

CUYAHOGA FALLS CITY COUNCIL

Minutes of the Council Meeting

January 14, 2008

- Call to Order:** Mr. James at 6:35 p.m.
- Roll Call:** Mrs. Hummel, present; Mr. Gorbach, present; Mrs. Colavecchio, present; Mr. Walters, present; Mrs. Ritzinger, present; Mr. Ihasz, present; Mrs. Klinger, present; Mrs. Pyke, present; Mr. Barnhart, present; Mr. Mader, present; Mr. James, present.
- Invocation:** Mrs. Hummel
- Pledge of Allegiance:** Mrs. Klinger
- Approval of Minutes:** The minutes from the December 10, 2007 regular meeting, the December 17, 2007 special meeting, the December 27, 2007 regular meeting and the January 7, 2008 special meeting have been approved as submitted.
- Reports and Communications:**
1. Notice from the Ohio Division of Liquor Control regarding an Application for Change of Corporate Stock Ownership to Rare Hospitality International, Inc., 443 Howe Avenue & Patio, Cuyahoga Falls, OH 44221.
 2. Letter from Mayor Robart to Council regarding the reappointments of Deborah Graef and Boyd King to the Civil Service Commission. Mr. James appointed a Special Committee consisting of Mr. Gorbach, Mrs. Ritzinger and Mrs. Pyke to review the reappointments.

New Legislation (First Reading)

Temp. Ord. A-1 (Finance)

An ordinance providing for the transfer of funds from the Probation Fund to the General Fund and modifying the appropriations in the Probation Fund for the year 2008, and declaring an emergency.

Temp. Ord. A-2 (Finance)

An ordinance levying special assessments for the repair or replacement of sidewalks and drive approaches in the district known and designated by this Council as a Sidewalk Repair District for the year 2007 containing all necessary streets, alleys or public roadways within the corporate limits of the City of Cuyahoga Falls, and declaring an emergency.

Temp. Ord. A-3 (Finance)

An ordinance authorizing the Mayor to enter into a contract or contracts according to law for the maintenance of the radio system, and declaring an emergency.

Temp. Ord. A-4 (Finance)

An ordinance authorizing the Director of Finance to enter into a contract or contracts for software maintenance and support of the eGovernment Software Applications, and declaring an emergency.

Mr. Walters moved to suspend the rules in order to hold a Finance Committee meeting on the same night as Council in order to discuss A-4; second by Mrs. Ritzinger. Mr. Walters added that Administration requested the suspension in order to expedite the contract. Motion passed, voice vote (11-0).

Temp. Res. A-5 (Public Improvements)

A resolution creating for the year 2008 a sidewalk and drive approach repair or replacement district containing such streets, alleys, or public roadways within the corporate limits of the City of Cuyahoga Falls, declaring the necessity of repairing or replacing the sidewalks and drive approaches abutting on such streets, alleys or public roadways within said corporate limits and providing the method for levying special assessments, and declaring an emergency.

Temp. Ord. A-6 (Public Improvements)

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the replacement or adjustment of concrete sidewalks, drive approaches and curbs at various locations in the City of Cuyahoga Falls, and declaring an emergency.

Temp. Ord. A-7 (Public Improvements)

An ordinance authorizing the Director of Finance to pay Kenmore Construction, Inc., for emergency repairs to sanitary and storm sewer lines on State Road, and declaring an emergency.

Temp. Res. A-8 (Public Affairs)

A resolution requesting Governor Strickland to place a moratorium on the issuance of permits for oil and/or gas well drilling in the City of Munroe Falls until further studies of the Natural Resources, including drinking water, can be obtained, and declaring an emergency.

Council recessed into Committee meetings at 6:33 p.m. and reconvened at 6:45 p.m.

Report of Council's Special Committee

Mr. Gorbach stated that the Committee is in favor of the reappointments of Debbie Graef and Boyd King to the Civil Service Commission, second by Mrs. Pyke. Mr. Gorbach added that these types of Boards, even though there is a small stipend paid to members, in no way enumerates the amount of work the members do. Motion passed, voice vote (11-0).

Reports of Council's Standing Committees

(Third Reading)

Planning & Zoning

Temp. Ord. B-168

An ordinance authorizing and approving the site plan for development of a 13,794 square foot fabricating-warehouse facility at 3400 Cavalier Trail in an E-1 employment district and declaring an emergency.

Mrs. Colavecchio moved to adopt Temp. Ord. B-168, second by Mrs. Hummel Motion passed, voice vote (11-0).

Finance & Appropriations :

Temp. Ord. B-169

An ordinance authorizing the Mayor to enter into an agreement to provide fire, EMS, dispatch, and related safety services to the Village of Silver Lake and declaring an emergency.

Mrs. Pyke moved to table B-169, second by Mrs. Klinger. Roll call: Mrs. Hummel, no; Mr. Gorbach, no; Mrs. Colavecchio, no; Mr. Walters, no; Mrs. Ritzinger, no; Mr. Ihasz, no; Mrs. Klinger, yes; Mrs. Pyke, yes; Mr. Barnhart, no; Mr. Mader, no; Mr. James, yes. Motion failed (3-8). Mr. Walters moved to adopt Temp. Ord. B-169, second by Mr. Gorbach. Roll call: Mrs. Hummel, no; Mr. Gorbach, yes; Mrs. Colavecchio, yes; Mr. Walters, yes; Mrs. Ritzinger, yes; Mr. Ihasz, yes; Mrs. Klinger, yes; Mrs. Pyke, yes; Mr. Barnhart, yes; Mr. Mader, yes; Mr. James, no. Motion passed (9-2).

Temp. Ord. B-170

An ordinance authorizing the Mayor to enter into an agreement to provide dispatch and related safety services to the City of Munroe Falls and declaring an emergency.

Mr. Gorbach moved to excuse Mrs. Ritzinger from voting, second by Mrs. Klinger. Motion passed, voice vote (10-0). Mr. Walters moved to adopt Temp. Ord. B-170, second by Mrs. Klinger. Motion passed, voice vote (10-0).

Temp. Ord. B-171

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the purchase of certain supplies and materials for use by the street department during 2008, and declaring an emergency.

Mr. Walters moved to adopt Temp. Ord. B-171, second by Mrs. Ritzinger. Motion passed, voice vote (11-0).

Temp. Ord. B-172

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the annual requirements of the municipal garage for 2008, and declaring an emergency.

Mr. Walters moved to adopt Temp. Ord. B-172, second by Mrs. Klinger. Motion passed, voice vote (11-0).

Temp. Ord. B-173

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the purchase of certain materials and supplies in the water/sewer utilities department during 2008, and declaring an emergency.

Mr. Walters moved to adopt Temp. Ord. B-173, second by Mrs. Ritzinger. Motion passed, voice vote (11-0).

Temp. Ord. B-174

An ordinance authorizing the Director of Public Service to enter into a contract o contracts, according to law, for the purchase of certain materia ls for the sanitation utilities department during 2008, and declaring an emergency.

Mr. Walters moved to adopt Temp. Ord. B-174, second by Mrs. Klinger. Motion passed, voice vote (11-0).

Temp. Ord. B-175

An ordinance authorizing the Mayor and Director of Public Service to enter into contracts for the purchase of various vehicles for use by the City, and declaring an emergency.

Mr. Walters moved to amend Temp. Ord. B-175 on Exhibit A to correct that the leaf machine should be split between the Water fund (\$40,000) and the Sewer fund (\$40,000), second by Mrs. Ritzinger. Motion passed, voice vote (11-0). Mr. Walters moved to adopt amended Temp. Ord. B-175, second by Mrs. Ritzinger. Motion passed, voice vote (11-0).

Temp. Ord. A-4

An ordinance authorizing the Director of Finance to enter into a contract or contracts for software maintenance and support of the eGovernment Software Applications, and declaring an emergency.

Mr. Walters moved to adopt Temp. Ord. A-4, second by Mrs. Klinger. Motion passed, voice vote (11-0).

Public & Industrial Improvements

Temp. Ord. B-176

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for services to design, engineer and construct the High Bridge Glens Bridge and Park, and declaring an emergency.

Mrs. Ritzinger moved to adopt Temp. Ord. B-176, second by Mr. Mader. Motion passed, voice vote (11-0).

Temp. Ord. B-177

An ordinance authorizing the Director of Public Service to enter into a contract and/or contracts, according to law, to facilitate the environmental clean up and redevelopment of South Front Street, and declaring an emergency.

Mrs. Ritzinger moved to adopt Temp. Ord. B-177, second by Mrs. Pyke. Motion passed, voice vote (11-0).

Public Affairs:

No report.

Community Development:

Temp. Ord. B-178

An ordinance authorizing the Mayor to enter into a community reinvestment area agreement with S. Lee & Judith Ann Combs and GS Steel, and declaring an emergency.

Mrs. Hummel moved to adopt Temp. Ord. B-178, second by Mrs. Colavecchio. Motion passed, voice vote (11-0).

Schedule of Committee meetings

Planning & Zoning	Subject to call
Finance	January 22, 2008, 6:15 p.m.
Public Improvements	January 22, 2008, 6:20 p.m.
Public Affairs	January 22, 2008, 6:25
Community Development	Subject to Call

Miscellaneous Business:

Mrs. Pyke asked Mr. Demasi to get her a copy of the list of sidewalks and driveway aprons scheduled to be worked on before the next meeting.

Mayor Robart recognized the attendance of Silver Lake Mayor, Bernie Hovey, and also of Bob Heydorn. Mayor Hovey thanked Council for passing the EMS legislation. He is hopeful that Cuyahoga Falls will find Silver Lake to be a good neighbor and believes this move will be profitable for Cuyahoga Falls and beneficial to Silver Lake.

Mr. Gorbach announced that tonight will be his last meeting on Council. It is a bittersweet move. He has been given a position on the Board of Elections which has created an increase of his time. He did not feel it would be fair to either Council or the election board members for him to continue to do both jobs. He has enjoyed serving on Council and appreciated the kinds words he's received throughout the day.

Council members and Mayor Robart gave statements congratulating Mr. Gorbach on his new position and all felt he will be missed. They wished him the best of luck.

Mr. Gorbach officially welcomed Mr. Ihasz to Council. Tonight was his first Council meeting.

Mr. Gorbach moved to adjourn, second by Mr. Walters. Motion passed, voice vote (11-0).

Jerry James, Council President

Cathleen J. Meacham, Clerk of Council