

CUYAHOGA FALLS CITY COUNCIL

Minutes of the Council Meeting

March 28, 2011

- 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. James
- Approval of Minutes:** The minutes from the March 14, 2011 regular Council meeting, March 14, 2011 Special Committee meeting, and March 21, 2011 Special Council meeting were approved as submitted.
- Reports and Communications:**
1. A Notice from the Ohio Division of Liquor Control regarding a license transfer from Dilullos Corp. dba Dilullos Restaurant to Sugo, Inc., dba Sugo, 2485 State Road, Cuyahoga Falls. No objections were voiced.

New Legislation (First Reading)

Temp. Ord. B-34 (Planning & Zoning)

An ordinance approving the site plan related to construction of a 22,000 square foot/48 unit assisted living facility at 1691 Queens Gate Circle (Parcel No. 02-20378) and declaring an emergency.

Temp. Ord. B-35 (Finance)

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

Temp. Res. B-36 (Public & Industrial Improvements)

A resolution declaring the necessity of and intention to appropriate certain interests in real property necessary to establish a pedestrian walkway between Dominic Drive and North Hidden Valley Drive, and declaring an emergency.

Temp. Ord. B-37 (Public & Industrial Improvements)

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for construction of an electrical substation at 3535 State Road, including construction of an associated 23kV pole line, and declaring an emergency.

Temp. Ord. B-38 (Public Affairs)

An ordinance amending Sections 516.01, 516.02, 516.03 and 516.04 of Chapter 516, Part Five of the Codified Ordinances, enacting new Sections 516.05 and 516.06 thereof, relating to minors' curfew, and declaring an emergency.

Temp. Ord. B-39 (Public Affairs)

An ordinance enacting new Section 133.01 of Title 5, Part 1 of the Codified Ordinances, amending Sections 1306.01, 1306.02, 1306.03 and 1306.05 of Title 1, Part 13 thereof, relating to duties of the Chief Building Official, and declaring an emergency.

Temp. Ord. B-40 (Community Development)

An ordinance authorizing the Mayor to enter into a Modification of Contract No. 6519 with SRW Environmental Services, Inc., and declaring an emergency.

Reports of Council's Standing Committees

(Third Reading)

Planning & Zoning

Temp. Ord. B-25

An ordinance approving the site plan for construction of 110 multi-family residential units at the Manchester Falls Subdivision on Howe Avenue and declaring an emergency.

Mr. Rubino moved to adopt Temp. Ord. B-25, second by Mr. Barnhart. Motion passed, voice vote (11-0).

Temp. Ord. B-26

An ordinance approving the Manchester Falls Final Subdivision-Phase 1 on Howe Avenue and declaring an emergency.

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

Temp. Ord. B-27

An ordinance approving the site plan related to construction of a 20,800 square foot addition to a building located at 318 Remington Road (35-02687) and declaring an emergency.

Mr. Rubino moved to adopt Temp. Ord. B-27, second by Mr. Barnhart. Motion passed, voice vote (11-0).

Temp. Ord. B-28

An ordinance amending Appendix C of Title 5, Part 11 of the Codified Ordinances of the City of Cuyahoga Falls (General Development Code), and declaring an emergency.

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

Finance & Appropriations

Temp. Ord. B-29

An ordinance authorizing the Director of Public Service to enter into an energy purchase agreement known as the "EcoSmart Choice Program," with American Municipal Power, Inc., and declaring an emergency.

Mrs. Hummel moved to adopt Temp. Ord. B-29, second by Mrs. Klinger. Motion passed, voice vote (11-0).

Public & Industrial Improvements

Temp. Ord. B-30

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the construction of Chart Road from Northampton Road to a point approximately 600 feet west of Keyser Parkway, including roadside ditches, catch basins, waterlines and storm sewers where required, and roadway asphalt, together with necessary appurtenances, and declaring an emergency.

Mr. Walters moved to adopt Temp. Ord. B-30, second by Mr. Mader. Motion passed, voice vote (11-0).

Temp. Ord. B-31

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.

Mr. Walters moved to adopt Temp. Ord. B-31, second by Mr. Ihasz. Motion passed, voice vote (11-0).

Public Affairs:

No report.

Community Development:

Temp. Ord. B-32

An ordinance authorizing the Mayor to enter into a contract with Testa Builders, Inc. for the professional services necessary to operate the development/construction management portion of the Neighborhood Stabilization Program, and declaring an emergency.

Mr. James moved to adopt Temp. Ord. B-32, second by Mr. Rubino. Motion passed, voice vote (11-0).

Schedule of Committee Meetings

Planning & Zoning:	April 4, 2011, 6:30 p.m.
Finance:	April 4, 2011, 6:35 p.m.
Public Improvements:	April 4, 2011, 6:40 p.m.
Public Affairs:	April 4, 2011, 6:45 p.m.
Community Development:	April 4, 2011, 6:50 p.m.

Miscellaneous Business:

Mrs. Hummel commented that Council has received Report 21 for the month of February. Mr. Brodzinski stated it is too early to make major assumptions based on two months of information. The departments are continuing to review their budgets monthly and explain any deviations, both good and bad. They are all utilizing the same form. The City is waiting on the results of S.B. 5, which will have an impact on the budget. On local government, the state is looking at eliminating 25% of the funds the

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first year and 50% the second year. The state's budget is July through June so the effect on the City this year would be \$300,000. In 2012, it would be \$900,000, and in 2013, 1.2 million. He is currently revising the 2012-2013 budget outlooks. They are also looking at a 7% decrease in property taxes. Tangible personal property is supplemented with commercial activity tax, which is being phased out and would result in a \$150,000 impact. He added that compared to other municipalities, the City is reasonably sound. Mrs. Hummel asked if he felt the City would weather the \$300,000 impact projected for 2011. Mr. Brodzinski indicated that based on the City's 2011 fund balance, it should be fine. Mrs. Hummel stated that the revenue numbers for court staffing looked fairly healthy. Mayor Robart stated that is a reflection on the new police chief. The Mayor stated he never put an edict on any chief that the department needed to meet any quota. This chief is much more aggressive in terms of ticket-writing. They are averaging 150 tickets a month, which is huge. In looking down the road, the current clerk is three years from retirement. They want to get someone in there to take it over. He anticipates that the numbers will be up the entire year. Mrs. Klinger asked if the hours would be reduced if the cases fall off. The Mayor stated they would probably do that. They can increase or decrease the part-time staff back. That will be driven by the numbers.

Mr. James moved to adjourn, second by Mrs. Pyke. Motion passed, voice vote (11-0). Meeting adjourned at 6:46 p.m.

Diana Colavecchio, Council President

Cathleen J. Meacham, Clerk of Council