

## CUYAHOGA FALLS CITY COUNCIL

### Minutes of the Council Meeting

February 27, 2012

- Call to Order: Mr. Ihasz at 6:34 p.m.
- Roll Call: Mrs. Colavecchio, absent; Mr. Walters, present; Mr. James, present; Mr. Rubino, present; Mrs. Snyder, present; Mrs. Klinger, present; Mrs. Pyke, present; Mr. Mader, present; Mr. Barnhart, present; Mr. Iula, present, Mr. Ihasz, present.
- Invocation: Mrs. Snyder
- Pledge of Allegiance: Mr. Rubino
- Approval of Minutes: The minutes from the February 13, 2012 regular Council meeting were approved as submitted.
- Reports and Communications: 1. A copy of the City's 2010 CAFR from the City's Finance Director. Council members have also received a copy on cd.

#### New Legislation (First Reading)

##### **Temp. Ord. A-21 (Planning & Zoning)**

An ordinance approving the site plan related to construction of a 52,500 square foot grocery store at 2226 State Road (Parcel No. 02-00205) and declaring an emergency.

##### **Temp. Ord. A-22 (Finance)**

An ordinance authorizing payment of the moral claim of John and Betty Stebbins as approved by the Claims Commission, and declaring an emergency.

##### **Temp. Ord. A-23 (Finance)**

An ordinance authorizing the Director of Public Service to enter into an energy purchase agreement known as the "Non-Pool Power Sales Schedule" with American Municipal Power, Inc., and declaring an emergency.

##### **Temp. Ord. A-24 (Finance)**

An ordinance authorizing the Director of Public Service to enter into a contract or contracts without competitive bidding with the Metropolitan Regional Service Council dba Northeast Ohio Network for Educational Technology ("NEOnet") for the purchase of IP telephony and voicemail services for a period not to exceed five years, and declaring an emergency.

**Temp. Res. A-25 (Public Affairs)**

A resolution expressing support for and urging passage of Issue 8, the Cuyahoga Falls City School District tax levy, at the primary election to be held on March 6, 2012, and declaring an emergency.

Mr. Walters moved to suspend the Rules to hold a Public Affairs Committee meeting on the same night as Council to discuss A-25, second by Mrs. Klinger. Motion passed, voice vote (10-0).

**Temp. Res. A-26 (Community Development)**

A resolution establishing the State Road Community Reinvestment Area pursuant to Sections 3735.65 through 3735.70 of the Ohio Revised Code, describing the boundaries thereof, designating a housing officer, making certain related findings, and declaring an emergency.

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

**Reports of Council's Standing Committees**  
(Third Reading)

**Planning & Zoning**

No report.

**Finance & Appropriations:**

**Temp. Ord. A-9**

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the installation of a new roof at Fire Station 4, located at 3089 Northampton Road, and declaring an emergency.

Mr. Walters moved to adopt Temp. Ord. A-9, second by Mr. Iula. Motion passed, voice vote (10-0).

**Temp. Ord. A-10**

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for replacement of an 8" water main with a 12" water main in Front Street between Broad Boulevard and Sackett Avenue, and declaring an emergency.

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

**Temp. Ord. A-11**

An ordinance levying special assessments for the repair or replacement of sidewalks and drive approaches in the Sidewalk and Drive Approach Repair and Replacement District, for the year 2011, and declaring an emergency.

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

**Temp. Ord. A-12**

An ordinance authorizing the Director of Public Safety to enter into a contract without competitive bidding with Vance Outdoors, Inc. dba Vance's Shooters Supplies for the trade-in and purchase of rifles for use in the Police Department, and declaring an emergency.

Mr. Walters moved to adopt Temp. Ord. A-12, second by Mr. Iula. Motion passed, voice vote (10-0).

**Temp. Ord. A-13**

An ordinance authorizing the Director of Public Safety to enter into a contract or contracts without competitive bidding with Motorola, Inc. for the maintenance of the Public Safety Regional Dispatch System Equipment, and declaring an emergency.

Mr. Walters moved to adopt Temp. Ord. A-13, second by Mr. Iula. Motion passed, voice vote (10-0).

**Public & Industrial Improvements:**

**Temp. Ord. A-14**

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

Mr. James moved to adopt Temp. Ord. A-14, second by Mr. Mader. Motion passed, voice vote (10-0).

**Temp. Res. A-15**

A resolution creating for the year 2012 the Sidewalk and Drive Approach Repair or Replacement Assessment District consisting of such streets, alleys, or public roadways that are 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 thereupon, and declaring an emergency.

Mr. James moved to adopt Temp. Res. A-15, second by Mr. Mader. Motion passed, voice vote (10-0).

**Temp. Ord. A-16**

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

Mr. James moved to adopt Temp. Ord. A-16, second by Mr. Mader. Motion passed, voice vote (10-0).

**Temp. Ord. A-17**

An ordinance authorizing and directing the appropriation of certain interests in real property abutting the intersection of State Road at Bath Road, necessary for the improvement of State Road, and declaring an emergency.

Mr. James moved to adopt Temp. Ord. A-17, second by Mr. Mader. Motion passed, voice vote (10-0).

**Public Affairs:**

**Temp. Res. A-18**

A resolution authorizing the Director of Public Service to apply for and accept a grant from the Summit/Akron Solid Waste Management Authority, and declaring an emergency.

Mr. Walters moved to adopt Temp. Res. A-18, second by Mrs. Snyder. Motion passed, voice vote (10-0).

**Temp. Ord. A-19**

An ordinance amending the Traffic Control File by providing for installation of various traffic control devices, and declaring an emergency.

Mr. Walters moved to amend Temp. Ord. A-19 by adding on line 32 the sentence “a flashing red light on Chestnut Blvd. and a flashing yellow light on 2nd Street shall be maintained,” second by Mrs. Snyder. Mr. Walters felt this was a compromise. The language in the ordinance states that the signal will be coming down. This insures that an existing light or new light will be maintained. Mr. Rubino asked when Mrs. Pyke first saw the undated letter from AMHA, which she distributed to Council this evening (copy attached). Mrs. Pyke stated as soon as people saw the signs advising residents that the light was coming down, that letter was given to her by Sutliff. She stated that the Traffic Committee also had a copy of the letter. Mr. Rubino asked if there was a reason why Council was not given this letter before tonight. Mrs. Pyke admitted it was negligence on her part. Mr. Rubino stated it did not give Council time to absorb the information. He read the letter into the record. The reason he was bringing this up was because there is an amendment being presented and he wanted to make sure the amendment addressed the concerns stated in the letter. Mayor Robart pointed out that the letter requested to leave at least one of the lights up, which is what is occurring according to the amendment. Mrs. Pyke agreed that the amendment satisfied the request made in the letter. Motion passed (9-1). Mr. Walters moved to adopt A-19 as amended, second by Mrs. Snyder. Roll call: Mr. Walters – yes; Mrs. Klinger – no; Mr. James – yes; Mr. Rubino – yes; Mrs. Snyder – yes; Mrs. Pyke – no; Mr. Mader – yes; Mr. Barnhart – yes; Mr. Iula – yes; Mr. Ihasz – yes. Motion passed (8-2).

**Temp. Res. A-25**

A resolution expressing support for and urging passage of Issue 8, the Cuyahoga Falls City School District tax levy, at the primary election to be held on March 6, 2012, and declaring an emergency.

Mr. Walters moved to adopt A-25, second by Mrs. Klinger. Mr. Walters urged everyone to get out and vote. Motion passed, voice vote (10-0).

**Community Development:**

**Temp. Ord. A-20**

An ordinance authorizing the Mayor to enter into a modification of Contract No. 6712 with Superior Environmental Corporation, and declaring an emergency.

Mrs. Snyder moved to adopt Temp. Ord. A-20, second by Mrs. Pyke. Motion passed, voice vote (10-0).

**Schedule of Committee Meetings**

Planning & Zoning:	March 5, 2012, 6:30 p.m.
Finance:	March 5, 2012, 6:35 p.m.
Public Improvements:	Subject to call.
Public Affairs:	March 5, 2012, 6:40 p.m.
Community Development:	March 5, 2012, 6:45 p.m.

**Miscellaneous Business:**

Chief Pozza stated that at 3:45, the Police and Fire Departments responded to a fire at the VFW. As of the start of tonight's Council meeting, it was still an active fire. Chief Moledor had indicated there appeared to be heavy damage, but no injuries were reported. The area is roped off and the Fire Department is working hard to contain the blaze.

The Mayor gave Council his State of the City address.

Mr. Brodzinski gave an update on Report 21. Local Government Fund is down. Income tax dollars are up slightly, which could be due to the timing of money coming in. He will have a better idea in April. Leisure Time Fund is basically flat compared to January, 2011.

Mr. Walters moved to excuse the absence of Mrs. Colavecchio, second by Mr. James. Mr. Ihasz stated Mrs. Colavecchio contacted him that she was unable to attend the meeting due to personal reasons. Motion passed, voice vote (10-0).

Mr. James moved to adjourn, second by Mrs. Pyke. Motion passed, voice vote (10-0). Meeting adjourned at 7:30 p.m.

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Mark Ihasz, Council President

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Cathleen J. Meacham, Clerk of Council



Ray C. Sutliff I Apartments  
1850 Second Street  
Cuyahoga Falls, Ohio 44221

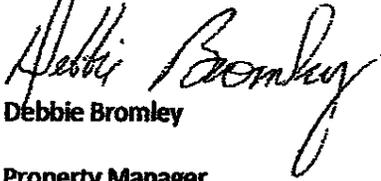
Councilwoman Mary Ellen Pyke  
Cuyahoga Falls, Ohio 44221

Dear Councilwoman Mary Ellen,

I would like to voice my concern regarding the possibility of the elimination of the traffic lights at the corners of Sackett and Second Street and Chestnut and Second Street. As the Manager of Sutliff I Apartments located at 1850 Second Street I have great concern for the 180+ Senior Citizens who live in the building and how they would have access to crossing Second Street and their safety. I have residents who try to stay active and either walk or use their wheelchairs to get around the Cuyahoga Falls area and the City would be forcing the residents to go all of the way down to Broad Street to cross safely. At the very least one of the lights needs to remain in place.

Your consideration and fight for the 180+ senior residents and their safety would be greatly appreciated!

Sincerely,



Debbie Bromley

Property Manager

Sutliff I Apartments