

CUYAHOGA FALLS CITY COUNCIL

Minutes of the Council Meeting

July 26, 2010

- Call to Order:** Mrs. Colavecchio at 6:35 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, absent; Mr. Mader, absent; Mr. Iula, present; Mrs. Colavecchio, present.
- Invocation:** Mrs. Hummel
- Pledge of Allegiance:** Mr. James
- Approval of Minutes:** The minutes from the July 12, 2010 regular Council meeting and July 12, 2010 Committee-of-the-Whole meeting were approved as submitted.
- Reports and Communications:** None.

New Legislation

(First Reading)

Temp. Ord. A-105 (Finance)

An ordinance authorizing the sale of a Ford E-350 van to the City of Stow and Declaring an Emergency.

Mrs. Hummel moved to suspend the rules in order to hold a Finance committee meeting on the same night as Council to discuss Temp. Ord. A-105, second by Mr. James. Motion passed, voice vote (9-0).

Temp. Ord. A-106 (Public Improvements)

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the repair of 18th Street, from Broad Boulevard to Ohio Street, in the City of Cuyahoga Falls, and declaring an emergency.

Temp. Ord. A-107 (Public Improvements)

An ordinance authorizing the Director of Development to enter into a contract, and/or contracts, according to law, to facilitate environmental assessment and remediation activities at the property located at 1110-1130 Portage Trail and declaring an emergency.

Mr. Walters moved to suspend the rules in order to hold a Public Improvements committee meeting on the same night as Council to discuss Temp. Ord. A-106, second by Mrs. Hummel. Mr. Walters stated this was requested by Administration with the impending break to get the project moving. Motion passed, voice vote (9-0).

Temp. Ord. A-108 (Community Development)

An ordinance authorizing an amendment to the 2009-2013 Community Development Block Grant Consolidation Plan, as approved in Ordinance No. 45-2009, and declaring an emergency.

Council recessed into committee meetings at 6:38 p.m. and reconvened at 6:43 p.m.

Reports of Council's Standing Committees
(Third Reading)

Planning & Zoning

Nothing to report.

Finance & Appropriations

Temp. Ord. A-89

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for well repairs and maintenance to City Well #15, and declaring an emergency.

Mrs. Hummel moved to adopt Temp. Ord. A-89, second by Mrs. Klinger. Motion passed, voice vote (9-0).

Temp. Ord. A-105

An ordinance authorizing the sale of a Ford E-350 van to the City of Stow and declaring an emergency.

Mrs. Hummel moved to adopt Temp. Ord. A-105, second by Mrs. Klinger. Mrs. Hummel stated that Administration had requested this be expedited due to the August break so that the City can move forward. Motion passed, voice vote (9-0).

Public & Industrial Improvements

Temp. Ord. A-102

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for improvements to the alley on North Cook Street, and declaring an emergency.

Mr. Walters moved to adopt Temp. Ord. A-102, second by Mrs. Hummel. Motion passed, voice vote (9-0).

Temp. Ord. A-106

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the repair of 18th Street, from Broad Boulevard to Ohio Street, in the City of Cuyahoga Falls, and declaring an emergency.

Mr. Walters moved to adopt Temp. Ord. A-106, second by Mr. Ihasz. Motion passed, voice vote (9-0).

Public Affairs:

Temp. Ord. A-82

An ordinance enacting Chapter 111 of the Codified Ordinances, titled "Council Rules" and declaring an emergency.

Mr. Ihasz moved to adopt Temp. Ord. A-82. Mrs. Colavecchio stated she would like this held until Council has one more ad hoc meeting on the floor. Mrs. Klinger made a point of order indicating that the legislation would need to be tabled, not held. Mrs. Colavecchio moved to table Temp. Ord. A-82, second by Mrs. Hummel. Motion passed, voice vote (9-0).

Sub. Temp. Ord. A-97 (dated 7/15/10)

An ordinance amending Section 123.05 of the Codified Ordinances providing for monthly financial reports to be given to City Council, and declaring an emergency.

Mr. Ihasz moved to adopt Sub. Temp. Ord. A-97 (dated 7/15/10), second by Mrs. Hummel. Motion passed, voice vote, (9-0).

Sub. Temp. Ord. A-98 (dated 7/15/10)

An ordinance enacting Chapter 109 entitled "Boards and Commissions" within Title One of the Codified Ordinances, and Section 129.01 providing for notices of vacancies on Boards and Commissions to be published, and declaring an emergency.

Mr. Ihasz moved to adopt Sub. Temp. Ord. A-98 (dated 7/15/10), second by Mrs. Pyke. Motion passed, voice vote (9-0).

Sub. Temp. Ord. A-100 (dated 7/15/10)

An ordinance providing an amendment to the Charter of the City of Cuyahoga Falls, Ohio, originally adopted by the electorate on November 3, 1959, and amended from time to time, to be submitted at the next general election on November 2, 2010, which amendment will revise Article XI, and declaring an emergency.

Mr. Ihasz moved to adopt Sub. Temp. Ord. A-100 (dated 7/15/10), second by Mrs. Hummel. Roll call: Mrs. Hummel, yes; Mr. Walters, yes; Mr. James, yes; Mr. Ihasz, yes; Mr. Rubino, yes; Mrs. Klinger, yes; Mrs. Pyke, no; Mr. Iula, no; Mrs. Colavecchio, yes. Motion failed (2-7).

Temp. Ord. A-103

An ordinance establishing the composition of the Police Department, and declaring an emergency.

Mr. Ihasz moved to adopt Temp. Ord. A-103, second by Mrs. Pyke. Motion passed, voice vote (8-1).

Community Development:

Nothing to report.

Schedule of Committee Meetings

Planning & Zoning:	Subject to call.
Finance:	Subject to call.
Public Improvements:	September 7, 2010, 6:30 p.m.
Public Affairs:	Subject to call.
Community Development:	September 7, 2010, 6:35 p.m.
Ad Hoc on Council Rules:	September 7, 2010, 6:40 p.m.

Miscellaneous Business:

Mrs. Hummel indicated she had two items this evening. The first was that Mrs. Carr had an update on the Power Cost Factor which has been in place for several months. Mrs. Carr indicated the PCF recovery had been discussed in October, 2009. They felt it would take 12 to 18 months to recover the \$3.2 million. As of June 10, they have collected \$2,234,425.46 so everything is on track. It is scheduled to fall off in March, 2011. The impact to residents who use 625 kwh is a \$1.23 difference. The average customer uses 1,000 kwh. The City is helping residents who are struggling due to higher bills from air conditioner use Mrs. Hummel added that Mrs. Carr will also be providing Council with an update on the electric rate study in September.

Mrs. Hummel stated that Council has received Report 21, which is through June 30. Mr. Brodzinski stated that at the end of the year, the General Fund will be within a couple hundred thousand dollars of the projected balance. They continue to trim departments for additional savings. He commented on the recent article regarding GO-JO's layoffs, which will, in turn, affect the City's numbers. They are currently calculating what that affect would be. The numbers in Report 21 have not changed dramatically since the previous month. Compared to 2009, the City is \$1 million less than last year but that was anticipated. They are currently negotiating with some of the unions and are also getting with senior personnel to address problems in 2011. The Natatorium is ahead of budget.

Mrs. Hummel commented that the legislation that was in Public Affairs regarding the make up of the Police Department was due to a Captain who is potentially retiring so the change is to management staffing and not to patrol officers.

Mrs. Pyke moved to excuse the absences of Mr. Barnhart and Mr. Mader, second by Mrs. Klinger. Motion passed, voice vote (9-0).

Mrs. Klinger wanted to point out that since Council tabled Temp. Ord. A-82, that legislation cannot be discussed again. Mrs. Colavecchio asked Ms Jones if Council could un-table the ordinance and refer it back to Committee so that it can continue to be discussed. Ms. Jones indicated it could. Mr. Rubino questioned why the legislation needed further discussion. Mrs. Colavecchio indicated it was to point out the final changes to the Rules and to allow Council the opportunity to more closely review the Rules during the August break. After much discussion, Mrs. Colavecchio moved to remove Temp. Ord. A-82 from the table, second by Mrs. Hummel. Motion passed, voice vote (9-0). Mrs. Colavecchio moved to refer Temp. Ord. A-82 back to the Public Affairs Committee, second by Mr. James. Motion passed, voice vote (9-0).

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Mrs. Hummel moved to adjourn, second by Mrs. Pyke. Motion passed, voice vote (9-0). Meeting adjourned at 7:15 p.m.

Diana Colavecchio, Council President

Cathleen J. Meacham, Clerk of Council