

CUYAHOGA FALLS CITY COUNCIL

Minutes of the Council Meeting

September 27, 2021

Call to Order: Mr. Brillhart at 6:30 p.m.

Roll Call: Mr. Balthis, present; Mr. Brillhart, present; Mr. Gorbach, present; Mr. Iula, present; Mr. James, present; Ms. Loza, present; Mr. Miller, present; Ms. Nichols-Rhodes, present; Mrs. Penta, present; Mrs. Spinner, present; Mr. Stams, present.

Invocation: Mrs. Spinner

Pledge of Allegiance: Boy Scout Troop #155

Approval of Minutes: The minutes of the July 26, 2021, and September 13, 2021, Council meetings and August 9, 2021, Special Council meeting were approved as written.

Reports and Communications: A Notice from the Ohio Division of Liquor Control regarding New Permit Number 1842134, Permit Class D1, to CSCF HD, LLC, dba Sense by the Falls, 2225 Front Street, Cuyahoga Falls, Ohio, 44221.

A Notice from the Ohio Division of Liquor Control regarding New Permit Number 87906900885 to Tamarkin Co., dba Portage Trail GetGo 3036, 2816 State Road, Cuyahoga Falls, Ohio, 44223.

New Legislation (First Reading)

Temp. Ord. B-80 (Planning and Zoning)

An ordinance accepting the Planning Commission's recommendation for the construction of a 12,593 sq. ft. office and warehouse building with associated parking, landscaping, and stormwater management facilities, for Overhead Door Company located at 4266 Wyoga Lake Road and declaring an emergency.

Temp. Ord. B-81 (Public Improvements)

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, with Bain Enterprises for the purchase of a trailer-mounted valve maintenance system, and declaring an emergency.

Temp. Ord. B-82 (Public Affairs)

An ordinance authorizing the Mayor, as Director of Safety, to sell to Source Products, Inc., certain used Fire Department equipment, and declaring an emergency.

Temp. Ord. B-83 (Public Affairs)

An ordinance authorizing the Director of Finance to enter into a contract or contracts, without competitive bidding, with Wichert Insurance Services, Inc. for the professional services necessary to manage the City's risk management and insurance program and for the purchase of public entity insurance coverages, and declaring an emergency.

Temp. Res. B-84 (Community Development)

A resolution accepting the recommendations of the Tax Incentive Review Council and the Community Reinvestment Area Housing Council concerning Enterprise Zone and Community Reinvestment Area tax exemption agreements within the City of Cuyahoga Falls, and declaring an emergency.

Temp. Ord. B-85 (Community Development)

An ordinance authorizing the Director of Community Development to amend the Community Reinvestment Area Tax Exemption Agreement with Arkay Properties, LLC dba Triad, to extend the length of tax exemption through tax year 2025, and declaring an emergency.

Temp. Ord. B-86 (Community Development)

An ordinance authorizing the Director of Community Development to terminate the Community Reinvestment Area Tax Exemption Agreement with River Falls Property IV, LLC, and declaring an emergency.

Temp. Ord. B-87 (Community Development)

An ordinance authorizing the Director of Community Development to terminate the Community Reinvestment Area Tax Exemption Agreement with Stingray Ventures, LLC, and declaring an emergency.

Reports of Council's Standing Committees

(Third Reading)

Planning & Zoning

Temp. Ord. B-65

An ordinance authorizing and approving the Final Subdivision Plat for Princeton Place on Parcel Nos. 35-00517 and 35-00402, and declaring an emergency.

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

Temp. Ord. B-66

An ordinance accepting the Planning Commission recommendation for the construction of a 3-story building that will include 10 townhome units that are between 1,400-1,500 sq. ft. in area on Parcel No. 02-19799 (adjacent to 1239 Bailey Road) and declaring an emergency.

Mrs. Spinner moved to adopt Temp. Ord. B-66, second by Mr. James. Motion passed, voice vote (11-0).

Finance & Appropriations:

Temp. Ord. B-67

An ordinance authorizing the Parks and Recreation Board to enter into a contract or contracts for the purchase of one HVAC unit and a Niagara Building Automation System upgrade to be installed at the Natatorium, and declaring an emergency.

Mr. Gorbach moved to adopt Temp. Ord. B-67, second by Mr. Iula. Motion passed, voice vote (11-0).

Temp. Ord. B-68

An ordinance authorizing the Director of Finance to enter into a contract extension, according to law, with James G. Zupka CPA, Inc. for professional auditing services, and declaring an emergency.

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

Temp. Ord. B-69

An ordinance authorizing the Mayor to enter into a contract or contracts, without competitive bidding, with Verizon Wireless for mobile phone services and data plans, and declaring an emergency.

Mr. Gorbach moved to adopt Temp. Ord. B-69, second by Mr. Iula. Motion passed, voice vote (11-0).

Temp. Res. B-70

A resolution accepting the amounts and rates of taxation as certified by the Summit County Budget Commission, authorizing the necessary tax levies, certifying such authorization to the County Fiscal Officer, and declaring an emergency.

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

Temp. Ord. B-71

An ordinance authorizing the Director of Finance to enter into a contract or contracts, without competitive bidding, with Harris Computer Systems for Innoprise hosting and maintenance services, and declaring an emergency.

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

Temp. Ord. B-72

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the demolition of a structure located at 2831 Bailey Road, and removal of demolition debris, and certifying the cost thereof to the County Fiscal Officer for collection in the manner provided by law, and declaring an emergency.

Mr. Gorbach moved to adopt Temp. Ord. B-72, second by Ms. Nichols-Rhodes. Motion passed, voice vote (11-0).

Temp. Ord. B-73

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, with Bell Equipment for the purchase of a leaf vacuum truck for use in the Street Department, and declaring an emergency.

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

Temp. Ord. B-74

An ordinance authorizing the Director of Public Service to enter into a contract or contracts for the lease of a street sweeper for use in the Street Department, and declaring an emergency.

Mr. Gorbach moved to adopt Temp. Ord. B-74, second by Ms. Nichols-Rhodes. Motion passed, voice vote (11-0).

Public Improvements:

Temp. Res. B-75

A resolution authorizing the Mayor to apply for and accept financial assistance in the form of a grant or loan from the Ohio Public Works Commission for the improvement of West Portage Trail Extension, from State Road to Northampton Road, and declaring an emergency.

Ms. Nichols-Rhodes moved to adopt Temp. Res. B-75, second by Mr. Miller. Motion passed, voice vote (11-0).

Temp. Ord. B-76

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the construction of overhead and underground power lines on Feeder 801, Feeder 802, and Feeder 304 to prepare for 12.5kv conversion, and declaring an emergency.

Ms. Nichols-Rhodes moved to adopt Temp. Ord. B-76, second by Mr. Stams. Motion passed, voice vote (11-0).

Public Affairs:

Temp. Ord. B-77

An ordinance amending Section 145.01(b) of the Codified Ordinances, relating to the members of the Traffic Committee, and declaring an emergency.

Mr. Balthis moved to adopt Temp. Ord. B-77, second by Mr. Iula. Motion passed, voice vote (11-0).

Temp. Ord. B-78

An ordinance authorizing the Mayor, as Director of Safety, to sell to Akron Children’s Hospital Police Department a used 2016 Ford Utility Interceptor SUV, and declaring an emergency.

Mr. Balthis moved to adopt Temp. Ord. B-78, second by Ms. Loza. Motion passed, voice vote (11-0).

Community Development:

Temp. Ord. B-79

An ordinance authorizing the Director of Law to file a release with the Summit County Fiscal Office to remove a deed restriction on Parcel No. 02- 18936, and declaring an emergency.

Mrs. Penta moved to adopt Temp. Ord. B-79, second by Ms. Loza. Motion passed, voice vote (11-0).

Schedule of Committee Meetings

Planning & Zoning:	October 4, 2021, at 6:30 p.m.
Finance:	Subject to Call.
Public Improvements:	October 4, 2021, at 6:35 p.m.
Public Affairs:	October 4, 2021, at 6:40 p.m.
Community Development:	October 4, 2021, at 6:45 p.m.

Miscellaneous Business

Mr. Brillhart opened the floor for City Council members to give a shout-out to anyone or anything happening in their respective wards.

Mr. Stams stated that he would like to recognize long-time Northampton Historical Society President David Brown. Last week, a decision was made to preserve the Keyser-Swain Farmhouse located in Ward 8 off of West Bath Road. He also wanted to thank Ms. Sara Kline, Parks and Recreation Superintendent, along with Mr. Mike Fallis and Mr. Matt Dickinson for arranging the first meeting with Mr. Brown.

Mr. Balthis stated a resident on Bailey Road brought to his attention that they saw a sanitation truck going down to road and, when trash fell out, the driver took the time to stop the vehicle and pick up the trash.

Mr. Iula announced that early voting starts next Tuesday at 8:00 a.m. Anybody can go in and get an absentee ballot or go to the Board of Elections and vote early. The last day to register to vote is Monday, October 4.

Mrs. Penta reminded everyone that the Fire Truck Pull on October 16th at 11:00 a.m. is a worthy cause. It benefits The Pantry on The Corner in Ward 3.

Mrs. Spinner stated that she had the privilege of attending of National Park Land Day at High Bridge Glens Park, along with Councilwoman Nichols-Rhodes, on Saturday. They were delighted to have a very thorough presentation by Akron Honey on the importance of native plants and pollination.

Ms. Nichols-Rhodes stated that there was a ribbon cutting for an organization called Closet of Caring. It was started by a woman in the community who collects items to give to houseless people. This week, they are collecting things for the Battered Women's Shelter. At that ribbon cutting, they heard from Nathan from Hope Soap who does a lot of outreach and helps a lot of people. Cuyahoga Falls is a hotbed of growth for good.

Mr. Miller stated that he would like to highlight that audio for all the Council meetings can be found online. It is a great service a lot of people do not know is available. He was personally able to take advantage of that service and listen to the meeting he was unable to attend last week.

Mr. Brillhart stated that he appreciates the City's Engineering Department. That new trail is coming along. There was great supervision there and they got it moving. The Administration did a wonderful job controlling the weather for the Octoberfest. It was well attended and well done. The Farmer's Market is outstanding and High Bridge Park is an excellent location for it.

Mr. Bryan Hoffman, Finance Director, presented Report 21. The General Fund revenue side of this report is positive. Under Property Tax, they are seeing reappraisal growth. The final settlement has not been collected, but they expect about 12-percent growth in property tax revenues this year. The one area that they do not have a good gauge on yet is the Blossom Music Center Admissions Tax. They did not budget for a full schedule this year because, with COVID, they did not know exactly what was going to happen with the shows.

The expense side of the General Fund is pretty flat this year. What they do not have in there are any increases to wages. They are in negotiations this year, so those were not included in the budget

numbers. In the Municipal Income Tax line item, they saw steady growth this year. Wages have increased throughout the city and throughout the country in the private sector, fueling growth resulting in positive withholding taxes throughout the year. In the Street Construction Maintenance Repair Fund, they have seen a steady growth of the gasoline tax of about five percent from last year. They have seen a slight increase to the hotel-motel tax. They have reached their budget number for this year.

Looking forward into the Leisure Time Fund and Natatorium and the other facilities throughout the city, they expect growth in the Natatorium numbers. They are hopeful that the Natatorium memberships will start to grow in the fall. They have seen good numbers in all of the other outdoor facilities: Waterworks, Brookledge and Downview. The Natatorium does an excellent job of keeping expenses in line with those revenues so they do not fall out of line. All facilities are doing an impressive job in keeping the fund balance in the positive. On the Self-Insurance side, claims have been flat for the last year. The plan is running fairly well. They have kept premiums at last year's levels, so there is no concern for running out of money.

Mr. Stams asked how growth at the golf course has been the last few years. Mr. Hoffman stated that growth at the golf course has been a bright spot in the city. Last year, they did not see it, because there were a couple of months where they did not have any revenue because of COVID, but, this year, they have rebounded very nicely and, historically, have been on the positive side.

Mr. James moved to adjourn, second by Mr. Iula. Motion passed, voice vote (11-0). Meeting adjourned at 7:12 p.m.

Michael Brillhart, Council President

Dana M. Capriulo, Clerk of Council