

Cuyahoga Falls City Council

Minutes of the Council Meeting of May 27, 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

2. Invocation

The invocation was given by Mr. Mader.

3. Pledge of Allegiance

The Pledge of Allegiance was led by Mr. Iula.

4. Approval of Minutes of Previous Council Meeting.

Without objection, the minutes of the May 12, 2014 and May 19, 2014 Council meetings were approved as submitted.

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

(None.)

6. Introduction of new ordinances and resolutions.

The following ordinances and resolutions were introduced and referred as noted:

To the Public Affairs Committee:

Temp. Ord. A-55

An ordinance amending the Traffic Control File by providing for installation of various traffic control devices, 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-46: An ordinance accepting the Planning Commission approval, findings and conditions of the major site plan for Cascade Auto Group's new Audi Terminal at 4161 State Road (Parcel 35-00914) and new detail/service facility at 4149 State Road (Parcel 35-00237) and declaring an emergency.

Motion by Mr. Mader to adopt Temp. Ord. A-46. Seconded by Mr. Rubino.

Remarks by the Committee Chair: None

Mr. Colavecchio called the question.

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

Temp Ord. A-47: An ordinance authorizing the Director of Community Development to apply for and enter into an agreement for the Summit County Community Grant for the creation of the Wyoga Lake Road multi-purpose trail plan; authorizing the payment of the local share, and declaring an emergency.

Motion by Mr. Mader to adopt Temp. Ord. A-47. Seconded by Mr. Weinhardt.

Remarks by the Committee Chair: None

Mr. Weinhardt called the question.

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

Public Improvements Committee:

Temp Ord. A-48: An ordinance authorizing the construction of the extension of the sanitary sewer on Hidden Lake Lane in the City of Cuyahoga Falls by a private developer and accepting dedication of the same, and declaring an emergency.

Motion by Mr. Iula to adopt Temp. Ord. A-48. Seconded by Mr. Mader.

Remarks by the Committee Chair: None

Mr. Mader called the question.

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

Public Affairs Committee:

Temp. Ord. A-40: An ordinance authorizing the Mayor to enter into a settlement agreement in the case of Jeffrey K. White v. City of Cuyahoga Falls, and declaring an emergency.

Motion by Mr. Pallotta to adopt Temp. Ord. A-40. Seconded by Mr. Weinhardt.

The President recognized Mr. Colavecchio, who stated that this is a nuisance value case at best, and the Council needs to send a message that these types of lawsuits should not be brought, and should be defended, and the City should not give in to outrageous claims.

Remarks by the Committee Chair: Mr. Pallotta stated that the Committee released this ordinance without a recommendation and he is moving the ordinance solely to bring it to the floor, and that he recommends that it be defeated.

Mr. Weinhardt called the question.

Motion failed by acclamation, 11-0. The ordinance was defeated.

Temp. Res. A-49: A resolution urging the Governor and the Ohio Attorney General to enforce existing state laws against predatory lending as they relate to the purveyors of "auto title loans," urging the Ohio General Assembly to repeal or amend the state statute preempting municipal regulation of "auto title loans" and other predatory lending practices, and declaring an emergency.

Motion by Mr. Pallotta to adopt Temp. Res. A-49. Seconded by Mr. Weinhardt.

Remarks by the Committee Chair: Mr. Pallotta stated that the Council has been a voice for those who have no voice, and those who have been subjected to usury have not gone without devastation. This can be construed as evil. Edmund Burke stated that the "only thing necessary for triumph of evil is that good men do nothing." This Council has stood up and done something.

Mr. DeRemer called the question.

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

Temp. Ord. A-50: An ordinance authorizing the Mayor to enter into an agreement with the International Association of Firefighters, Local 494, effective January 1, 2014, and declaring an emergency.

Motion by Mr. Pallotta to adopt Temp. Ord. A-50. Seconded by Mr. Weinhardt.

Remarks by the Committee Chair: None.

Mr. DeRemer called the question.

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

10. Announcement of Schedule of Council Committee meetings.

Planning and Zoning:	Subject to call.
Finance:	Subject to call.
Public Improvements:	June 2, 2014 at 6:30 p.m.
Public Affairs:	June 2, 2014 at 6:35 p.m.
Community Development:	Subject to call.

11. Miscellaneous Business

The President recognized Mr. Colavecchio, who moved that a constituent be permitted to address Council for three minutes during Miscellaneous Business. Seconded by Mr. Weinhardt.

Motion adopted by acclamation.

Elizabeth Haggerty, 380 Pleasant Meadow Blvd. Apt. C, stated that she had a car that was destroyed in the storm that occurred on May 12. She asked, inasmuch as the City is assisting homeowners with damage to homes, whether there will be any assistance for those who lost personal property such as cars. Insurance coverage does not enable the purchase of a new car.

The President recognized Mrs. Klinger, who asked the Finance Director to review the Report 21 April year-to-date report with the Council.

The Finance Director stated that on revenue, YTD property tax receipts are approximately \$140,000 less than last year's YTD. The Finance Dept. has not yet received a report of delinquent collections, but it is believed that delinquent collections are down substantially this year. The Finance Dept. has information that estate tax receipts will be higher than budget for this year, as several probate cases are still pending. YTD revenue from internal service charges remain lower than last year's YTD, especially in the information services category, but this will change as the City bills for ongoing projects. YTD income tax revenue is substantially higher than last year's YTD, and refunds are substantially lower, as last year there were several large refunds. The 2014 budget for refunds, at \$700,000, seems to reflect this, and it is likely that City will not need the full amount of this budget item. Termination of the Fire Dept. SAFR grant is reflected in a large reduction in grant revenue. YTD revenues in the Water Fund are up \$210,000 over YTD 2013 due to one-time charges associated with the French Mill Run development. However, the elimination of the high pressure surcharge has offset that revenue by \$125,000 YTD over YTD 2013, and the elimination of this charge will have an annual effect of about \$455,000. The Leisure Time fund should improve as the weather improves for summer activities. Natatorium pass sales have not improved. YTD revenues in the Electric Fund indicate the fund will have revenues about \$2.3 million higher than budget.

On the expense side, prescription drug costs related to the City's health insurance plan are running well above average, \$32,000 per week through April 2014, when the 2013 weekly average was \$19,974. The Finance Director will confer with the H.R. Dept and will provide more information on this next month. The Finance Director plans to bring a mid-year budget adjustment in July, to make adjustments to line items in the Information Services budget and income tax revenue projections.

The President recognized a member of the public, David Witner, who announced a \$1,000 donation from the Firefighters' Benevolent Association to the Oktoberfest Committee, to assist flood victims.

The President thanked Shannon Campbell, owner of SugarLuv, who led the fundraising for flood victims.

12. Adjournment

Motion by Mr. James to adjourn. Seconded by Mr. Iula. Motion adopted by acclamation. The meeting was adjourned at 6:52 p.m.

Mary Ellen Pyke

Mary Ellen Pyke
Council President

Paul A. Janis

Paul A. Janis
Clerk of Council