

CUYAHOGA FALLS CITY COUNCIL

Minutes of the Council Meeting

March 26, 2018

- Call to Order:** Ms. Nichols-Rhodes at 6:30 p.m.
- Roll Call:** Mr. Brillhart, present; Mr. Colavecchio, present; Mr. Gorbach, present; Mr. Iona, present; Mr. Iula, present; Mr. James, present; Mr. Miller, present; Ms. Nichols-Rhodes, present; Mr. Pallotta, present; Mrs. Pyke present; Mr. Reilly, present.
- Invocation:** Mr. Brillhart
- Pledge of Allegiance:** Mr. James
- Approval of Minutes:** The minutes of the March 12, 2018, Council meeting were approved as written.
- Reports and Communications:** A Notice from the Ohio Division of Liquor Control regarding New Permit No. 3867290 to the Himalayan Mart, LLC, 2048-50 Bailey Road, Cuyahoga Falls, Ohio.

New Legislation

(First Reading)

Temp. Ord. A-30 (Finance)

An ordinance authorizing the Mayor and/or Director of Finance to execute a contract with a Regional Council of Governments for the purpose of administration and collection of municipal income tax in the City of Cuyahoga Falls, Ohio, and declaring an emergency.

Temp. Ord. A-31 (Finance)

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for supplying and installing diesel oxidation catalyst equipment, and declaring an emergency.

Temp. Ord. A-32 (Finance)

An ordinance amending appropriations for the creation of the Division of Neighborhood Excellence, Communications, and Community Outreach and to make certain other adjustments to various departments to streamline efficiencies, and declaring an emergency.

Temp. Ord. A-33 (Public Improvements)

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the annual resurfacing and/or repair of various streets as described in Exhibit 'A' attached hereto, in the City of Cuyahoga Falls, and declaring an emergency.

Temp. Ord. A-34 (Public Affairs)

An ordinance amending Section 777 of Title Seven, Part one of the Codified Ordinances, relating to secondhand dealers, and declaring an emergency.

Temp. Res. A-35 (Public Affairs)

A resolution expressing support for and urging passage of Issue 35, Woodridge Local School District tax levy, at the primary election to be held on May 8, 2018, and declaring an emergency.

Temp. Ord. A-36 (Public Affairs)

An ordinance amending Chapter 133 of the Codified Ordinances and creating the Division of Neighborhood Excellence, Communications, and Community Outreach (“NECCO”) and the positions of Neighborhood Excellence, Communications, and Community Outreach Director; and Neighborhood Excellence and Downtown Administrator; renaming Public Utility Customer Advocate to Public Utilities and Community Outreach Coordinator; and abolishing the position of Riverfront Centre District Manager in the Community Development Department and amending Exhibit “A” of Ordinance 117-2015, and declaring an emergency.

Temp. Ord. A-37 (Public Affairs)

An ordinance re-assigning the nonbargaining positions of Tax Administrator, Deputy Service Director and Buildings and Grounds Maintenance Superintendent to the appropriate pay grade within the classification and compensation plan, and amending Exhibit “A” of ordinance 117-2015, and declaring an emergency.

Reports of Council’s Standing Committees

(Third Reading)

Planning & Zoning

Temp. Ord. A-24

An ordinance accepting the Planning Commission approval, findings and conditions of the site plan for 169 personal storage units at 310 E. Tallmadge Road (Parcel 02-19506), and declaring an emergency.

Mr. Colavecchio moved to send Temp. Ord. A-24 back to Committee, second by Mr. Reilly. Motion passed, voice vote (11-0).

Temp. Ord. A-25

An ordinance authorizing and approving the Preliminary Subdivision Plat (Section 1113.03) for Woodlands Villas/Esplanade Subdivision on Parcels 35-03248, 35-03246 and 35-06575, and declaring an emergency.

Mr. Brillhart stated that, at the meeting last week, he voted no, because he felt there were a lot of upset people, and there needed to be a little more openness and compromise. This past week, he met with Mr. Karem. He feels they had a very productive meeting and there has been compromises made.

Mr. Colavecchio moved to adopt Temp. Ord. A-25, second by Mr. Brillhart. Motion passed, voice vote (10-1).

Finance & Appropriations:

Temp. Ord. A-26

An ordinance authorizing the Director of Public Safety to enter into a contract or contracts, according to law, for the purchase of turnout gear for use by the Fire Department, and declaring an emergency.

Mr. Gorbach moved to adopt Temp. Ord. A-26, second by Mr. James. Motion passed, voice vote (11-0).

Temp. Ord. A-27

An ordinance authorizing the Director of Public Service to enter into an energy purchase agreement known as the “2026-2028 Fixed Volume Energy Supply Schedule” with American Municipal Power, Inc., and declaring an emergency.

Mr. Gorbach moved to adopt Temp. Ord. A-27, second by Mrs. Pyke. Motion passed, voice vote (11-0).

Temp. Ord. A-28

An ordinance authorizing the Director of Law to enter into a contract or contracts, without competitive bidding, with Roetzel & Andress, LPA for legal services related to Johnson Controls, Inc., and declaring an emergency.

Mr. Gorbach moved to adopt Temp. Ord. A-28, second by Mr. James. Motion passed, voice vote (11-0).

Public & Industrial Improvements:

No Report.

Public Affairs:

Temp. Ord. A-29 (Public Affairs)

An ordinance approving the application of Daniel Michael Lynch, Trustee, as owner of certain real property located at 643/653 West Steels Corners Road (Parcel Nos. 35-00045, 35-05391 and

35-05392), to place said property into an agricultural district pursuant to Ohio Revised Code Chapter 929, and declaring an emergency.

Mr. Brillhart moved to adopt Temp. Ord. A-29, second by Mr. Pallotta. Motion passed, voice vote (10-1).

Community Development:

No Report.

Schedule of Committee Meetings

Planning & Zoning:	Subject to Call.
Finance:	April 2, 2018, 6:30 p.m.
Public Improvements:	April 2, 2018, 6:35 p.m.
Public Affairs:	April 2, 2018, 6:40 p.m.
Community Development:	Subject to Call.
Special Committee:	April 2, 2018, 6:45 p.m.

Miscellaneous Business

Ms. Nichols-Rhodes stated that she would like to remind Council that if anyone hasn't taken a RITA tour, there is still a week before discussing it. She and Mr. Gorbach took the tour, and there was a lot of good information. She would also like to remind everyone that there is a public meeting on April 5th at the Natatorium about the Metro Bus Lines being changed. There is also going to be a Public Hearing held on April 9th related to legislation that's been held.

Mr. Hoffman stated that, on the revenue side on the General Fund, there is nothing new. If the Federal Reserve raises short-term interest rates a few more times this year, they may end up a little bit higher on the interest side. They normally get property tax settlements in April, so he will report that on the May Report 21. In the Municipal Income Tax Fund, they are up 1.9 percent over 2017. Under SCMR, the Fees, Licenses, Permits line is down in revenues. The Time Warner/Spectrum was received March 1st, so he will report on that next month. That line item continues to see a downward trend that he anticipates continuing over the next several years. In the Leisure Time Fund, they are starting to get up and running with the outdoor facilities at Brookledge and Downview, so there isn't a lot of information. Natatorium charge for services was about down about \$4,964. Last month, they were down \$12,000. They have more than \$600,000 worth of revenue is coming in, so he doesn't see anything in that causing concern. Personal Services are up \$90,919 from last year. There have been a few more snowstorms during January and February than last year, so he anticipated that. The Self-Insurance Fund is up \$52,343 over 2017, and Prescriptions were down \$837. They do anticipate prescriptions being down from last year, based upon a change made, this year, to CVS Caremark, rather than having Medical Mutual administer the prescription drugs.

Ms. Nichols-Rhodes asked if CVS was the calendar year or has begun. Mr. Hoffman stated that it began in January. Mrs. Pyke asked if the increase in Self-Insurance, Hospitalization and Dental of \$52,343 was for the year or for the month. Mr. Hoffman stated that it was for the year. Mrs. Pyke asked if they are consistent between months or did they see an increase in February. Mr. Hoffman stated that they saw a jump in claim activity in February.

Mayor Walters stated that April is Autism Awareness Month, and April 2nd is Autism Awareness Day. He then presented a proclamation to Ms. Stephanie Castillo and Ms. Natalie Scott regarding Autism Awareness.

Ms. Natalie Scott stated that she is a mother of an autistic child. One out of sixty-eight children have been diagnosed with Autism. She has often had people say to her, "He doesn't look autistic." This is frustrating to her. What does Autism look like? These people don't see the speech and social interaction therapies, the meltdowns, the overnight stays in the hospital, the anxiety and the stemming for comfort. They also don't see the amazing abilities of music, mathematics, science and reading comprehension. Autism is just one word of describing thousands of family stories, of ups and downs and meltdowns and successes. She is proud her city is proclaiming a month and a day to bring awareness, acceptance and caring to the Autism community. Ms. Scott thanked Mayor Walters and Council.

Ms. Stephanie Castillo stated that, for the past 10 years, she has had the honor and privilege of teaching children with Autism. Autism is a developmental disability characterized by deficit in communication and social skills and includes restrictive or repetitive behaviors or interests. While 10 years may not seem like a long time, she has gone from getting blank stares when says the word "Autism," to hearing, "My brother has Autism," or, "My friend's daughter has Autism." The number of children diagnosed with Autism has risen from 1 in 150, when she started, to today, 1 in 68. Families still struggle every day with finding interventions and therapies, child care and, most importantly, acceptance in communities; therefore, raising awareness about Autism is still vital. She thanked Mayor Walters, City Council, especially Mary Nichols-Rhodes, and the City of Cuyahoga Falls for this proclamation showing individuals with Autism and their families that Cuyahoga Falls accepts and embraces people of all abilities. This is incredibly important to her. Over the past 10 years, she has learned so much patience and compassion from her students. She is inspired every day by what they can overcome and achieve.

Ms. Nichols-Rhodes stated that, in recent days, Council has discussed zoning. The City's zoning code did not come about overnight. It has taken a long time and encompasses the big picture. Mr. Guerra, Planning Director, has agreed to holding meetings for Council to talk about their respective wards and look to see if there are areas that need addressed. It's just one step in the education process.

Mr. Russell Balthis, Law Director, stated that, as he was taking notes, he believes Ms. Nichols-Rhodes assigned Temporary Ordinance A-32, which is the ordinance amending appropriations, to the Public Improvements Committee, rather than the Finance Committee, and Temporary Ordinance A-33, which is the street repaving, to the Public Affairs Committee, rather than Public Improvements. Ms. Nichols-Rhodes then announced that Temporary Ordinance A-32 is assigned

to the Finance Committee and Temporary Ordinance A-33 is assigned to the Public Improvements Committee.

Mr. James moved to adjourn, second by Mr. Iula. Motion passed, voice vote (11-0). Meeting adjourned at 6:58 p.m.

Mary Nichols-Rhodes, Council President

Dana M. Capriulo, Clerk of Council