

CUYAHOGA FALLS CITY COUNCIL

Minutes of the Council Meeting

July 25, 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. Ihasz
- Approval of Minutes: The minutes from the July 11, 2011 regular Council meeting were approved as submitted.
- Reports and Communications: 1. A Notice from the Ohio Division of Liquor Control regarding a new license application to Dolgen Midwest LLC dba Dollar General Store 11083, 1741 State Rd., Cuyahoga Falls, OH 44223.

New Legislation

(First Reading)

Temp. Ord. B-78 (Planning & Zoning)

An ordinance approving a conditional zoning certificate authorizing the construction and operation of a wind turbine on land adjacent to 3690 Zorn Drive (parcel no. 3501095), and declaring an emergency.

Mr. Rubino moved to suspend the rules in order to hold a Committee meeting on the same night as Council to discuss Temp. Ord. B-78 and Temp. Ord. B-62, second by Mr. James. Motion passed, voice vote (11-0)

Temp. Ord. B-79 (Finance)

An ordinance authorizing the Mayor to enter into a contract without competitive bidding with Summa Health System, Inc. for the equal value exchange of certain personal property no longer needed for municipal purposes, and to dispose of other obsolete personal property, and declaring an emergency.

Temp. Ord. B-80 (Finance)

An ordinance amending Section 923.03 of Title Five, Part Nine of the Codified Ordinances, relating to free water accounts, and declaring an emergency.

Temp. Res. B-81 (Public & Industrial Improvements)

A resolution consenting to the repair of the barrier wall on State Route 8 at Broad Boulevard within the City of Cuyahoga Falls, by the State of Ohio, and declaring an emergency.

Temp. Res. B-82 (Public Affairs)

A resolution authorizing the Superintendent of the Electric Department to represent the City of Cuyahoga Falls as a member of the Board of Trustees of American Municipal Power, Inc. and declaring an emergency.

Mrs. Colavecchio turned the floor over to representatives from AMP-Ohio who then presented the Lisle B. Wright AMP Scholarship Award to Miranda Stockton, a 2011 graduate of Woodridge High School. Randy Corbin of AMP-Ohio stated they had 36 nominations. That number was paired down to ten nominees who then were given the task of writing an essay and also taking a test. The results of both of those, in addition to school records and accomplishments, were used to determine the winner. Miranda is the daughter of Joann and Edward Stockton, and was in the Top 10 of her class. She was the Vice President of the National Honor Society, a member of the school marching band, and ran cross country and track. The amount of the scholarship is \$2,000.

Public Hearing

Temp. Ord. B-62

An ordinance amending Chapter 1115, Title 1, and Section 1131.03 of Chapter 1131, Title 3, Part 11 of the Codified Ordinances of the City of Cuyahoga Falls (General Development Code), relating to regulation of crematories, and declaring an emergency.

Council recessed at 6:40 p.m. in order to conduct a public hearing on Temp. Ord. B-62 and reconvened at 6:50 p.m.

Council recessed into Committee meetings at 6:50 p.m. and reconvened at 7:10 p.m.

Reports of Council's Standing Committees
(Third Reading)

Planning & Zoning

Temp. Ord. B-62

An ordinance amending Chapter 1115, Title 1, and Section 1131.03 of Chapter 1131, Title 3, Part 11 of the Codified Ordinances of the City of Cuyahoga Falls (General Development Code), relating to regulation of crematories, and declaring an emergency.

Mr. Rubino moved to adopt Temp. Ord. B-62, second by Mr. James. Motion passed, voice vote (11-0).

Temp. Ord. B-78

An ordinance approving a conditional zoning certificate authorizing the construction and operation of a wind turbine on land adjacent to 3690 Zorn Drive (parcel no. 3501095), and declaring an emergency.

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

Finance & Appropriations

No report.

Public & Industrial Improvements

Sub. Temp. Ord. B-64 (dated 7/18/11)

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the reconstruction of concrete pavement at various locations in the City, and declaring an emergency.

Mr. Walters moved to adopt Sub. Temp. Ord. B-64 (dated 7/18/11), second by Mr. Mader. 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, according to law, for the repair and resurfacing of the parking lot at Brookledge Golf Course, and declaring an emergency.

Mr. Walters moved to adopt Temp. Ord. B-73, second by Mr. Ihasz. 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, according to law, for the repair and resurfacing of State Road between Quick Road and Seasons Road, and declaring an emergency.

Mr. Walters moved to adopt Temp. Ord. B-74, second by Mr. Mader. Motion passed, voice vote (11-0).

Temp. Ord. B-75

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the installation of storm sewers on Issaquah and Sequoia Streets, and declaring an emergency.

Mr. Walters moved to adopt Temp. Ord. B-75, second by Mr. Ihasz. Motion passed, voice vote (11-0).

Public Affairs:

Temp. Ord. B-76

An ordinance amending Sections 161.05, 161.07, 161.09, 161.11 and 161.13 of Title Seven, Part One of the Codified Ordinances, relating to municipal income tax, and declaring an emergency.

Mr. Ihasz moved to amend B-76 by substitution with Sub. Ord. B-76 (dated 7/25/11), second by Mrs. Hummel. Mr. Ihasz stated the reason for the change was to delete Section 161.11. Mr. Ihasz moved to adopt Sub. Temp. Ord. B-76 (dated 7/25/11) as amended and stated, second by Mrs. Hummel. Motion passed, voice vote (11-0).

Temp. Ord. B-77

An ordinance amending Sections 771.01, 771.02, 771.03, 771.04, and 771.05 of Part Seven of the Codified Ordinances, relating to alarm systems and false alarms, and declaring an emergency.

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

Community Development:

No report.

Schedule of Committee Meetings

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| Planning & Zoning: | Subject to call. |
| Finance: | September 6, 2011, 6:30 p.m. |
| Public Improvements: | September 6, 2011, 6:35 p.m. |
| Public Affairs: | September 6, 2011, 6:40 p.m. |
| Community Development: | Subject to call. |

Miscellaneous Business:

Mrs. Colavecchio stated that Council was provided with a copy of a letter dated July 1 from Valerie Wax Carr to the 1,500 seniors who participated in the Senior Snow Watch Program this year. The letter indicates that, unfortunately, there will not be sufficient City funds for the City to continue that program going into this winter season. It is due to budgetary woes and, with cuts being made, this is one of them.

Mrs. Hummel indicated that Council received Report 21 through June 30. Mr. Brodzinski stated not much has changed since the end of May. Some of the local government cuts will not hit until August. The Natatorium is up \$25,000, Golf is down a little, and Waterworks is holding its own. His department has been analyzing the effects of the new two-year budget bill. The City will lose 13.3% in Local Government Funds this year. The impact in the City's second fiscal year will be 49%. By year-end 2012, the City could see a \$548,000 loss of revenue and in 2013, a \$1,059,000 loss. One of the changes in part of the state budget bill, which the City had previously been notified of, was the amount it received for tangible personal property tax. He did a calculation on what he believes the City will receive and estimated the amount to be \$150,000, with this year being the last year for any tangible personal property tax. Therefore, money the City was anticipating receiving through 2013 has been eliminated. Specifically, that would have been \$650,000 in 2011, \$528,000 in 2012, and \$430,000 in 2013. Estate tax will be eliminated during the City's fiscal year 2013 in an estimated amount between \$650,000 to \$1 million annually. The average has been \$825,000. The impact on real estate collections next year will be seen in 2013. Usually, there is a 5% - 7% increase in a triennial, however, this time there will be a (6.63%) decrease. He is planning on a 7% - 8% decrease in commercial, which equates to a \$620,000 impact. Basically, there will be a loss of revenue of \$1.7 million in 2012 and \$3 million in 2013. Regarding the financial impact of S.B. 5, mandating the 15% to pay for the cost of having insurance will bring in \$664,000 annually, which would help offset costs of the state budget. Another change deals with sick leave cash-out at retirement which will save another \$281,000 annually. His estimates are based on the current number of employees. There would be no change in PERS contributions. Mrs. Hummel stated it is certainly a dire picture but the City is not alone. Everyone in the State is feeling this crunch, including the State.

Mr. Ihasz stated when the curfew ordinance was discussed a few months ago, the Public Affairs Committee requested a report through July of this year. A copy of that report was provided to Council

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in Friday's packet. If anyone had any questions, he would have Capt. Davis address Council in September.

Mr. Walters announced the first meeting of the Ad Hoc Committee to address redistricting will be held on Monday, September 12 at 6:35 p.m. or immediately following the Council meeting. He will provide census numbers and maps at that time and the committee will go from there.

Mr. James moved to adjourn, second by Mrs. Pyke. Motion passed, voice vote (11-0). Meeting adjourned at 7:35 p.m.

Diana Colavecchio, Council President

Cathleen J. Meacham, Clerk of Council