B-31 (Sustainability, Energy & Environment)**

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.

**Temp. Ord. B-32 (Public Affairs)**

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.

**Temp. Res. B-33 (Public Affairs)**

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.

**Reports of Council's Standing Committees**

(Third Reading)

**Planning & Zoning:**

No Report.

**Finance & Appropriations:**

**Temp. Ord. B-24**

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, without competitive bidding, with D&S Landscape, Inc. for the construction of a maintenance garage at City Hall, and declaring an emergency.

Ms. Nichols-Rhodes moved to adopt Temp. Ord. B-24, second by Mr. Gorbach. Motion passed, voice vote (11-0).

**Temp. Ord. B-25**

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, without competitive bidding, with Siemens Industry for the purchase of a refurbished Siemens breaker, and declaring an emergency.

Ms. Nichols-Rhodes moved to adopt Temp. Ord. B-25, second by Mr. Gorbach. Motion passed, voice vote (11-0).

**Temp. Ord. B-26**

An ordinance authorizing the Mayor or his designee to enter into a contract or contracts, without competitive bidding, with Stryker Medical for the preventative maintenance of lifesaving equipment used by the Fire Department, and declaring an emergency.

Ms. Nichols-Rhodes moved to adopt Temp. Ord. B-26, second by Mr. Gorbach. Motion passed, voice vote (11-0).

**Temp. Ord. B-27**

An ordinance authorizing the Parks and Recreation Board to enter into a contract or contracts, without competitive bidding, with Amilia Enterprises, Inc. for software that coordinates recreation staff management, credit card and Automated Clearing House Network processing and reservations for programs and facilities all from the same platform, and declaring an emergency.

Ms. Nichols-Rhodes moved to adopt Temp. Ord. B-27, second by Mr. Gorbach. Motion passed, voice vote (11-0).

**Public Improvements:**

No Report.

**Public Affairs:**

No Report.

**Community Development:**

**Temp. Ord. B-28**

An ordinance approving and authorizing the Mayor to execute Community Development Block Grant agreements with Bruno Investments, LLC for an economic development project at the Blue Door Café & Bakery, and declaring an emergency.

Mr. Ashton moved to adopt Temp. Ord. B-28, second by Mr. Brillhart. Motion passed, voice vote (11-0).

**Schedule of Committee Meetings**

Planning & Zoning:	Subject to Call.
Finance:	April 3, 2023, at 6:30 p.m.
Public Improvements:	Subject to Call.
Public Affairs:	April 3, 2023, at 6:35 p.m.
Community Development:	Subject to Call.
Sustainability, Energy & Environment	April 3, 2023, 6:40 p.m.

**Miscellaneous Business**

Mr. Bryan Hoffman, Finance Director, presented Report 21 to Council. He stated that there have been two months in 2023, so it is hard to gauge exactly how 2023 is going to shape up. So far, they have seen good things on the revenue and expense side. In the General Fund, the Real Estate Tax line item shows revenue. Because they have to pass an ordinance every year asking for an

advancement of funds, that line item tends to fluctuate early in the year until they receive the first tax settlement in April. In Levy Taxes line item, they are seeing the Local Government Funds coming in at about as expected on the County side with a 3.7 percent increase over 2022 and under the Local Government line item at 6.6 percent over what was seen in 2022. In the General Fund revenue side, under Municipal Income Tax, they are seeing positive growth in the Municipal Income Tax line item of about 7 percent in income taxes over 2022. They are seeing that at all levels of types of income, whether it is withholding, profit or individual. At this time of the year, they are still accepting the individual returns through April and they will have a better idea in the May report.

The Street Construction Maintenance and Repair Fund line items are consistent with 2022. In the Hotel-Motel Tax, they are seeing a 16-percent increase over 2022. In the Leisure Time Fund, the one facility they have been watching closely has been the Natatorium. That was the hardest hit through the pandemic and has been the slowest facility to come back. They are at 20 percent over 2022 through two months and the Charges for Services line item have been up. Other items in the Leisure Time Fund are weather-dependent, so they have seen good numbers through February because of the good weather, but would anticipate those to level out as the summer goes on. On the expense side of Leisure Time Fund, the majority of the costs are part-time labor, so it is easy to manage the expenses. In the Self-Insurance Fund, currently they are seeing good numbers coming into 2023. Under Hospitalization and Dental, they are seeing about 10-percent less cost than in 2022. Some of those costs in 2022 were claims activity that didn't hit the cash statements on Report 21 until January or February of 2022 and that actually occurred in the fall of 2021 as it made its way through the process of getting adjudicated. Those should level out as well. All in all, the City is either meeting or exceeding expectations to start out the year.

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

Meeting adjourned at 6:48 p.m.

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Russ Balthis, Council President

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Dana M. Capriulo, Clerk of Council