

Cuyahoga Falls City Council

Minutes of the Council Meeting of March 24, 2014

Call to Order

Mrs. Pyke called the meeting to order at 6:30 p.m.

1. Roll Call

Present: Mr. Colavecchio  
Mr. DeRemer  
Mr. Iula  
Mr. James  
Mrs. Klinger  
Mr. Mader  
Mr. Pallotta  
Mr. Rubino  
Mrs. Snyder  
Mr. Weinhardt  
Mrs. Pyke  
Absent: (none)

2. Invocation

The invocation was given by Mr. Mader.

3. Pledge of Allegiance

The Pledge of Allegiance was led by IHM 4<sup>th</sup> Grade Cub Scout Pack 3179.

4. Approval of Minutes of Previous Council Meeting.

Without objection, the minutes of the March 3, 2014 Council meeting were approved as submitted.

5. Reading of petitions, claims, communications and reports of City officials.

The following items were received and reported by the Clerk:

1. From the Dep. of Liquor Control, notice dated March 3, 2014 of the issuance of a new D5 liquor license to Lions Pub & Grille, Inc. dba Jimmy's, 1749 Front St.

2. From the Dep. of Liquor Control, notice dated March 17, 2014 of the issuance of a new D5J liquor license to Chipotle Mexican Grill of Colorado, LLC dba Chipotle Mexican Grill #2348, 2042 Portage Trail.

3. From the Finance Director, Report 21 dated March 17, 2014.
4. From the Law Director, a memo dated March 21, 2014 requesting that the Council suspend its rules to permit Temp. Ord. A-27 to be introduced and voted on during Council's March 24th meeting.
5. From the Law Director, a memo dated March 21, 2014 requesting that Council schedule an executive session to confer with the Law Director regarding certain pending litigation: *In re Estate of Ferrato*, Summit County Probate Court Case No. 2011 ES 985 and Ohio Court of Appeals, Ninth District, Case No. 26742, during Council's March 24th meeting.

Motion by Mr. Pallotta to enter into executive session to confer with the Law Director regarding certain pending litigation: *In re Estate of Ferrato*, Summit County Probate Court Case No. 2011 ES 985 and Ohio Court of Appeals, Ninth District, Case No. 26742.

Seconded by Mr. Weinhardt. The roll was called.

Yes: Mr. Colavecchio      No: (None)  
Mr. DeRemer  
Mr. Iula  
Mr. James  
Mrs. Klinger  
Mr. Mader  
Mr. Pallotta  
Mr. Rubino  
Mrs. Snyder  
Mr. Weinhardt  
Mrs. Pyke

Motion adopted. The Council entered executive session at 6:36 p.m.

The Council re-convened at 6:50 p.m.

Motion by Mr. Pallotta to terminate the executive session. Seconded by Mr. Weinhardt. The roll was called.

Yes: Mr. Colavecchio      No: (None)  
Mr. DeRemer  
Mr. Iula  
Mr. James  
Mrs. Klinger  
Mr. Mader  
Mr. Pallotta  
Mr. Rubino

Mrs. Snyder  
Mr. Weinhardt  
Mrs. Pyke

Motion adopted. The executive session was terminated at 6:50 p.m.

Without objection, the President recessed the Council for a special meeting of the Planning & Zoning Committee.

The President reconvened the Council at 6:55 p.m.

6. Introduction of new ordinances and resolutions.

The following ordinances were introduced and referred as noted:

To the Planning & Zoning Committee:

Temp. Ord. A-27

An ordinance approving the creation of an individual historic overlay landmark at 1701 South Front Street according to Section 1132.21 H, Historic Overlay in the Cuyahoga Falls General Development Code, and declaring an emergency.

To the Finance Committee:

Temp. Ord. A-28

An ordinance authorizing the Director of Public Safety to accept a Justice Assistance Grant subgrant from the Department of Public Safety, making an appropriation therefor, and declaring an emergency.

To the Public Improvements Committee:

Temp. Ord. A-29

An ordinance authorizing the Director of Public Safety 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.

To the Public Affairs Committee:

Temp Ord. A-30

An ordinance amending Section 947.05 of Part Nine, Title Seven, Chapter 947 of the Codified Ordinances, relating to medical transport service, and declaring an emergency.

Temp. Ord. A-31

An ordinance amending Chapter 767, Part Seven of the Codified Ordinances, relating to ambulances and emergency medical services, and declaring an emergency.

To the Community Development Committee:

Temp. Ord. A-32

An ordinance approving the 2014-2018 CDBG Consolidated Plan Document, and declaring an emergency.

Temp. Ord. A-33

An ordinance approving the Community Development Block Grant Annual Action Plan for Fiscal Year 2014, and declaring an emergency.

7. Public Hearings.

There were no public hearings.

8. Reports of Special Council Committees.

There were no reports of special committees.

9. Reports of Council's Standing Committees

Planning & Zoning Committee:

Temp. Ord. A-27: An ordinance approving the creation of an individual historic overlay landmark at 1701 South Front Street according to Section 1132.21 H, Historic Overlay in the Cuyahoga Falls General Development Code, and declaring an emergency.

Motion by Mr. Mader to adopt Temp. Ord. A-27. Seconded by Mr. Weinhardt.

Remarks by the Committee Chair: (Recording unavailable.)

Motion adopted by acclamation, 11-0. The ordinance was passed.

Finance & Appropriations Committee:

Temp. Ord. A-18: An ordinance authorizing the Director of Public Service to apply for and accept a grant from the Ohio Bureau of Workers' Compensation, making an appropriation therefor, and declaring an emergency.

Motion by Mrs. Klinger to adopt Temp. Ord. A-18. Seconded by Mr. James.

Remarks by the Committee Chair: (Recording unavailable.)

Mr. James called the question.

Motion adopted by acclamation, 11-0. The ordinance was passed.

Temp. Ord. A-19: An ordinance authorizing the Mayor to enter into a contract without competitive bidding with Guardian Life Insurance Company of America for the City's group life insurance for employees and retirees, and declaring an emergency.

Motion by Mrs. Klinger to adopt Temp. Ord. A-19. Seconded by Mr. Iula.

Remarks by the Committee Chair: (Recording unavailable.)

Mr. Iula called the question.

Motion adopted by acclamation, 11-0. The ordinance was passed.

Temp. Ord. A-20: An ordinance authorizing the Mayor to enter into a contract without competitive bidding with the City of Monroe Falls, Ohio for the sale of certain personal property no longer needed for municipal purposes, and declaring an emergency.

Motion by Mrs. Klinger to adopt Temp. Ord. A-20. Seconded by Mr. James.

Remarks by the Committee Chair: (Recording unavailable.)

Mr. James called the question.

Motion adopted by acclamation, 11-0. The ordinance was passed.

Sub. Temp Ord. A-21 (3/17/14):An ordinance authorizing the Directors of Public Safety and Public Service to enter into a contract or contracts, according to law, for the purchase or lease of various vehicles for use by the City, and declaring an emergency.

Motion by Mrs. Klinger to adopt Sub. Temp. Ord. A-21 (3/17/14).  
Seconded by Mr. Iula.

Remarks by the Committee Chair: (Recording unavailable.)

Motion by Mr. James to excuse Mrs. Snyder from voting on the motion. (Rule 111.06(d)). Seconded by Mr. Rubino.

Motion adopted by acclamation, 11-0. The motion was adopted.

The matter on the floor became the Motion by Mrs. Klinger to adopt Sub. Temp. Ord. A-21 (3/17/14).

Motion adopted by acclamation, 10-0, Mrs. Snyder not voting.

Temp. Ord. A-22: An ordinance authorizing the Director of Public Safety to enter into a contract or contracts without competitive bidding with Motorola, Inc. for the maintenance of the Public Safety Regional Dispatch System equipment, and declaring an emergency.

Motion by Mrs. Klinger to adopt Temp. Ord. A-22. Seconded by Mr. James.

Remarks by the Committee Chair: (Recording unavailable.)

Mr. James called the question.

Motion adopted by acclamation, 11-0. The ordinance was passed.

Public & Industrial Improvements Committee:

No report.

Public Affairs Committee:

Sub. Temp. Ord. A-9 (3/17/14): An ordinance amending Section 351.11 of Title Seven, Part Three of the Codified Ordinances, relating to parking on private property, authorizing the Director of Community Development to enforce said section, and declaring an emergency.

Motion by Mr. Pallotta to adopt Sub. Temp. Ord. A-9 (3/17/14). Seconded by Mr. Weinhardt.

Remarks by the Committee Chair: (Recording unavailable.)

Mr. DeRemer called the question.

Motion adopted by acclamation, 11-0. The ordinance was passed.

Sub. Temp. Ord. A-14 (3/17/14): An ordinance authorizing the Director of Public Service to grant an easement to McDonald's Real Estate Company,

McDonald's USA, LLC, Rubber City Arches Graham, LLC, or any of their affiliates for the continued location and maintenance of its business identification sign, and declaring an emergency.

Motion by Mr. Pallotta to adopt Sub. Temp. Ord. A-14 (3/17/14). Seconded by Mr. Weinhardt.

Remarks by the Committee Chair: (Recording unavailable.)

Mr. DeRemer called the question.

Motion adopted by acclamation, 11-0. The ordinance was passed.

Temp. Ord. A-23: An ordinance authorizing the Mayor to enter into a settlement agreement in the case of *In re Estate of Ferrato*, and declaring an emergency.

Motion by Mr. Pallotta to adopt Temp. Ord. A-23. Seconded by Mr. Weinhardt.

Remarks by the Committee Chair: (Recording unavailable.)

Mr. DeRemer called the question.

Motion adopted by acclamation, 11-0. The ordinance was passed.

Temp. Ord. A-24: An ordinance amending various sections of the Codified Ordinances to conform to state law, approving the 2013 replacement pages to the Codified Ordinances, of the City of Cuyahoga Falls, and declaring an emergency.

Motion by Mr. Pallotta to adopt Temp. Ord. A-24. Seconded by Mr. Weinhardt.

Remarks by the Committee Chair: (Recording unavailable.)

Mr. DeRemer called the question.

Motion adopted by acclamation, 11-0. The ordinance was passed.

Temp. Res. A-25: A resolution authorizing the Mayor to enter into a Memorandum of Agreement with the Summit Soil and Water Conservation District (SWCD), and declaring an emergency.

Motion by Mr. Pallotta to adopt Temp. Res. A-25. Seconded by Mr. Weinhardt.

Remarks by the Committee Chair: (Recording unavailable.)

Mr. DeRemer called the question.

Motion adopted by acclamation, 11-0. The resolution was adopted.

Temp. Res. A-26

A resolution to adopt and participate in a Multi-Jurisdictional Hazard Mitigation Plan with the County of Summit Emergency Management Agency, and declaring an emergency.

Motion by Mr. Pallotta to adopt Temp. Res. A-26. Seconded by Mr. Weinhardt.

Remarks by the Committee Chair: (Recording unavailable.)

Mr. DeRemer called the question.

Motion adopted by acclamation, 11-0. The resolution was adopted.

Community Development Committee:

No report.

10. Announcement of Schedule of Council Committee meetings.

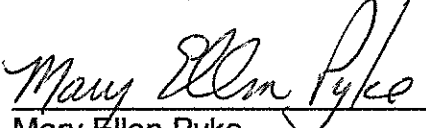
Planning & Zoning:	April 7, 2014 at 6:30 p.m.
Finance:	April 7, 2014 at 6:35 p.m.
Public Improvements:	April 7, 2014 at 6:40 p.m.
Public Affairs:	April 7, 2014 at 6:45 p.m.
Community Development:	April 7, 2014 at 6:45 p.m.

11. Miscellaneous Business

The Finance Director gave a report concerning the Report 21 provided on March 17, 2014. (Recording unavailable.)

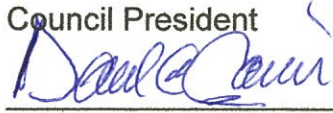
12. Adjournment

Motion by Mr. James to adjourn. Seconded by Mr. Iula. Motion adopted by acclamation. The meeting was adjourned at 7:19 p.m.

  
Mary Ellen Pyke



Council President



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Paul A. Janis  
Clerk of Council