

CUYAHOGA FALLS CITY COUNCIL
Minutes of the Council Meeting

July 10, 2023

- Call to Order:** Mr. Balthis at 6:30 p.m.
- Roll Call:** Mr. Ashton, present (6:32); Mr. Balthis, present; Mr. Brillhart, present; Mr. James, present; Ms. Loza, present; Mr. Miller, present; Ms. Nichols-Rhodes, present; Mrs. Penta, present; Mr. Siegferth, present; Mrs. Spinner, present; Mr. Stams, present.
- Invocation:** Mrs. Spinner
- Pledge of Allegiance:** Ms. Loza
- Approval of Minutes:** The minutes of the June 26, 2023 Council Meeting were approved as written.
- Reports and Communications:** None

New Legislation
(First Reading)

Temp. Ord. B-76 (Planning and Zoning)

An ordinance accepting the recommendation of the Planning Commission for the construction of a new fire station and training facilities for the Cuyahoga Falls Fire Department, located at 3097 Northampton Road, and declaring an emergency.

Temp. Ord. B-77 (Finance)

An ordinance providing for supplemental and/or amended appropriations of money for current operating expenses and capital expenditures of the City of Cuyahoga Falls, and authorizing the transfer of appropriations within and for the various funds hereinafter set forth, and declaring an emergency.

Temp. Ord. B-78 (Finance)

An ordinance accepting applications submitted by financial institutions and designating depositories for the active and interim funds of the City of Cuyahoga Falls for the five year period beginning August 23, 2023 and ending August 22, 2028, and declaring an emergency.

Temp. Ord. B-79 (Finance)

An ordinance authorizing the Director of Public Service to enter into a contract or contracts with Montrose Ford to purchase a truck for concrete work, increasing appropriations, and declaring an emergency.

Temp. Ord. B-80 (Finance)

An ordinance providing for the issuance and sale of bonds in the maximum aggregate principal amount of \$14,345,000, for the purpose of paying the costs of constructing, improving, equipping and installing a new building for the Electric Utility including acquisition of real estate together with all necessary appurtenances thereto, and declaring an emergency.

Temp. Ord. B-81 (Finance)

An ordinance providing for the issuance and sale of bonds in the maximum principal amount of \$1,720,000, for the purpose of paying the costs of the acquisition and installation of Electric System meters, together with all necessary appurtenances thereto, and declaring an emergency.

Temp. Ord. B-82 (Finance)

An ordinance providing for the issuance and sale of bonds in the maximum principal amount of \$8,705,000, for the purpose of paying the costs of various energy improvements including but not limited to: (a) the acquisition and installation of windows and doors, and exterior renovations at Fire Station 1, and (b) the acquisition and installation of HVAC equipment and improvement of the skylights at the Natatorium procured under a single energy improvement contract, together with all necessary appurtenances thereto, and declaring an emergency.

Temp. Ord. B-83 (Finance)

An ordinance providing for the issuance and sale of bonds in the maximum principal amount of \$1,490,000, for the purpose of paying the costs of public infrastructure improvements, including (a) the construction, extension, opening, improving, grading, draining, excavation, lighting, curbing, signalization and traffic controls along Front Street, 2nd Street, Chestnut Boulevard, Sackett Avenue and the two new public roadways to be constructed, (b) the construction of two new roadways, (c) the construction and installation of sanitary sewers along Front Street, 2nd Street, Chestnut Boulevard, Sackett Avenue and the two new public roadways, and (d) the construction and installation of sidewalks, the construction and installation of stormwater sewers, and the acquisition and installation of electrical lines, each along Front Street, 2nd Street, Chestnut Boulevard, Sackett Avenue and the two new public roadways to be constructed, and declaring an emergency.

Temp. Ord. B-84 (Finance)

An ordinance providing for the issuance and sale of bonds in the maximum aggregate principal amount of \$3,675,000, for the purpose of paying the costs of various public infrastructure projects, and declaring an emergency.

Temp. Ord. B-85 (Finance)

An ordinance providing for the issuance and sale of bonds in the maximum principal amount of \$4,595,000, for the purpose of paying the costs of acquisition and installation of Water System meters for use by the Water and Sanitary Sewer Systems, together with all necessary appurtenances thereto, and declaring an emergency.

Temp. Ord. B-86 (Public Improvements)

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, after publicly advertising for bids, for the replacement of the roof on the Annex Salt Dome, located at 2511 Bailey Road, and declaring an emergency.

Temp. Ord. B-87 (Public Improvements)

An ordinance pledging support and participation in the United States Environmental Protection Agency’s efforts to remove the Gorge Dam along the Cuyahoga River, authorizing financial cooperation thereof, and declaring an emergency.

Temp. Ord. B-88 (Public Improvements)

An ordinance authorizing the Mayor to apply for and accept financial assistance in the form of a grant from the Federal Congestion Mitigation/Air quality Funds programmed by the Akron Metropolitan Area Transportation Study for the improvement of State Road from Quick Road to Boulder Boulevard, and declaring an emergency.

Temp. Ord. B-89 (Public Improvements)

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, after publicly advertising for bids, for the public improvements for The Glens subdivision, and declaring an emergency.

Temp. Res. B-90 (Community Development)

A resolution authorizing the Mayor to apply to the 2023-2024 Clean Ohio Fund - Green Space Conservation Program and commit the 25% required match funds to acquire property on Peoplecare Park Drive adjacent to Mill Pond, and declaring an emergency.

Reports of Council’s Standing Committees

(Third Reading)

Planning & Zoning:

Temp. Ord. B-64

An ordinance accepting the recommendation of the Planning Commission for the construction of a 40-unit townhouse multi-family development for Antonio Pilla, located at Clyde Avenue and Buchholzer Boulevard, and declaring an emergency.

Mrs. Spinner moved to adopt Temp. Ord. B-64, second by Mr. James. Motion passed, voice vote (11-0).

Temp. Ord. B-65

An ordinance accepting the recommendation of the Planning Commission for the construction of a 25,770 sq. ft. building for the Humane Society of Summit County, located at 752 West Portage Trail, and declaring an emergency.

Mrs. Spinner moved to adopt Temp. Ord. B-65, second by Mr. Miller. Motion passed, voice vote (11-0).

Finance & Appropriations:

Temp. Ord. B-66

An ordinance authorizing the Parks and Recreation Board to enter into a contract or contracts with Toro Century Equipment, a Jerry Pate Company, for the purchase of two Groundsmaster 3500-D mowers for use at Brookledge Golf Club, and declaring an emergency.

Ms. Nichols-Rhodes moved to adopt Temp. Ord. B-66, second by Mr. Brillhart. Motion passed, voice vote (11-0).

Temp. Ord. B-67

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, without competitive bidding, with Montrose Auto Group or Ganley Toyota to purchase a compact truck, and declaring an emergency.

Ms. Nichols-Rhodes moved to adopt Temp. Ord. B-67, second by Mr. Miller. Motion passed, voice vote (11-0).

Temp. Ord. B-68

An ordinance authorizing the Mayor to enter into a Guaranteed Energy Savings Contract with Leopardo Energy LLC and Leopardo Companies, Inc. to implement energy efficiency improvements at the Natatorium and Fire Station 1 and savings through procurement solutions and fleet acquisition, and declaring an emergency.

Ms. Nichols-Rhodes moved to adopt Temp. Ord. B-68, second by Mr. Brillhart. Motion passed, voice vote (11-0).

Temp. Ord. B-69

An ordinance authorizing the Mayor or Director of Public Service to enter into a contract or contracts with the Doering Leasing Co. for the implementation of a fleet acquisition program, and declaring an emergency.

Ms. Nichols-Rhodes moved to adopt Temp. Ord. B-69, second by Mr. Miller. Motion passed, voice vote (11-0).

Temp. Ord. B-70

An ordinance authorizing the Director of Finance to enter into a contract or contracts, with the Huntington National Bank for the implementation of a virtual card and p-card payment system, and declaring an emergency.

Ms. Nichols-Rhodes moved to adopt Temp. Ord. B-70, second by Mr. Brillhart. Motion passed, voice vote (11-0).

Public Improvements:

Temp. Ord. B-71

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, with Environmental Design Group, for professional engineering services for the Boardwalk Transformation Project, and declaring an emergency.

Mrs. Penta moved to adopt Temp. Ord. B-71, second by Mr. Miller. Motion passed, voice vote (11-0).

Temp. Ord. B-72

An ordinance authorizing the Director of Public Service to purchase certain interests in real property from Grace Cathedral Inc. for the improvement of West Portage Trail between State Road and Northampton Road, and declaring an emergency.

Mrs. Penta moved to adopt Temp. Ord. B-72, second by Mr. Stams. Motion passed, voice vote (11-0).

Public Affairs:

Temp. Ord. B-73

An ordinance to approve current replacement pages to the Cuyahoga Falls Codified Ordinances, and declaring an emergency.

Ms. Loza moved to adopt Temp. Ord. B-73, second by Mr. Miller. Motion passed, voice vote (11-0).

Community Development:

Temp. Ord. B-75

An ordinance authorizing the Mayor to return revolving loan funds to the Department of Housing and Urban Development and reutilizing the same for future economic development and public facilities and/or infrastructure improvement grants for calendar year 2023, and declaring an emergency.

Mr. Ashton moved to adopt Temp. Ord. B-75, second by Mr. Miller. Motion passed, voice vote (11-0).

Schedule of Committee Meetings

Planning & Zoning:	July 17, 2023, at 6:30 p.m.
Finance:	July 17, 2023, at 6:35 p.m.
Public Improvements:	July 17, 2023, at 6:40 p.m.
Public Affairs:	Subject to Call.
Community Development:	July 17, 2023, at 6:45 p.m.

Miscellaneous Business

Donna Smith, 430 Grove Avenue, Cuyahoga Falls, addressed Council concerning the ordinance banning fireworks and the lack of enforcement of the ordinance. From July 1st through July 5th, the police department received 39 phone calls in regard to people in the city setting off fireworks. Later on, five of those calls were canceled. The patrolman passed out three warnings and no citations for breaking the law. She called multiple times on people on her street specifically shooting them off in the middle of the road. They are giving out warnings and not citations for the laws that are in place. She called the police and not one officer drove down the street for two hours. She related many instances of the violations in her neighborhood this 4th of July. Mr. Balthis stated that many of them are following up with the Police Department. He stated that under the rules adopted by Council, fireworks are not permitted in the city at all. Mr. James made the suggestion that the Utility Department enclose a pamphlet in their bills outlining the rules about fireworks in so people will be made aware of the law.

Rebecca Garner, 1336 West Bath Road, Cuyahoga Falls, addressed Council regarding concerns of residents of West Bath Road having no hydrants in their area, and the building of a burn building at the new fire station.

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

Meeting adjourned at 7:02 p.m.

Russ Balthis, Council President

Dana M. Capriulo, Clerk of Council