

**Cuyahoga Falls City Council**  
**Minutes of the Public & Industrial Improvements Committee**

**December 21, 2020**

**Members:** Mary Nichols Rhodes  
Frank Stams  
Jeff Iula

Ms. Nichols-Rhodes called the meeting to order at 7:18 p.m. All members were present.

**Legislation Discussed:**

Temp. Ord. A-107

Temp. Res. A-108

**Discussion:**

**Temp. Ord. A-107**

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the replacement or adjustment of concrete sidewalks, drive approaches and curbs at various locations in the City of Cuyahoga Falls, and declaring an emergency.

Mr. Tony Demasi, City Engineer, presented Temporary Ordinance A-107 to Council. The Director of Public Service will be authorized to enter into a contract or contracts, according to law, for replacement or adjustment of concrete sidewalks, drive approaches and curbs at various locations in the City of Cuyahoga Falls. All bids submitted must conform to and be in accordance with the specifications for the same now on file by mail to the Office of the City Engineer. The Director of Finance will be authorized and directed to make payment for same from the Capital Projects Fund, line item Capital Outlay.

Mr. Demasi stated that this is the City's annual ordinance that allows it to enter into a contract for replacement of sidewalks and ramps. Bids will be opened mid-March. Each year typically works begins when school lets out, which is typically mid-June. They encourage requests to be called into the Engineering Department and will go out and look at the sidewalks and make sure they meet the criteria for replacement.

Mayor Walters stated that most cities have something similar to this to allow them to come in and redo the sidewalks. He asked if Mr. Demasi if any cities pay half of the cost of replacement. Mr. Demasi stated that Akron has a program. He is not sure that there is any program where the city pays half. Mayor Walters stated that, normally, it is the homeowner's responsibility, but the City of Cuyahoga Falls pays half. Mr. Demasi stated that what they offer is a program that allows the City to do that for them and share in the cost. If a property owner has a good relationship with a contractor, for example, and can do it at a better price, they can do it, but, by and far, it is a great program where the City helps support property owners to replace these.

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Mr. Stams asked how one applies for that program. Mr. Demasi stated that they get requests from pedestrians, Council members, and from the property owners, themselves. Most of the requests are from the residents. Residents walk the neighborhood, and they see the sidewalks and call his office and ask them to evaluate. After they evaluate, they start the conversation with the property owner about replacing their sidewalk and paying for it. By and far, when they have that discussion with the property owner, the property owner sees the benefit of it. The City does the work in one year. The property owner does not get the invoice until 12 months later. At that point, they can pay it in full or over two payments in their property taxes. They do not have to call the contractors. They do not have to schedule the work. All they have to do is write a check the following year. Anybody can call it in and ask the Department to evaluate. Just because they call it in, does not mean it will be replaced. If it does meet the criteria, they will add it to the program. Mr. Stams asked the cost of the program. Mr. Demasi stated that the cost they assess, which is in the ordinance that just came out in Finance Committee, is the property owner is billed \$15 per linear foot, which represents half of the program. That was the charge for this year, 2020. Again, moving forward, it could be that or could be higher.

Mr. Iula moved to bring out Temp. Ord. A-107 with a favorable recommendation, second by Mr. Stams. Motion passed (3-0).

**Temp. Res. A-108**

A resolution creating for the year 2021 a Sidewalk and Drive Approach Repair or Replacement District containing such streets, alleys, or public roadways within the corporate limits of the City of Cuyahoga Falls, declaring the necessity of repairing or replacing the sidewalks and drive approaches abutting on such streets, alleys, or public roadways within said corporate limits and providing the method for levying special assessments, and declaring an emergency.

Mr. Demasi presented Temporary Ordinance A-108 to Council. A Sidewalk and Drive Approach Repair or Replacement District will be created for the year 2021 containing those streets, alleys, or public roadways within the corporate limits of the City of Cuyahoga Falls, and declaring the necessity of repairing or replacing the sidewalks and drive approaches abutting on such streets, alleys, or public roadways, and to provide the method for levying assessments and the right to object to or appeal said assessment. Property abutting the necessary streets, alleys and public roadways receiving sidewalk repair or replacement within the District may be assessed by the lineal foot of abutting sidewalk at the rate of one-half of the total cost of installing or adjusting a linear foot of sidewalk, with the remainder of such cost to be paid by the City. Property abutting the necessary streets, alleys and public roadways receiving drive approach repair or replacement within the District may be assessed by the square foot of drive approach at the rate of one-half of the total cost of installing or adjusting a square foot of drive approach, with the remainder of such cost to be paid by the City. The assessment to be levied may be paid in full within thirty (30) days from the levy thereof to the office of the Finance Director, and all assessments thereof remaining unpaid at the expiration of said thirty (30) days shall be certified by the Clerk of Council to the County Fiscal Officer to be placed by her on the tax duplicate and collected in two (2) semi-annual installments. Notice to the owners thereof shall be given by publishing the resolution establishing

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a sidewalk and drive approach repair or replacement district and setting forth the portion of the cost to be assessed once each week for two weeks in a newspaper published and of general circulation to the City.

Ms. Nichols-Rhodes stated that she checked with Ms. Janet Ciotola, Law Director, because there is a resolution and an ordinance for the sidewalk and apron repairs. Ms. Ciotola explained that there are three purposes that all of the legislation points toward to make this happen. Temporary Resolution A-108 is to continue the program. Temporary Ordinance A-107 allows the City to have contracts and put the work out to bid. Temporary Ordinance A-104 is so the City may levy the assessment or send the invoice to the residents that use the program.

Mr. Stams moved to bring out Temp. Res. A-108 with a favorable recommendation, second by Mr. Iula. Motion passed (3-0).

The meeting adjourned at 7:26 p.m.