

**Cuyahoga Falls City Council  
Minutes of the Planning & Zoning Committee**

**July 17, 2023**

**Members:** Susan Spinner, Chair  
Jerry James  
Adam Miller

Mrs. Spinner called the meeting to order at 7:09 p.m. Mr. James was absent.

**Legislation Discussed:**

Temp. Ord. B-76

**Discussion:**

**Temp. Ord. B-76**

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.

Mr. Rob Kurtz, Planning Director, presented Temporary Ordinance B-76 to Council. The City of Cuyahoga Falls is proposing to construct a new fire station and training complex at the existing Fire Station #4 site located at 3097 Northampton Road. The current site includes the fire station building, a Service garage, a former administration building, and the Northampton Town Hall. The project will include the demolition of the existing fire station, garage and administration building, but the Northampton Town Hall will remain. The project will be constructed around the existing Northampton Town Hall and the new structures will include: fire station, training center, apparatus bays and a 4- story training prop.

At the June 20, 2023 meeting, the Planning Commission recommended approval of Project MSP-23- 00018 subject to the following stipulations:

1. All exterior (parking lot and wall) lighting must meet the lighting requirements in 1144.06.
2. Landscape plans must comply with the regulations in Chapter 1145, and include heavy visual screening in the form of fence, mounds, and/or trees.
3. The stormwater management plan must meet Section 1124.03 Flood Plain and Stormwater regulations. The plans must be submitted to Summit Soil & Water Conservation District for review of the Stormwater Pollution Protection Plan.
4. Must meet all other regulations in Chapter 1144 General District Design and other CFGDC site design standards.
5. A capped annual number of burns be worked out between the fire department and the community development department.
6. The fire department is required to provide in-house staffing for all burns at the facility.
7. The station will be a good neighbor to adjacent properties regarding scheduling.

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Mr. Stams made a point of order and stated that, on December 26, 2023, Temporary Ordinance A-136 was brought forth to the Public & Industrial Improvements Committee regarding the architectural design relating to the new Fire Station Number 4, including a training facility and fire prop. He believes there was an oversight in assigning Temporary Ordinance B-76 in that it was assigned away from the Public and Industrial Improvements Committee to the Planning & Zoning Committee. Mr. Stams stated that he would like it reassigned to the Public & Industrial Improvements Committee, of which he is a member.

Mr. Balthis stated that Temporary Ordinance B-76 was assigned to the Planning & Zoning Committee because anything that comes before Council after consideration by the Planning Commission is always assigned to the Planning & Zoning Committee. That assignment is made by him, as President, but once an assignment is made, he does not have the authority to remove something from a committee. It now needs to work through the process in the Planning & Zoning Committee.

Mr. Stams thanked Mr. Balthis and asked who has the authority to reassign that. Mr. Balthis stated that once it is in the Planning & Zoning Committee, the Planning & Zoning Committee needs to make its independent decision. Council rules state that if they do not make a decision within a certain period of time, the majority of Council can make a motion and remove it from that committee by consideration from the Council-of- the-Whole.

Ms. Colavecchio stated that, as the Community Development Department oversees Planning & Zoning, it is by charter that all matters that appear as site plans, major and minor, proceed directly through Council through the Planning & Zoning Committee.

Chief Martin made a PowerPoint presentation, Assistant Chief Breese presented a virtual tour of the exterior of the new fire station, Deputy Chief Kee addressed Council regarding the training facility, Chief Dale Arkenburg, retired Fire Chief Geneva, Ohio, made a statement before Council.

Mr. Bryan Hoffman, Finance Director, stated that the City is going to back this and look for grants and other ways to pay capital costs. They look forward to being able to train with other partners in the area and the region and it will be a great asset for the City as a whole.

Mr. Miller stated that it was mentioned prior to this committee meeting that City Council passed this proposal for the funding for planning to go before the Planning Commission December of 2022. He asked if this training facility and burn room was part of this the proposal in 2022. Chief Martin answered yes. Mr. Miller asked if it was an addition, in 2023, with the Planning Commission. Chief Martin answered no.

Mrs. Spinner stated that everyone wants to feel safe. Much of the job of first responders is to train for the emergencies that come up. They depend on firefighters from neighboring communities on large-scale problems. She understands many benefits of having a prop tower. No matter where they put it, it is going to be in someone's backyard or one of the City's 26 beautiful parks. She sees

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why this location would serve the Fire Department and the City. One of the things she wanted to stress is that the amount of smoke that would be coming from here would be not as much or maybe just like that from a home with a woodburning fireplace or a backyard fire.

Ms. Loza thanked the Planning and Zoning Committee for spending so much time on this issue, as well as the Fire Chief, Fire Department and all the firefighters who showed up in support and for doing so much research and sitting through countless hours and phone calls and chats with Council in regard to this piece of legislation. She personally sat through the second Planning Commission meeting and heard the evidence and reasons behind the building and the fire prop. She also took time to listen to some opposition regarding the new building. After hearing the evidence regarding the need for the facility, she wanted to see it for herself. She is one of the people who did go to the Geneva burn facility Friday. Her children, who are 10, 7 and 5 years old, were with her. She would not have let her children near that building if it were dangerous. In fact, during the time that they saw some of these gentlemen who are here go into the building, she was interested because she could not hear what they were doing inside and they said a fire had just been put out. She was standing within feet of the burn tower and definitely the loudest part of that was the truck engines idling. She is on the east side of town. If there was space next to Fire Station 2, she would wholeheartedly accept and like it to be there. With regard to putting it in Fire Station 4, she is in support.

Mr. Stams thanked former Geneva Fire Chief Arkenburg for his personal time away from his family. He stated that Chief Arkenburg mentioned that the training done at their facility was only about 15 percent of the time they use at the burn tower.

Chief Arkenburg stated that 15 percent would be live fires. He is not sure that they actually achieve 40 fires every year and it is actually far less. The vocational school is mandated for four different sessions there and then, obviously, whatever their Fire Department does and whatever the neighboring fire departments do. He would put their usage of actual lighting fires at 25 to 35 a year. Other times, they are onsite training police and EMS and that is where he arrived at the percentage of all the things that go on there. Eighty percent of that is not fire. Mr. Stams asked if he was stating that 25 to 30 times a year, they have live fires or use what they are discussing, the burn tower. Chief Arkenburg answered yes.

Mr. Stams asked if they rent the facility out to other departments. Chief Arkenburg answered yes. In a nutshell, there are cooperative agreements with communities that are primary to them. Other departments do rent it and it is good to have somebody on site overseeing that process. Mr. Stams asked how often they rent the facility. Chief Arkenburg stated that it varies. He cannot give a hard, fast number. Mr. Stams asked if they are using it 25 or 30 times, how often do the other departments use it. Chief Arkenburg stated that it is being used more than 25 to 30 times. The building is used for rope rescue, search and rescue, ladders and aerial. Mr. Stams stated that he is talking specifically about live burns. Chief Arkenburg stated that the total he gave, 25 to 35, that's annually, not just Geneva. That is total fires at that place. Mr. Stams asked many times the Fire Department has live fires there. Chief Arkenburg stated 25 to 35, total. Mr. Stams asked if that is

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all departments. Chief Arkenburg answered yes. That would be days. If they come over and light 7 to 9 fires, that is a day. To do one controlled burn and then pull everybody out ready to go back in is time consuming. Most people are there roughly three to five hours.

Mr. Stams stated that on Question 9 in the fact sheet given to Council, it indicates that while it is impossible to determine how much the facility will be used, they anticipate 30 to 35 controlled live burning days per year. He asked if that is consistent with what he is saying. Chief Arkenburg answered yes.

Mr. Stams asked many fire departments use that facility for live burns. Chief Arkenburg answered that, on an annual basis, 8 to 10 other departments. He stated that how close those fire trucks were to that building that was on fire, literally 20 to 30 feet. They are not going to put half million to million dollar apparatus that close if that would be a concern. That was a live action fire.

Mr. Stams asked Chief Arkenburg if he could elaborate briefly on how it was essential for crew integrity and personal management to have the burn tower near the Fire Station. Chief Arkenburg stated that personal management meaning if they have to take people out of their jurisdiction to come to their place to train, now they are relying on their neighbors to provide protection for you when they are gone. Conversely, when they are on site, they are able to take the crew that normally works together and leave them intact. When he speaks about crew integrity, it is important for the crew to work together. It keeps the them together, which is important.

Mr. Stams stated that there was a Parks and Recreation plan a number of years back where an amphitheater was in the plans or proposed right where the grassy hill is going up towards the barn. Is that amphitheater still a possibility for that long-term Park and Recreation plan. Ms. Sara Kline, Parks and Recreation Superintendent, stated that that was a comprehensive concept plan that the Park and Recreation undertook in 2020, so that was never set in stone. That plan was also dependent on the demolition of the Carrie Swain House. They have spent a considerable amount of money and time repairing that house, so it would be counterintuitive at this point.

Mr. Stams asked Ms. Kline if she thinks an amphitheater would be a good idea there. Ms. Kline stated that she would have to defer to Engineering and other people to determine its viability. They certainly hold events in the park. It would not be able to be at the exact spot unless the Swain House would be removed.

Mr. Miller asked when they received the budgetary proposal for this plan. Chief Martin stated that an estimate was initially included in the 2021 budget, so the fiscal year 2022. The first occurrence of the budget number for the fire facility building would have been in the fall of 2021. Mr. Miller asked if a tower and burn room were included in the budget proposal. Chief Martin answered Yes. Mr. Miller asked if the legislation Council passed Temporary Ordinance A-136, in December of 2022, did that include a burn tower or a training tower and the burn room as part of that legislation. Chief Martin answered yes..

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Ms. Nichols-Rhodes thanked everyone at this meeting and the other meetings and the feedback and the answers and all of the research that the fire leadership and Administration has done. Council has been given a comprehensive report of this proposal. She also stated she would like to thank Council President Balthis for making the suggestion that Council members might be able to see a facility and that is the one they went to see in Geneva. Being there and seeing it in the person made all the difference. She is completely in favor of this project. She saw very minimal smoke and minimal water. They do not have an irrigation system like that proposed for this burn tower. It is truly a testimony to the excellence and the constant improvement the City wants to make when they have the best fire, police and safety forces and that benefits everyone.

Mr. Stams moved to table bringing Temporary Ordinance B-76 out of this committee until all of Council has had a chance to get to Geneva. Although the Chief had best intentions of getting Council up there, 48 hours, or thereabouts, was not enough time, with his work schedule, for him to arrange a visit. Mrs. Spinner stated that there is a week before the vote and asked if he would be able to get there within the next week. Mr. Stams stated that will look and let her know.

Mr. Balthis stated that he has been on Council for four years and was Law Director for six years before that. During that time, he had the opportunity to work directly with the public safety forces, both the current fire chief and the two fire chiefs before him, and he knows the Assistant Chief, Deputy Chief and has done ride-alongs with the Fire Department and the Police. When they presented the project and talked about that burn tower, he started from the position of being confident that they always have the best intentions at heart and they are going to do everything in their power to make people safe. It is reasonable for people to say a burn tower and picture something with flames flying out of it and billowing black smoke, and that was not consistent with what he knows the Fire Department would recommend. He did request an opportunity to see one in place, because he wanted to see as close as he could to what was being talked about. Not only did he watch the facility and process, but he also stood within 10 feet from it when it started. There was a little bit of clear gray smoke that exited the property when it started. When he walked away, he could smell a little bit of burning wood. At 50 feet away, he could not smell anything. There was no blowing soot. The gray smoke that escaped stayed on the property and did not dissipate.

Mr. Balthis stated that he and Ms. Nichols-Rhodes then walked to a house about 200 feet away. A young man answered the door, and he asked him if he ever had any problems with the facility next door to him, noise, smoke or traffic. He stated they have never had any issues. He walked in the other direction towards an allotment, which is about the same distance as Woodhaven, and knocked on a few doors, as well. He spoke with a lady who lived there and her husband, and they both said that they have had no issues and that they could not smell smoke at all. Because he has also seen some of the things that have been passed out, what he saw in Geneva and what he read about some of the concerns did not match. It does match very closely, if not exactly, to what Chief Martin and his team are stating.

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Mr. Brillhart stated that a lot of thought and hard work has gone into this proposal and he is in full support of it.

Mr. Ashton stated that it meant everything to see it on a first-hand basis. He, too, lives in Keyser Parkway and has two young children that play in the park; one that has special needs. He has two dogs that play in the dog park. From firsthand experience, he has no concerns about any of the fire and smoke being any threat after leaving Geneva. They were lucky enough to watch the live burns of the Fire Department and their professionalism and the way they handled it. He wishes every single time that safety forces went to a call that risk is at zero, but they know more than he that that number is not true. He saw that tower as an opportunity to give them all the training that they deserve and all the respect they deserve because of what they do for them. He would be proud of this new fire station and this new training unit put in their neighborhood.

Mr. Siegfert stated that, as somebody who attended Woodridge K through 12, he spent countless hours in neighborhoods like Woodhaven and Keyser Parkway, developing relationships with peers and also with other families and people that he recognizes here. His take on the proposal is overwhelmingly positive. This is a great opportunity for them to be a leader in the region. If this is something that he thought was dangerous or unsafe, he would not be moving forward with this. He is in the trucking industry and deals with environmental issues, so he is comfortable with this proposal in its current state, and the Fire Department and the City Administration has their support.

Mr. Jeremy Fickey, 3048 Northampton Road, spoke in support of the Fire Department, fire station and the training center, but in opposition of the training tower.

Ms. Rebecca Garner, 1336 West Bath Road, spoke in opposition of the training tower and wants to have fire hydrants for the residents of West Bath Road.

Mr. Kevin Reaman, 876 Adam Run Drive, supports the firefighters, but is in opposition of the training tower.

Dr. William Shaheen, 2189 Sourek Trail, stated that perhaps proposed amendments can be requested to be added, by the Ward 8 councilman or other Council members, that Class A fuels be the only mandated fuel that is used in these burns. At least per the builder that has been contracted, Class B fuels can also be used in these structures. He hopes that Cuyahoga Falls sticks to a Class A mandate, understanding that anything that burns produces carcinogens, even a lighter or a bonfire. He also asked that there be the strict regulation on the lighting of fuel and burns that are used per annum. Outdoor smoke detector technology has just been developed and is due to be produced by the end of this year. He asked that that be considered for the training property and the surrounding vicinity. These are thermal, visible and chemical detectors that are solar powered and can detect chemicals and noxious byproducts of combustions the size of the plumes being described in the draft. These can be placed outside the burn tower. He appreciates that this is something that is not necessarily an objective, but an imperative that they all, including health

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care providers, continue to receive the training and that it be done not only for their safety but for the public safety, as well.

Ms. Amelia Malik, 3082 Timberbrook Drive, spoke in opposition of the ordinance.

Ms. Maureen Hunt, 686 Woodhaven Drive, asked what the AQI (Air Quality Index) would be after the burn as compared to the AQI before a burn. Chief Martin stated that the EPA does not mandate any air quality testing pre or post burns. After the City of Akron had a fireworks display, the air quality went up 400 percent, so fireworks pose more of an air quality index than the burn tower ever would. If the EPA were to mandate testing, they would certainly comply.

Ms. Hunt asked if they knew how many projected slots there are going to be for burning. Chief Martin stated that, as to how many times a year they are going to burn, they know that they are going to produce a number. Twice a year, three shifts are six burns a year. There are 16 partners. If they have full participation from all of their partners, including The University of Akron, and they overestimate, they are in the 25 to 30 range per year.

Ms. Hunt asked if there is a projected amount that the City will make from these other communities coming in and having burns. Mayor Walters stated that he does not have a total, but the purpose of that is to be fiscally responsible, so the Finance Director may have answer on that or the Chief. Chief Martin stated that they have received a sample MOU from The University of Akron, and that number was over six figures per year, and that is if they say yes to every one of their request. They have not set up a payment schedule and they do not know what the total engagement is from any of the partners to be able to estimate the total amount.

Ms. Hunt asked if the construction of the fire station and the training facility, which everybody is 100 percent in agreement is needed, was contingent on the construction of the burn tower. Chief Martin stated that it is all or nothing. They presented to the Mayor and the Administration the project in its entirety. That is how started and that is where they stand.

Ms. Hunt asked if they hope to pay for the fire station through the renting out of the burn facility. Chief Martin stated that he feels comfortable in saying that, in 10 years, it will pay for the training tower. Their intent in collecting rental fees is to make the training tower self-sufficient. Ms. Hunt asked how many fire fatalities were there in the Falls in 2022. Chief Martin stated that he would have to look, but at least one.

Mr. Brett Reynolds, 3270 Forest Meadow Drive, stated that he was a police officer in the city and spoke in opposition of the fire tower, but in support of the fire station and training facility. He asked if they are purchasing brand-new pallets or collecting used ones. Chief Martin stated that the collection of all their burn materials will go through Deputy Chief Kee's office. If any of the pallets carried hazardous materials, or if there was any spillage on the pallets themselves, they are not to be used. They have to inspect them as they come in from where they buy them. All that information, Chief Kee will figure out, but the standard of that wood is extremely high.

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Ms. Teo Reaman, 876 Adam Run Drive, spoke in favor of the fire station and conference center but in opposition of the burn tower.

Mr. Mark Wilkerson, 2467 6<sup>th</sup> Street, stated that everyone was here because it is their backyard. He started coming to meetings because of the situation near the high school and trade on some land. He has been at Council meetings not all the time, but a lot of the time. This has been discussed for well over two years. If they wanted to do something about it, instead of turning up with 100 people at this meeting, they need to attend Council meetings and find out what is going on. Chief Martin has done a great job. The Fire Department does a great job. This whole situation with a burn tower is not really a great big point. The big point is that if they want to participate in this kind of situation, they need to participate all the time to find out what is going on.

Ms. Romana Ayres, 3044 Devan Vale Drive, spoke in opposition of the burn tower.

Ms. Joanne Thompson, 2360 Hoffman Drive, spoke in opposition of the burn tower.

Mr. Miller stated that he has the minutes available from November 15 of 2021 for the Finance and Appropriations Committee, and read, “Chief Martin stated that the biggest need for the department came in regard to training. Station 4 needs replaced and that has been in the five-year plan. They have established a need in the area for a burn building, a training property that is four to six stories that they can set fires in. The police can come and do tactics. They can smoke out floors and send crews in to train on high-rise scenarios and technical rescues. There are no limitations to what can be done with a prop like that and the classroom to go with it. The Street Department building that will be replaced moved around to the salt barn which will assist and improve their operations. They will have a new fire station that will replace the existing station and would add a training prop and the classroom. No one has what is being proposed. The University of Akron wants to talk MOU for using it for their classes. Akron Fire has over 300 firefighters and puts their own academy on and wants to use this facility because they cannot burn. This will replace their need to search for acquired structures which are a lot of work”

Ms. Julie Redd, 859 Adam Run Drive, stated that she supports the ordinance, but has questions or concerns. She has not heard anyone addressing how this is going to affect the park and is asking is the City to take into consideration the safety of people going to the park, attending the park, and look at getting some safety measures there, a way to cross the street, maybe some flashing lights that indicate there is a park there.

Ms. Danielle Wilson, 3545 Northampton Road, spoke in opposition of the burn tower.

Mr. Scott Thomson, 746 Adam Run Drive, spoke in opposition of the burn tower. Being a commercial and industrial realtor, he presented a proposal to sell them land for a burn tower located near Fire Station 5.



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Ms. Sue Truby, 2976 Devan Vale Drive, provided Council with a handout listing a breakdown of the cost of putting a burn tower next to Fire Station 5 and asked Mrs. Spinner to amend the legislation to exclude the burn tower or table the legislation until the proposal can be reviewed by Council.

Ms. Ann Griffith, 866 Adam Run Drive, spoke in opposition of the burn tower. She stated that there will be wear and tear on the roads with the large equipment.

Mr. Terry Mader, 1946 Thiess Road, spoke in opposition of the burn tower.

Ms. Maryann Denise Fickey, 3048 Northampton Road, spoke in opposition of the burn tower.

Mr. Russ Iona, 675 Dominic Drive, spoke in opposition of the burn tower.

Mr. Charlie Zawacki, 311 Dutt Road, Norton, Ohio, spoke in support of the burn tower. He has heard a lot about community, health, and safety. He has been a fireman for 20-plus years. He remembers every single one of his fire fatalities, involving a fatality the first year he was in service. Getting extra training is a firefighter's passion, and they are asking for Council's support.

Ms. Patty Eagleheart, 33030 Drexmore, supports the Fire Department and their need for training, but spoke in opposition of the burn tower.

Mr. Jim Fox, 2988 Devan Vale Drive, spoke in opposition of the burn tower and asked Council to consider Scott Robinson's proposal. If they are not able to stop this, at least legislate it where it is acceptable to the community.

Mrs. Spinner thanked everyone for their input. They have been heard and they have been listening. Council rules are three minutes and the length of the presentations were good so that everyone received all the information that they have to present and this is what the Administration had to present.

Mr. Stams stated that in light of all the comments made by the public, the proposal of amendments made by Dr. Shaheen, the comments by Councilman Ashton saying that visit to Geneva has meant everything to him, he did not have that chance and he respectfully asked if the Committee would table this until those investigations and discovery can be done.

Mr. Balthis stated that one option would be that if the committee considers it to move it forward for a vote next week, at that time, if the majority of Council chooses, they could send it back to committee or they could send it to a different committee. He would defer to the Law Director, but if the committee could move it to Council floor for full consideration next week and then, at that time, all of Council would have a chance to vote on whether to move it forward or whether to send it back to committee at that time. Whether people agree or not, Council does appreciate that people come and they do listen.

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Mr. Balthis stated that these meetings are important to collect information. All of them have received calls and talked to people about these issues. There are definitely arguments on both sides. When somebody opposes the training center, that does not mean they do not support providing the Fire Department with the tools they need, just as people who think this is the best location are not trying to harm the neighborhood and also care about that.

Mr. Balthis stated that he appreciates their patience staying here late and being kind and respectful. They all are neighbors at the end of the day. It is important, and it is how government should work. He believes it is up to the members of the committee if they vote to bring it forward for next week when Council could consider to adopt or, if they want to take more time, they could vote to send it back to committee if it were the will of all of the committee. He thinks the ideal is for the committee to bring it forward for next week, so, that way, all Council, including Councilmember Stams, would have an opportunity to vote and debate at that time.

Mr. Brett Reynolds, 3270 Forestmeadow Drive, asked if Chief Martin would accept the option presented for an alternate location. Chief Martin stated that he does not operate in a bubble. There is no way for him to answer this having been presented with it just moments ago. He will consult with his department and administration heads and make the best choice for the community.

Ms. Janet Ciotola, Law Director, stated that she has looked at Council rules and Robert's Rules. She agrees with Council President Balthis that Madame Chair could bring it out of committee this evening and then, next week, can motion to refer it back to committee or to vote on it, either way, but, as it stands this evening, only the committee members can make the motion.

Mrs. Spinner asked who would make that motion next week if they do go forward. Mr. Stams asked if that is the only option. Ms. Ciotola stated that for this evening, it is, because it is not before Council as a whole. It is in committee, so it is the committee members this evening that would move to bring it out of committee. When it comes before Council as a whole, they can decide to refer it back to committee for a vote.

E-mails sent to Public Comments for or in opposition of this text amendment have been attached to these minutes by the Clerk of Council.

Mr. Miller moved to bring out Temp. Ord. B-76 with a favorable recommendation, second by Mrs. Spinner. Motion passed (2-0).

The meeting adjourned at 10:37 p.m.