

**Cuyahoga Falls City Council
Minutes of the Public Affairs Committee**

September 19, 2016

Members: Vic Pallotta, Chair
Adam Miller
Jerry James

Mr. Pallotta called the meeting to order at 7:16 p.m. All members were present.

Legislation Discussed:

Temp. Ord. A-70

Temp Ord. A-71

Temp. Ord. A-72

Discussion:

Temp. Ord. A-70

An ordinance authorizing the Parks and Recreation Board and/or the Mayor to enter into an Ohio Department of Natural Resources (ODNR) Grant agreement for \$99,000.00 and authorizing the appropriation and payment of the grant funds and matching funds for a future trailhead for the Mud Brook-Mill Pond Greenway, and declaring an emergency.

Mr. Ed Stewart, Superintendent of Parks and Recreation, stated that they started this project years ago, hit bad times in the economy and had to stop the first trail through the Mud Brook corridor. Mr. Fred Guerra, Planning Director, applied for and received a \$99,000 grant. The sale price of the property is \$145,000. The drawing given to Council shows the two trailheads. The trailhead in the northeast corner or top right of the drawing is the old Gun Club area and very close to Station 5 off Pleasant Meadow Boulevard and the other one is right on Bath Road. The property is 1.51 acres. It has the red barn right at the top of the hill halfway in between State Road and Graham Road. It will cost the Recreation Levy Fund \$46,000. It's a potential trailhead for the whole Mudbrook/Mill Pond Greenway Master Plan.

Mr. Pallotta stated that the barn looks to be in fair condition and wouldn't take a lot of renovation. He asked if there was potential for it to become a shelter house. Mr. Stewart stated it is in very nice shape. The hope is that they can use it as some type of shelter house and a parking lot for a trailhead. The original trail runs adjacent to the property. Mrs. Pyke asked what the ballpark price of the entire Greenway Plan was. Mr. Stewart stated that it depends on how far they take it. They bid out a three-quarter-mile trail at one point, and it was just under a half a million dollars. His guess would be that the trail portion of the new property on Mill Pond would be somewhere around the same. It all depends on the restoration of the pond. Mr. Guerra also has another grant out right now, which will go a long way with this. Mr. Guerra stated they received the original grant to do the master plan in the early 2000's. The cost depends on how much they do, but it is estimated that it is going to be \$3 million to \$4 million and over \$1 million to do the first phase. They have applied for grants and are still waiting to hear about a grant of \$800,000 to do some of that first

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phase. It includes the environmental cleanup for the old Gun Club and Pleasant Meadow Boulevard. There are other ways to pay for this with the grants, but this is the first plan that he has seen in five years that has a way to pay for 90 percent of the things in income stream. Mrs. Pyke asked if each step of the way, they will be applying for grants. Mr. Guerra stated that was correct.

Mr. James moved to bring out Temp. Ord. A-70 with a favorable recommendation, second by Mr. Miller. Motion passed (3-0).

Temp. Ord. A-71

An ordinance authorizing the Parks and Recreation Board to apply for and accept a grant from the Department of Natural Resources, and declaring an emergency.

Mr. Pallotta stated that this ordinance concerns the old restroom at Waterworks near the bocce courts and the playground. Mr. Stewart stated that they are about 80 percent done with the design of this project. They have two smaller grants right now. They have a grant from ODNR for \$36,697 and a grant for \$10,000 from the Ohio Erie Canal Canalway Coalition for this project. The construction estimate is \$196,000. They are asking for \$98,000. As of right now, they are planning on putting the amount into the budget without this grant, but, hopefully, they can add to that.

Mr. Pallotta asked how old the existing structure was. Mr. Stewart stated he believes it was built in the 1950's. Mr. James stated that when he was young and lived in that neighborhood, they used the building for one of their headquarters when playing army. He stated that the building was old, dark, dank, and smelly in 1966, and that it was time for it to be replaced.

Mr. Miller moved to bring out Temp. Ord. A-71 with a favorable recommendation, second by James. Motion passed (3-0).

Temp. Ord. A-72

An ordinance amending Chapter 164, Municipal Income Tax, to comply with state law, and declaring an emergency.

Shelly Goodrich, Income Tax Administrator, stated that, last year, they did a massive overhaul to the tax ordinance with passage of House Bill 5 at the State level. This ordinance is some minor tweaking changes so that they follow State law. The State enacted Senate Bill 172. It was signed by the governor in June and went into effect on September 14th. It changes the quarterly withholding due date back to the end of the month. Under House Bill 5, it was set to be at the 15th of the month following the end of the quarter. They were going by the date that the withholding was received. They have now changed that to the postmark date. So, they are going by postmark date, which is the date that they use for every other payment. It also added some language regarding EFTs and when electronic payments that are being sent by EFT are considered received, and that is by the timestamp of the first electronic system that receives the payments.

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Mr. Pallotta stated that he is sure it will be appreciated that there will be an extra couple weeks to get taxes in order. Ms. Goodrich said that it is a welcome change and they will get the word out to all the City's businesses regarding this change. Ms. Nichols-Rhodes stated the Board of Elections has had problems with mail arriving without a postmark and asked whether that would be an issue in this case. Ms. Goodrich stated that they have had problems with that, as well. There is wording in the ordinance that states that if mail is not postmarked and is received within seven days of the deadline, it's deemed to be received on time.

Mr. James moved to bring out Temp. Ord. A-72 with a favorable recommendation, second by Mr. Miller. Motion passed (3-0).

Mr. Pallotta stated that the Waterworks swim team would like to approach Council.

Ms. Jennifer Miller, 376 Marian Lake Boulevard, stated that she is a parent of a member of the Waterworks swim team. It has been an organization that has been instrumental in what she is trying to instill in her family, which is commitment, dedication, love of a sport and ability to compete. Their current board has retired. They have a new Board forming. They would like to present the fact that they are willing to work with the City if it is willing to work with them. One of the issues in contention is that they don't have a place to have swim meets. They are asking for support to have their swim meets at the Waterworks facility.

Ms. Maureen Earhart stated that her daughter started with the Waterworks swim team about three years ago to further her stroke development after she took swimming lessons. She is very devastated to hear they might not have a program next year. She thinks it will be a shame to see this program disappear.

Ms. Kristen Hampton, 1727 6th Street, stated that she has coached swim teams for six years and has worked as a pool administrator and trained lifeguards. By the nature of being called the Natatorium, the implication is that it is an indoor pool and the expectation is that it supports swimmers. Lifeguards that are employed at the Natatorium and Waterworks must swim 300 yards nonstop. They have to do deep-water rescue and know how to dive. These are skills learned on swim team. Every other sport cross trains in a pool. Neither Waterworks nor the Natatorium are supporting a swim team. The City has great facilities. These athletes are getting cut out of possible futures with the Coast Guard, Navy Seals and marine biologists. It's a safety issue. They need to have a swim team.

Ms. Monica Grebb, 3375 Kaiser Parkway, stated that when they hold their swim meets at Waterworks, it is only two or three meets the whole summer. All that would need to be closed is the deep end where they put up the lane lines. The rest of the park could remain open. They would be bringing in people that would be spending money buying concessions. They have been very fortunate that the teams that they swim against have been nice enough to allow them to use their facilities, but she is not sure how much longer that will continue. The City did propose the

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Saturday option for their league, but that is not possible because their bylaws say that the meets are held on Monday and Thursday evenings

Ms. Christina Drybola, 1941 8th Street, stated that her son currently works for the City of Cuyahoga Falls as a lifeguard. This summer, he was at Waterworks and, now, he's working here at the Natatorium. He is also on the high school swim team. If Waterworks wasn't there, he wouldn't be a lifeguard or on the swim team at the high school. Her daughter, Lily Drybola, stated that she has been on the swim team since she was five years old. She loves it there. It is a kid-friendly place and she loves the coaches and her friends there.

Mr. Tom Allport, 2676 Fairview Place, stated that this is the first year his son was on the Waterworks swim club. He started getting involved with some of the aspects of swim club and hearing some of the costs that were coming down. His understanding is that this has been a long-term negotiation battle back and forth between Waterworks swim club and the City of Cuyahoga Falls as far as what the facility fees are going to be. His fear is that the solutions that they have been presented with are so expensive that they cannot survive.

Mrs. Pyke inquired as to what is happening to cause the swim team to feel that it is not welcome. Ms. Miller stated one of the issue is that they don't have a place to have their swim meets. They are not able to have them at the Waterworks facility and can no longer have them at the Natatorium. Ms. Hampton stated that the team is being charged \$3,400 for six weeks of swimming. They have not been able to have a home meet for two years, because the cost has become so exorbitant for those six weeks of swimming.

Mayor Walters stated that the City supports the swim team 100 percent. He and Mr. Stewart have met with their board and have looked at suggestions to try to find that balance with Waterworks as well as the Natatorium. They looked at having the meets on Saturday mornings at Waterworks, and, for whatever reason, that wasn't acceptable. The offer is still on the table to have the meets at the Natatorium. He agrees on the importance of this for the youth, and they will do whatever they need to do find that balance between the Natatorium, the swim team and Waterworks. Mayor Walters stated that he welcomes them to meet with himself, Mr. Stewart, or whoever they want to speak with to get it worked out. Mrs. Pyke made a request that Mr. Pallotta be included in those meetings so that if there are calls from residents, they have someone will know how those meetings are moving along. Mayor Walters stated they are all welcome to attend.

Mr. Pallotta stated that he would like to present Christina Wagner, Regent, and Sandra Dickinson, Cuyahoga Falls Chapter of the Daughters of the American Revolution. Ms. Christina Wagner, 2039 Ohio Avenue, stated that she is the regent of the Cuyahoga Falls Chapter of the National Society of the Daughters of the American Revolution. The DAR is a nonprofit, non-political women's service organization that promotes historic preservation, patriotism and education. It was the DAR, in 1955, that petitioned Congress to celebrate the Constitution. In 1956, President Eisenhower signed into law that September 17th through September 23rd would be known as

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Constitution week. She is here on behalf of the Cuyahoga Falls Chapter to present City Council with a copy of the Constitution. Mr. Pallotta stated that it was an honor.

Mayor Walters stated that he would like to give a brief update on Utility Billing. The 1st, 5th, 10th and 15th bills went out on time and the 20th will be ready for tomorrow. If Council receives any correspondence for the June, July and August, they are still handling those calls, e-mails or any other type of correspondence they get. Mrs. Pyke stated that she had received three calls that the balance forward is still showing up on the bills. She asked when the billing cycle will be caught up, so those balance forwards are not showing. She also asked why they haven't put a message in the small community bulletin board located on the bills that if the bill has a balance forward and it has been paid by the due date, that balance forward will be deducted from the bill. Mayor Walters stated that he had Utility Billing specifically add to that line the sentence, "If paid, thank you," meaning if the check is in the mail, but the bill is generated before the check is received and posted, they will know not to pay it twice and it can be deducted the balance. Mrs. Pyke stated that the problem is that balance forward is reflected in the total. Mayor Walters stated that it always will be if they haven't received a payment in the system. It is still owed until the check is received and posted. Mrs. Pyke asked when the billing cycles will be set so that the previous billing cycle has been paid before the next billing cycle goes out. Mayor Walters stated that part of the reason for that is the lengthy dates they have before the late fee hits. That is a convenience that they offer, but what that does is make a shorter window for when the new bill will go out based on when the old one was due.

Mrs. Pyke asked if they will always see that on the bills. Ms. Teresa Hazlett, Deputy Service Director, stated that they will not. They are getting back to a normal, 30-day billing once a month. Bills are always due 25 days from the day the bill is generated. Starting in October, now all cycles are going to see a full 30 days between receiving bills. In August, some of the bills in the cycle were a few days off their normal cycle, so they may still have that balance forward in September, depending on when the August bill that was due in September was paid. Because they went out on time in September and October, the full 30 days, the bills are typically paid five days before that next bill is being generated. Mrs. Pyke asked how they were doing on callback times. One of the things that residents were having problems with was they weren't getting called back on time. Ms. Hazlett stated that they have trained additional people to answer those phone calls. More people can take the phone calls and answer the questions. Those residents that need more advanced help, she or somebody in Utility Billing are making those additional follow-up calls as necessary.

Mr. Doyle Huntsman, 1916 6th Street, stated that his issue is that there is a traffic flow problem on his street. He lives across the street from the from the parking of the YMCA. A lot of people try to rush and race to get to the light that is so extended at 6th Street and Broad Boulevard. He would like to have a stop sign to reduce how much distance the cars have to speed up. He wants it broken up at Falls Avenue. His major concern is the traffic going so fast already. He has asked officers to help. They said they do not have enough patrols to be there all the time. They put one of the speed limit boxes to warn people how fast they're going. They put it the far end of the street

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by Sackett Avenue, where it was ineffectual, at best. They have tons of kids from Dewitt, tons of kids coming out of the YMCA and traffic pulling in and out of the YMCA. His understanding is they have done some studies. They have tried to do a traffic flow test through there to check speeds. He wants his kids to be able to play safely in their front yard, and he doesn't want to worry about someone going down the street so fast they can't stop. He understands accidents happen, but they can try to reduce the possibilities.

Mr. Dain Ricker, 2400 Shaw Avenue, stated that he has been a crossing guard at the intersection of Broad Boulevard and Sixth Street for roughly 9 years. Cars run to beat the light at 6th Street, and, over the course of the years, he has had to grab two children and get out of the intersection because of speeding cars. Over the years, he has learned to watch the cars and which ones not to even try to stop. They hurry because they know that he is going to stop traffic. He crosses 20 to 25 children in morning and probably 30 to 50 at night from three schools, St. Joe's, Redeemer and Dewitt. There is almost an accident every day and that is just for the two hours that he is there.

Chief Davis stated that he apologizes for the placement of the speed cart. It was supposed to be located between Falls Avenue and Broad Boulevard. He cannot put up a stop sign. That has to go through Traffic Committee. They do have a new radar device that is scheduled to be put out there. He also has spoken to one of the residents to try to determine the times that are most effective to put a police officer there. Mr. Tony Demasi, City Engineer, stated that at the intersection of Falls Avenue and 6th Street, there are currently traffic signs going one way. If they want to switch them to go the other way or convert it to a four-way stop, it has to go through Traffic Committee. Before Traffic Committee would approve a change like that, they would want to see some engineering study that documents a benefit to that. One reason the State code doesn't permit stop signs for speed control is that if a car has to stop for 15 seconds at a stop sign, they are going to try to make up that lost time. It sounds counterintuitive that a stop sign can increase speeding, but it can. That is why they must be very careful as to not only whether stop signs are warranted, but how they are placed, as well. That all has to be considered. Chief Davis is going to give them data in terms of the speed out there currently.

Mrs. Pyke stated that since she has been on Council, they have tried to make improvements to that corner. At one time, they tried to get the four-way stop back. They changed the distance that people can park near that corner. They have removed trees. On two different occasions, they tried to have the crossing guard removed from that corner. She stated that when she did speak to Chief Davis about where the speed cart was, he was kind of shocked because he had specifically asked for it to be placed between Falls Avenue and Broad Boulevard. It was near the Laconi's Restaurant driveway and faced Sackett, so it gave a very bad report of what was happening on that street. Chief Davis stated that the new device they have has more options than the old.

Mr. Pallotta stated that he would like to thank Mrs. Klinger and Mr. Iula for allowing the Public Affairs Committee to conduct their meeting out of turn this evening.

The meeting adjourned at 8:12 p.m.