

CUYAHOGA FALLS CITY COUNCIL

Minutes of the Council Meeting

April 23, 2012

- Call to Order: Mr. Ihasz at 6:31 p.m.
- Roll Call: Mrs. Colavecchio, present; 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: Mrs. Colavecchio
- Approval of Minutes: The minutes from the April 9, 2012 Council meeting were approved as submitted.
- Reports and Communications: 1. A letter from Mayor Robart dated April 18, 2012 re-appointing Joseph Bailey to a new five-year term on the Board of Building Appeals. Mr. Ihasz assigned a special committee consisting of Mr. Walters, as Chair, Mr. Rubino, and Mr. Mader to discuss the appointment.

New Legislation

(First Reading)

Temp. Ord. A-46 (Planning & Zoning)

An ordinance approving a Minor Plat application for a lot line adjustment affecting land at 402 West Steels Corners Road (Parcel Nos. 35-02399, 35-02400 and 35-06265), and declaring an emergency.

Temp. Ord. A-47 (Planning & Zoning)

An ordinance approving a Minor Plat application for a lot line adjustment affecting land at 1705/1719 Akron-Peninsula Road (Parcel Nos. 35-01565, 35-02491 and 35-02490), and declaring an emergency.

Temp. Ord. A-48 (Planning & Zoning)

An ordinance approving a conditional zoning certificate for the construction of an outdoor recreation facility at 4190 State Road (Parcel No. 35-01621), in an MU-3 Mixed Use District, and declaring an emergency.

Temp. Ord. A-49 (Public & Industrial Improvements)

An ordinance authorizing the Director of Public Service to enter into a modification of Contract No. 6548 with GGC Engineers, Inc., and declaring an emergency.

Council recessed into a Special Committee meeting at 6:34 p.m. and reconvened at 6:36 p.m.

Report of Special Committee

Mr. Walters moved to approve the Mayor's appointment of Joseph Bailey to the Board of Building Appeals, second by Mr. Rubino. Motion passed, voice vote (11-0).

Reports of Council's Standing Committees

(Third Reading)

Planning & Zoning

Temp. Ord. A-39

An ordinance authorizing the Director of Community Development to apply for and accept a grant from Summit County, through the Ohio and Erie Canalway Coalition, to support development of the Gorge Terrace Neighborhood Trail and Greenway Plan, and declaring an emergency.

Mr. Rubino moved to adopt Temp. Ord. A-39, second by Mr. Barnhart. Motion passed, voice vote (11-0).

Finance & Appropriations:

Temp. Ord. A-40

An ordinance authorizing the Director of Public Safety to enter into a contract or contracts, according to law, for the purchase and installation of a breathing air compressor and fill station for the Fire Department, and declaring an emergency.

Mrs. Colavecchio moved to adopt Temp. Ord. A-40, second by Mr. Walters. Motion passed, voice vote (11-0).

Public & Industrial Improvements:

No report.

Public Affairs:

Temp. Ord. A-41

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

Mr. Walters moved to adopt Temp. Ord. A-41, second by Mrs. Klinger. Motion passed, voice vote (11-0).

Temp. Ord. A-42

An ordinance authorizing the Director of Public Service to issue an encroachment permit to KPG Realty LLC for the purpose of installing and maintaining a business identification sign in the public right-of-way of State Road, and declaring an emergency.

Mr. Walters moved to adopt Temp. Ord. A-42, second by Mrs. Snyder. Motion passed, voice vote (11-0).

Temp. Ord. A-43

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the demolition of a building and removal of demolition debris at 818 Shannon Avenue and certifying the cost thereof to the County Fiscal Officer for collection in the manner provided by law, and declaring an emergency.

Mr. Walters moved to adopt Temp. Ord. A-43, second by Mrs. Klinger. Motion passed, voice vote (11-0).

Community Development:

Temp. Ord. A-44

An ordinance approving the Community Development Block Grant Annual Action Plan for FY 2012, and declaring an emergency.

Mrs. Snyder moved to adopt Temp. Ord. A-44, second by Mrs. Pyke. Motion passed, voice vote (11-0).

Temp. Res. A-45

A resolution granting Council's consent to an extension of time for the sale of certain real property to Portage Crossing, LLC, and declaring an emergency.

Mrs. Snyder moved to adopt Temp. Res. A-45, second by Mr. Rubino. Mrs. Klinger stated that Council was presented with an ordinance to extend the original contract for the sale of the State Road Shopping Center property, after two extensions of the contract have expired. Thus, it is important to note that this contract is out of balance between the taxpayers of Cuyahoga Falls and the developer, who has a huge win. She felt she should bring it to everyone's attention that more than two years ago the taxpayers were promised a development that would bring new businesses and jobs to the City. Based on that information, Council previously approved significant tax reductions for this development, only to learn that one of the larger businesses would be moved one block. Moving a business one block does not create all of the new jobs that were promised in the previous presentations but instead will result in a larger burden for taxpayers. In addition, whether Giant Eagle owns the property or not, there are no guarantees that the existing space will be filled. The owners of the State Road Shopping Center didn't seem concerned about filling their space, and the City's solution to that was to buy the property. She wondered if the City will face the same destiny with the vacant Giant Eagle? She emphasized that she is not opposed to developing this site and shares in the excitement of the other retailers that have been announced. Once the businesses are open, she will be shopping and supporting them. She just opposes the disproportionate burden placed on the taxpayers with this contract. This is a business deal that has expired, and now it is Council's opportunity to right the wrong and create a balanced contract that benefits the residents, the taxpayers, and the developer. Motion passed, voice vote (10-1)

Schedule of Committee Meetings

Planning & Zoning:	May 7, 2012, 6:30 p.m.
Finance:	Subject to call.
Public Improvements:	May 7, 2012, 6:35 p.m.
Public Affairs:	Subject to call.
Community Development:	Subject to call.

Miscellaneous Business:

Mrs. Colavecchio commented that Council has received Report 21. She requested that Mr. Brodzinski postpone reviewing the report until the next Council meeting so that he can prepare to give a comparison of the first quarter of 2012 to the first quarter of 2011. She also would like an updated list of retirements. Mr. Brodzinski indicated he would be ready with the information by the next Council meeting.

Mr. James moved to dissolve into Executive Session, second by Mrs. Colavecchio. Mr. James stated that the Administration has requested the session in order to give Council an update on the Mandarin House. Roll call: Mrs. Colavecchio, yes; Mr. Walters, yes; Mr. James, yes; Mr. Rubino, yes; Mrs. Snyder, yes; Mrs. Klinger, yes; Mrs. Pyke, yes; Mr. Mader, yes; Mr. Barnhart, yes; Mr. Iula, yes, Mr. Ihasz, yes. Motion passed (11-0). Council dissolved into Executive Session at 6:49 p.m.

Mr. James moved to dissolve out of Executive Session, second by Mrs. Colavecchio. Roll call: Mrs. Colavecchio, yes; Mr. Walters, yes; Mr. James, yes; Mr. Rubino, yes; Mrs. Snyder, yes; Mrs. Klinger, yes; Mrs. Pyke, yes; Mr. Mader, yes; Mr. Barnhart, yes; Mr. Iula, yes, Mr. Ihasz, yes. Motion passed (11-0). Council dissolved out of Executive Session at 7:16 p.m.

Mr. James moved to adjourn, second by Mrs. Pyke. Motion passed, voice vote (11-0). Meeting adjourned at 7:16 p.m.

Mark Ihasz, Council President

Cathleen J. Meacham, Clerk of Council