

CUYAHOGA FALLS CITY COUNCIL

Minutes of the Council Meeting

January 25, 2010

- Call to Order:** Mrs. Colavecchio at 6:30 p.m.
- Roll Call:** Mrs. Hummel, present; Mr. Walters, present; Mr. James, present; Mr. Ihasz, present; Mr. Rubino, present; Mrs. Klinger, present; Mrs. Pyke, present; Mr. Barnhart, present; Mr. Mader, present; Mr. Iula, present; Mrs. Colavecchio, present.
- Invocation:** Mrs. Hummel
- Pledge of Allegiance:** Mr. Ihasz
- Approval of Minutes:** The minutes from the January 11, 2010 regular Council meeting and the January 11, 2010 Special Committee meeting were approved as submitted.
- Reports and Communications:**
1. A Notice from the Ohio Division of Liquor Control regarding a new license application from Gurpreet Singh Parvinder Kaur, 344 Tallmadge Road, Cuyahoga Falls, Ohio 44221. Mrs. Pyke requested the Law Department to file a request for a hearing to this application for a new liquor permit.
 2. A Request from the Mayor to consider the temporary appointment of Stephan Kremer to the Civil Service Commission.
- Mrs. Colavecchio appointed a special committee consisting of Mr. Ihasz, Chair, Mr. Walters and Mr. Mader.

New Legislation

(First Reading)

Temp. Ord. A-14 (Finance)

An ordinance authorizing the Mayor to enter into a contract or contracts, according to law, to allow New Cingular Wireless PCS, LLC access to the City's Water Tower at Indian Mountain Park and property, and declaring an emergency

Temp. Ord. A-15 (Finance)

An ordinance levying special assessments for the repair or replacement of sidewalks and drive approaches in the district known and designated by this Council as a Sidewalk Repair District for the year 2009 containing all necessary streets, alleys or public roadways within the corporate limits of the City of Cuyahoga Falls, and declaring an emergency.

Temp. Ord. A-16 (Finance)

An ordinance authorizing the Director of Finance to issue a payment in the amount of \$68,539.77 to the Treasurer of the State of Ohio, as final cost settlement for the Front Street (State Route 59) Improvement Project, PID 20891, and declaring an emergency.

Temp. Ord. A-17 (Public Improvements)

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the purchase of major equipment needed to replace Substation #4, and declaring an emergency.

Temp. Ord. A-18 (Public Improvements)

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for repairs as required by Project Partner: Storm Water Inspection Program, and declaring an emergency.

Temp. Res. A-19 (Public Improvements)

A resolution creating for the year 2010 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.

Temp. Res. A-20 (Public Improvements)

A resolution authorizing the application for federal funds programmed by the Akron Metropolitan Area Transportation Study (AMATS), in the matter of Portage Trail resurfacing, and declaring an emergency.

Temp. Res. A-21 (Public Improvements)

A resolution authorizing the application for federal funds programmed by the Akron Metropolitan Area Transportation Study (AMATS), in the matter of Howe Avenue and Main Street intersection improvements, PID 78416, and declaring an emergency.

Temp. Res. A-22 (Public Improvements)

A resolution authorizing the application for federal funds programmed by the Akron Metropolitan Area Transportation Study (AMATS), in the matter of State Road and Portage Trail roadway improvements related to the Portage Trail redevelopment of the former State Road Shopping Center, and declaring an emergency.

Temp. Res. A-23 (Public Improvements)

A resolution authorizing the application for federal funds programmed by the Akron Metropolitan Area Transportation Study (AMATS), in the matter of State Road resurfacing, and declaring an emergency.

Temp. Res. A-24 (Public Improvements)

A resolution authorizing the application for federal funds programmed by the Akron Metropolitan Area Transportation Study (AMATS), in the matter of State Road reconstruction widening, PID 81605, and declaring an emergency.

Temp. Ord. A-25 (Public Affairs)

An ordinance to approve current replacement pages to the Cuyahoga Falls Codified Ordinances, and declaring an emergency.

Temp. Ord. A-26 (Community Development)

An ordinance authorizing the Mayor to execute an amendment to the Summit County Enterprise Zone Tax Incentive Agreement with Ansco Machine Company Inc., and Michael D. and Rebecca Sterling to allow for a corporate name change and declaring an emergency.

Council recessed into a Special Committee meeting at 6:40 p.m. and reconvened at 6:45 p.m.

Report of Special Committee

Mr. Ihasz moved to adopt the Mayor's appointment of Stephan Kremer to fill the temporary void in the Civil Service Commission; second by Mr. Walters. Motion passed, voice vote (11-0).

Reports of Council's Standing Committees

(Third Reading)

Planning & Zoning

No report.

Finance & Appropriations

Temp. Ord. A-4

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the purchase of certain materials and supplies in the Water/Sewer Utilities Department during 2010, and declaring an emergency.

Mrs. Hummel moved to adopt Temp. Ord. A-4, second by Mr. Walters. Motion passed, voice vote (11-0).

Temp. Ord. A-5

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the purchase of certain supplies and materials for use by the Street Department during 2010, and declaring an emergency.

Mrs. Hummel moved to adopt Temp. Ord. A-5, second by Mrs. Klinger. Motion passed, voice vote (11-0).

Temp. Ord. A-6

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the annual requirements of the Municipal Garage for 2010, and declaring an emergency.

Mrs. Hummel moved to adopt Temp. Ord. A-6, second by Mr. Walters. Motion passed, voice vote (11-0).

Temp. Ord. A-7

An ordinance authorizing the Mayor and Director of Public Service to enter into contracts for the purchase and/or lease of various vehicles for use by the City, and declaring an emergency.

Mrs. Hummel moved to adopt Temp. Ord. A-7, second by Mrs. Klinger. Motion passed, voice vote (11-0).

Temp. Ord. A-9

An ordinance authorizing the Mayor to enter into a contract with Finley Fire Equipment for weekly vehicle maintenance service, and declaring an emergency.

Mrs. Hummel moved to adopt Temp. Ord. A-9, second by Mrs. Klinger. Motion passed, voice vote (11-0).

Temp. Ord. A-10

An ordinance authorizing the Director of Finance to enter into a contract or contracts for software maintenance and support of the eGovernment software applications, and declaring an emergency.

Mrs. Hummel moved to adopt Temp. Ord. A-10, second by Mr. Walters. Motion passed, voice vote (11-0).

Temp. Res. A-11

A resolution authorizing the filing of a grant application with the Summit Akron Solid Waste Management Authority, and declaring an emergency.

Mrs. Hummel moved to adopt Temp. Res. A-11, second by Mrs. Klinger. Motion passed, voice vote (11-0).

Public & Industrial Improvements

Temp. Ord. A-12

An ordinance authorizing the Director of Public Service to execute a modification of the contract or contracts for the remediation and demolition of the State Road Shopping Center and declaring an emergency.

Mr. Walters moved to amend A-12 by substitution dated 1-25-10, second by Mr. James. Mr. Brodzinski stated the reason for the substitution is because as they were preparing the budget, they were not sure they would receive the third draw down so they assumed they would not have a third draw and would

appropriate the whole piece. The third draw came in so they are reducing appropriations in the capital projects fund. Motion passed, voice vote (11-0).

Temp. Ord. A-13

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for replacement of the storm and sanitary sewers on 9th Street, between Chestnut Boulevard and Sackett Avenue, and declaring an emergency.

Mr. Walters moved to adopt Temp. Ord. A-13, second by Mr. Ihasz. Motion passed, voice vote (11-0).

Public Affairs:

No report.

Community Development:

No report.

Schedule of Committee Meetings

Planning & Zoning:	February 1, 2010, 6:30 p.m.
Finance:	February 1, 2010, 6:35 p.m.
Public Improvements:	February 1, 2010, 6:40 p.m.
Public Affairs:	February 1, 2010, 6:45 p.m.
Community Development:	February 1, 2010, 6:50 p.m.

Miscellaneous Business:

Mrs. Hummel stated that Council received Report 21 which is required by ordinance to be distributed at the end of each month. This report is for the year ended 12-31-09. She asked Mr. Brodzinski if he had any comments to make on the report. Mr. Brodzinski stated that the General Fund ended at \$4,923,000. As they went through the process with the Unions' auditor, the auditor felt that based on past history the City's funds would come in higher than budgeted. Mr. Brodzinski had explained to the auditor that the City would be between \$4.9 and \$5 million at the end of the year. Some unions voted against the concessions and Mr. Brodzinski felt that could be because they thought the City would end where the auditor said it would end which was at \$6.5 million or more. The City is obviously moving forward and putting together new schedules. It is starting at \$4.9 million and it appears it will end at \$3.6 million. They are looking at how to stabilize this. They need to make up the \$1.3 million difference. Union negotiations will be beginning. If there is no agreement and a conciliator is brought in and awards a raise, that will make the draw down even greater. The City is facing a tough year. Stow and Tallmadge each lost \$1 million on income tax. The City lost \$500,000. The City was able to balance by eliminating capital projects. Funds are split between the General Fund and the Rec Levy. Mrs. Hummel commented on the Mayor's Court bringing in \$25,000 more than expected. She asked if Administration was satisfied with that or did it expect to bring in more revenue. Mr. Brodzinski stated they budgeted the 2010 numbers to be around the same as 2009. Mayor Robart stated he hoped it would

January 25, 2010 - Page 6

go up a little bit so the City could expand into other areas. He feels there will be a slight rise over 2009. Mrs. Klinger asked if there were any other changes in the fund balance other than those discussed during the budget process. Mr. Brodzinski stated not compared to 2009. He stated he could provide a list for items beginning in 2010. Mrs. Klinger stated when the revenues come in for January, she would like to see the income tax change year to year and how much of that is Edwin Shaw. She also wanted to know if the City would be reserving any of the Edwin Shaw amount as a contingent liability. She asked what services are no longer being provided by police force. Mr. Brodzinski stated that the Chief mentioned some when he presented his budget. There is no written list. Mrs. Klinger asked how those items would be communicated to officers. Mr. Brodzinski indicated that would be up to the Chief. Mrs. Klinger stated she would like a written list. Mr. Rubino commented that it appeared the Electric Fund in 2009 ended up above the budgeted number for unencumbered balance by \$700,000. Mr. Brodzinski confirmed this.

Mr. James moved to adjourn, second by Mrs. Pyke. Motion passed, voice vote (11-0). Meeting adjourned at 7:05 p.m.

Diana Colavecchio, Council President

Cathleen J. Meacham, Clerk of Council