

CUYAHOGA FALLS CITY COUNCIL

Minutes of the Council Meeting

February 25, 2008

- Call to Order:** Mr. James at 6:32 p.m.
- Roll Call:** Mrs. Hummel, 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. Colavecchio
- Pledge of Allegiance:** Mr. Barnhart
- Approval of Minutes:** The minutes from the February 11, 2008 regular Council meeting have been approved as submitted.
- Reports and Communications:**
1. A Certification by Party Central Committee to Fill a Vacancy in County Office or City Office regarding the appointment of Debbie Ritzinger to the at-large seat recently vacated by Tim Gorbach.
 2. 2007 Annual Report of the Cuyahoga Falls Municipal Court District.

New Legislation

(First Reading)

Temp. Ord. A-32 (Finance)

An ordinance amending Section 923.01 of the Codified Ordinances establishing Water Rates and declaring an emergency.

Temp. Res. A-33 (Finance)

A resolution authorizing the filing of a grant application with the Summit Akron Solid Waste Management Authority, and declaring an emergency.

Temp. Ord. A-34 (Finance)

An ordinance authorizing the Director of Public Service to enter into an agreement with the Village of Silver Lake to provide building review and inspection services, and declaring an emergency.

Temp. Ord. A-35 (Public Improvements)

An ordinance authorizing the Director of Public Service 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.

Temp. Ord. A-36 (Public Affairs)

An ordinance to approve current replacement pages to the Cuyahoga Falls Codified Ordinances, and declaring an emergency.

Mrs. Hummel moved to suspend the rules in order to hold a Public Affairs committee meeting on the same night as Council to discuss Temp. Res. A-29, second by Mr. Walters. Motion passed, voice vote (10-0).

Council recessed into a Public Affairs committee meeting at 6:37 p.m. and reconvened at 6:45 p.m.

Reports of Council's Standing Committees
(Third Reading)

Planning & Zoning

Temp. Ord. A-13

An ordinance authorizing and approving the site plan for development of a 15,848 s.f. MRDD Workshop Facility at 2355 Second Street in an MU-4 mixed-use district and MU-5 mixed-use district and declaring an emergency.

Mrs. Colavecchio moved to adopt Temp. Ord. A-13, second by Mr. Barnhart. Motion passed, voice vote (10-0).

Temp. Ord. A-14

An ordinance authorizing and approving the site plan for development of a 26,665 s.f. retail facility at 755 Howe Avenue in a C-1 commercial district and declaring an emergency.

Mrs. Colavecchio moved to adopt Temp. Ord. A-14, second by Mrs. Hummel. Motion passed, voice vote (10-0).

Finance & Appropriations

Temp. Ord. A-16

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

Mr. Walters moved to adopt Temp. Ord. A-16, second by Mrs. Ritzinger. Motion passed, voice vote (10-0).

Temp. Ord. A-17

An ordinance authorizing the Mayor, as Director of Public Safety, to enter into a contract or contracts, according to law, for the purchase of four (4) helmet-mounted thermal imagers for the Fire Department, and declaring an emergency.

Mr. Walters moved to adopt Temp. Ord. A-17, second by Mrs. Klinger. Motion passed, voice vote (10-0).

Temp. Ord. A-18

Authorizing the Director of Finance to enter into a contract or contracts for the lease and/or purchase of fifty-two Ricoh printer/copy/fax equipment, and declaring an emergency.

Mr. Walters moved to adopt Temp. Ord. A-18, second by Mrs. Ritzinger. Motion passed, voice vote (10-0).

Public & Industrial Improvements

Temp. Res. A-19

A resolution authorizing the application for federal funds programmed by the Akron Metropolitan Area Transportation Study (AMATS), in the matter of Wyoga Lake Road resurfacing, and declaring an emergency.

Mrs. Ritzinger moved to adopt Temp. Res. A-19, second by Mr. Ihasz. Motion passed, voice vote (10-0).

Temp. Res. A-20

A resolution authorizing the application for federal funds programmed by the Akron Metropolitan Area Transportation Study (AMATS), in the matter of Front Street resurfacing, and declaring an emergency.

Mrs. Ritzinger moved to adopt Temp. Res. A-20, second by Mr. Mader. Mrs. Ritzinger stated Council was issued a substitute A-20 which corrected the year on line 5 from 2006 to 2008 and made a motion to amend A-20 by substitution, second by Mrs. Pyke. Motion passed, voice vote (10-0). Mrs. Ritzinger moved to adopt Sub. Temp. Res. A-20, second by Mr. Mader. Motion passed, voice vote (10-0).

Temp. Res. A-21

A resolution authorizing the application for federal funds programmed by the Akron Metropolitan Area Transportation Study (AMATS), in the matter of Graham Road resurfacing, and declaring an emergency.

Mrs. Ritzinger moved to adopt Temp. Res. A-21, second by Mr. Ihasz. Motion passed, voice vote (10-0).

Temp. Res. A-22

A resolution authorizing the application for federal funds programmed by the Akron Metropolitan Area Transportation Study (AMATS), in the matter of Portage Trail resurfacing, and declaring an emergency.

Mrs. Ritzinger moved to adopt Temp. Res. A-22, second by Mr. Mader. Motion passed, voice vote (10-0).

Temp. Res. A-23

A resolution authorizing the application for federal funds programmed by the Akron Metropolitan Area Transportation Study (AMATS), in the matter of State Road Reconstruction Phase I, and declaring an emergency.

Mrs. Ritzinger moved to adopt Temp. Res. A-23, second by Mr. Ihasz. Motion passed, voice vote (10-0).

Temp. Res. A-24

A resolution authorizing the application for federal funds programmed by the Akron Metropolitan Area Transportation Study (AMATS), in the matter of Portage Trail reconstruction, and declaring an emergency.

Mrs. Ritzinger moved to adopt Temp. Res. A-24, second by Mr. Mader. Motion passed, voice vote (10-0).

Temp. Ord. A-25

An ordinance authorizing the Director of Public Service to enter into a cooperative agreement with the City of Stow, Ohio, to share the cost of engineering and construction for resurfacing Graham Road from State Road to the bridge over State Route 8 expressway, and declaring an emergency.

Mrs. Ritzinger moved to adopt Temp. Res. A-25, second by Mr. Ihasz. Motion passed, voice vote (10-0).

Temp. Ord. A-26

An ordinance authorizing the Director of Public Service to enter into a contract or contracts with an engineering firm or firms to provide professional engineering services for improvements to State Road, and declaring an emergency.

Mrs. Ritzinger moved to adopt Temp. Ord. A-26, second by Mr. Mader. Motion passed, voice vote (10-0).

Temp. Ord. A-27

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the repair of Old Town Loop, from Holloway Court to Broad Boulevard, Holloway Court, from 2nd Street to Old Town Loop and of Deepwood Drive, from Deepridge Circle to Laurel Valley Drive, in the City of Cuyahoga Falls, and declaring an emergency.

Mrs. Ritzinger moved to adopt Temp. Ord. A-27, second by Mr. Ihasz. Motion passed, voice vote (10-0).

Temp. Ord. A-28

An ordinance authorizing the Director of Public Service to enter into a contract or contracts according to law, for the Federal Emergency Management Agency (FEMA) Mitigation Project on 6th and 7th Streets, between Silver Lake Avenue and Lincoln Avenue, and declaring an emergency.

Mrs. Ritzinger moved to adopt Temp. Ord. A-28, second by Mr. Mader. Motion passed, voice vote (10-0).

Public Affairs:

Temp. Res. A-29

A resolution commending and congratulating the Woodridge Local School District for the inclusion of Woodridge High School as one of the nation's top high schools as reported by the U.S. News and World Report and declaring an emergency.

Mrs. Hummel moved to adopt Temp. Res. A-29, second by Mr. Walters. Motion passed, voice vote (10-0).

Community Development:

Temp. Res. A-30

A resolution authorizing the filing of a grant application with the State of Ohio Department of Development to support an application for assistance under the Ohio Industrial Site Improvement Fund Program and declaring an emergency.

Mr. Ihasz moved to adopt Temp. Res. A-30, second by Mrs. Pyke. Motion passed, voice vote (10-0).

Temp. Ord. A-31

An ordinance authorizing the Mayor to rescind the Enterprise Zone Tax Incentive Agreement with BWC, L.L.C., and declaring an emergency.

Mr. Ihasz moved to adopt Temp. Ord. A-31, second by Mrs. Colavecchio. Motion passed, voice vote (10-0).

Schedule of Committee Meetings

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| Planning & Zoning | Subject to call. |
| Finance | March 3, 2008, 6:15 p.m. |
| Public Improvements | March 3, 2008, 6:20 p.m. |
| Public Affairs | March 3, 2008, 6:25 p.m. |
| Community Development | Subject to call. |

Miscellaneous Business:

Mrs. Hummel stated that an article appeared in the Akron Beacon Journal regarding the agreement the City entered into in support of the coal fire plant and the increase in cost over the original estimate. Mrs. Carr gave her some information but she had not yet reviewed it. She stated that Ken Carson from AmpOhio was present to speak more on the matter. Mr. Carson stated the increase was due to a decision to go with a different design for the boiler and a few other things. The price in June was \$2.49 billion and it is now \$2.9 billion. He stated that the debt service on the portion of the power coming out of the plant will be 20% to 30% over the life of the 40-year loan. The increase is still below the market rates. Mrs. Hummel asked if anyone other than Oberlin has withdrawn. He stated Oberlin is the only community who signed on and then reconsidered. There were two other communities, Westerville and Yellow Springs, who were in the development phase of the project but decided not to continue. Those three communities represented a small portion of the member communities. Mrs. Hummel stated she heard Cleveland City Council was voting this evening on whether they would continue or withdraw. She stated obviously Cleveland was a larger portion and its withdrawal would have a significant impact on the remaining members. Mr. Carson agreed but stated it was his belief that Cleveland was voting to reconfirm its support and not on whether to withdraw. Bob Bye added that he has been following everything involved with this project very closely over the past four years and remains committed to the project. Mrs. Hummel added that if Cleveland withdraws, that would change things and she felt that in

order to meet the March 1 withdrawal deadline, this Council would need to hold another meeting this week to discuss the matter and decide whether to continue or withdraw. Mr. Carson reiterated he did not think Cleveland was withdrawing but should it do so, he had a list of several other communities who expressed interest in joining. Those communities could make up the loss of Cleveland. Mr. Barnhart asked if there would be any problems meeting air pollution standards since the project stretches out over 50 years. Mr. Carson stated that a final permit was issued by Ohio EPA on February 7 for the project as submitted. If standards become more stringent over the years, the project would have to comply.

Mr. Walters asked if Administration was any closer on the State Road agreement so he could let residents know whether it would be discussed at the next committee meeting. Mr. Arrington indicated it looked promising.

Mrs. Pyke moved to adjourn, second by Mrs. Colavecchio. Motion passed, voice vote (10-0). Meeting adjourned at 7:30 p.m.

Jerry James, Council President

Cathleen J. Meacham, Clerk of Council