

CUYAHOGA FALLS CITY COUNCIL

Minutes of the Council Meeting

September 26, 2011

- Call to Order: Mrs. Colavecchio at 6:33 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 September 6, 2011 Special Council meeting and September 12, 2011 regular Council meeting were approved as submitted.
- Reports and Communications: None.

New Legislation (First Reading)

Temp. Ord. B-90

An ordinance authorizing the Director of Finance to enter into a contract with the City of Cleveland, Ohio to establish membership in the Central Collection Agency and for the purchase of certain income tax collections services, and declaring an emergency.

Reports of Council's Standing Committees (Third Reading)

Planning & Zoning

No report.

Finance & Appropriations

Temp. Ord. B-85

An ordinance authorizing the Director of Public Safety to accept and expend a grant from the Federal Emergency Management Agency, and to enter into a contract or contracts, according to law, for the purchase of certain safety equipment for use by the Fire Department, and declaring an emergency.

Mrs. Hummel moved to adopt Temp. Ord. B-85, second by Mrs. Klinger. Motion passed, voice vote (11-0).

Temp. Ord. B-86

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, without competitive bidding, with Bell Equipment Company for the purchase of an automated packer truck for use by the Sanitation Division, and declaring an emergency.

Mrs. Hummel moved to adopt Temp. Ord. B-86, second by Mr. Walters. Motion passed, voice vote (11-0).

Temp. Ord. B-87

An ordinance authorizing the Parks and Recreation Board to enter into a contract or contracts without competitive bidding with Commercial Fitness Solutions, Inc. for the purchase of fitness equipment for the Natatorium Recreation and Wellness Center, and declaring an emergency.

Mrs. Hummel moved to adopt Temp. Ord. B-87, second by Mrs. Klinger. Motion passed, voice vote (11-0).

Temp. Ord. B-88

An ordinance authorizing the Director of Public Service to enter into a second modification of Contract No. 6347 with URS Corporation, for professional design engineering services related to improvements to State Road from Graham Road to Steels Corners Road, and declaring an emergency.

Mrs. Hummel moved to adopt Temp. Ord. B-88, second by Mr. Walters. Motion passed, voice vote (11-0).

Public & Industrial Improvements

No report.

Public Affairs:

Temp. Ord. B-89

An ordinance authorizing the Mayor to enter into an amendment of the Boston Township-City of Cuyahoga Falls Joint Economic Development District contract, and declaring an emergency.

Mr. Ihasz moved to adopt Temp. Ord. B-89, second by Mr. Iula. Motion passed, voice vote (11-0).

Community Development:

No report.

Schedule of Committee Meetings

Planning & Zoning:	Subject to call.
Finance:	October 3, 2011, 6:30 p.m.
Public Improvements:	Subject to call.
Public Affairs:	Subject to call.
Community Development:	Subject to call.

Miscellaneous Business:

Mr. Brodzinski summarized Report 21 through August. Nothing significant has occurred since last month. They are in the process of determining their best estimates on total expenses in preparation of the 2012 budget. Local government, real estate tax and personal property tax exemption are the biggest concerns. The City will have a \$1.7 million loss in 2012 in those three areas. In 2013, it will lose another \$425,000 on local government, and between \$650,000 to \$1 million for estate tax. Next year, the expenditures will go up slightly with revenue going down. The \$1.7 million will grow to \$3 million in 2013. On the revenue side, the Natatorium is about the same as last year, Waterworks was down slightly and the Golf Course was down also.

Mrs. Colavecchio stated that Mr. Janis provided Council with the report on moral claims. She asked if it was a quarterly report. Mr. Janis stated it is a YTD report and cautioned Council on the confidential information contained in the report.

Bob Hagar, attorney for the Kriegers, addressed Council. He reviewed the documents forwarded to Council that were in response to Mayor Robart's letter to customers. He also summarized the findings of the company hired by the Kriegers to study the impact on the front parking lot that would be caused by the widening of Graham Road. The company was also preparing an alternative design to present to ODOT. Mr. Hagar stated this design was supported by the citizens of Cuyahoga Falls who oppose this widening. He has 7,000 petitions that say do not take this area. He disagreed it was a high crash area. He also stated the Mayor's drawing was inaccurate, and that the striping suggested by the City calls for too narrow parking spaces.

Paul Janis stated because a lawsuit has been threatened, City officials cannot answer any questions on this matter outside of an executive session. He stated no one is disputing that Krieger's Market will lose some parking spaces, but the number of lost spaces is not at issue because no one has yet decided whether Graham Road will even be widened. The status of the project is at the preliminary engineering level and the widening of Graham Road is a recommendation being reviewed by ODOT, who will be making the final decision. The City does not control how ODOT will analyze the information, and the City does not control the outcome of the decision process. Neither does City Council. Likewise, the manner in which Mr. Krieger stripes his parking lot is also not controlled by the City or Council. The City made a suggestion that would reduce the number of potential lost spaces but it can't require Mr. Krieger to accept that suggestion. Mr. Krieger's choice in how he stripes his parking lot is going to determine the number of spaces that result, and the City supports him in striping the parking lot in the manner he chooses, including reserved spots for gazebos, hay bales and pumpkins.

September 26, 2011 - Page 4

Mr. James moved to adjourn, second by Mrs. Pyke. Motion passed, voice vote (11-0). Meeting adjourned at 6:55 p.m.

Diana Colavecchio, Council President

Cathleen J. Meacham, Clerk of Council