

Cuyahoga Falls City Council
Minutes of the Council Meeting
March 24, 2003

CALL TO ORDER Mrs. Hummel at 6:30 p.m.

ROLL CALL Mr. Schmidt, present; Mr. Gorbach, absent; Mr. Flinn, present; Mr. Barnhart, present; Mr. Potts, present; Mr. James, present; Mr. Walters, present, Mrs. Pyke, present, Mrs. Klinger, present; Mr. Bauer, present; Mrs. Hummel, present.

INVOCATION Mr. Schmidt

PLEDGE Mr. Bauer

APPROVAL OF MINUTES

The minutes of the March 10, 2003 regular Council meeting were approved as amended.

REPORTS AND COMMUNICATIONS

1. An Invitation to the Mayor's and Public Officials' Annual Prayer Breakfast scheduled for 7:00 a.m. on May 2 at Sheraton Suites.
2. A Legal Opinion dated February 26, 2003 from Mr. Arrington regarding Use of City Funds to Publish Newsletters. Mrs. Hummel indicated a copy of that opinion will be attached to the February 24, 2003 Council minutes.
3. The 2003 Calendar of Events for Riverfront Centre.
4. A Notice from the Ohio Division of Liquor Control for a liquor license transfer from Hamburger Station, 3275 State Road, Cuyahoga Falls to Oakwood One Inc. dba Falls Pantry, 2655 Oakwood Drive, Cuyahoga Falls.

NEW LEGISLATION

Temp. Ord. No. B-51 (Finance Committee)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT OR CONTRACTS, ACCORDING TO LAW, FOR THE PURCHASE OF VEHICLES FOR USE BY THE ELECTRIC DEPARTMENT, AND DECLARING AN EMERGENCY.

Temp. Ord. No. B-52 (Finance Committee)

AN ORDINANCE AUTHORIZING THE MAYOR, AS DIRECTOR OF PUBLIC SAFETY, TO ENTER INTO A CONTRACT OR CONTRACTS, ACCORDING TO LAW, FOR THE PURCHASE OF TWO (2) HELMET-MOUNTED THERMAL IMAGERS FOR THE FIRE DEPARTMENT, AND DECLARING AN EMERGENCY.

Temp. Ord. No. B-53 (Finance Committee)

AN ORDINANCE AUTHORIZING THE MAYOR, AS DIRECTOR OF PUBLIC SAFETY, TO ENTER INTO A CONTRACT OR CONTRACTS ACCORDING TO LAW FOR THE PURCHASE OF A NO SMOKE EXHAUST REMOVAL SYSTEM FOR THE FIRE DEPARTMENT, AND DECLARING AN EMERGENCY.

Temp. Ord. No. B-54 (Finance Committee)

AN ORDINANCE AUTHORIZING THE MAYOR, AS DIRECTOR OF PUBLIC SAFETY, TO ENTER INTO A MAINTENANCE SERVICE AGREEMENT FOR THE MULTI-JURISDICTION MOBILE DATA SYSTEM, AND CUYAHOGA FALLS OWNED MOBILE DATA HARDWARE AND SOFTWARE, AND DECLARING AN EMERGENCY.

Temp. Ord. No. B-55 (Finance Committee)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO RENEW THE CONTRACT WITH IBM CORPORATION FOR ANNUAL AS/400 HARDWARE MAINTENANCE, AND DECLARING AN EMERGENCY.

Temp. Ord. No. B-56 (Finance Committee)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO ENTER INTO A CONTRACT OR CONTRACTS, ACCORDING TO LAW FOR THE PROVISION OF THIRD PARTY ADMINISTRATION AND RELATED SERVICES IN THE PROVISION OF HEALTH CARE COVERAGE FOR CITY EMPLOYEES, AND DECLARING AN EMERGENCY.

Mr. Schmidt moved to suspend the rules in order to hold a Committee meeting on the same night as Council to discuss Temp. Ord. No. B-56; second by Mr. Barnhart. Motion passed. Voice Vote (10-0).

Temp. Ord. No. B-57 (Finance Committee)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO MODIFICATIONS TO SELECTED CONTRACTS FOR THE CONSTRUCTION OF FALLS RIVER SQUARE, AND DECLARING AN EMERGENCY.

Temp. Ord. No. B-58 (Public Improvements Committee)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO EXECUTE A MODIFICATION OF THE CONTRACT FOR PROFESSIONAL SERVICES FOR THE IMPROVEMENT OF HIGH STREET FROM TALLMADGE ROAD TO TAYLOR AVENUE, AND DECLARING AN EMERGENCY.

Temp. Ord. No. B-59 (Public Improvements Committee)

AN ORDINANCE PROPOSING TO COOPERATE AND AUTHORIZING THE DIRECTOR OF THE OHIO DEPARTMENT OF TRANSPORTATION TO PROCEED IN THE PAINTING AND RE-DECKING OF ONE STRUCTURE OVER STATE ROUTE 8 IN THE CITY OF CUYAHOGA FALLS, AND DECLARING AN EMERGENCY.

Temp. Ord. No. B-60 (Public Affairs Committee)

AN ORDINANCE TO APPROVE THE PLAN OF OPERATION AND GOVERNANCE FOR THE CITY OF CUYAHOGA FALLS NATURAL GAS AGGREGATION PROGRAM AND DECLARING AN EMERGENCY.

Temp. Ord. No. B-61 (Community Development Corporation)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT OR CONTRACTS ACCORDING TO LAW, FOR PROFESSIONAL SERVICES FOR ESTABLISHING A CITY GEOGRAPHICAL INFORMATION SYSTEM (GIS) DATABASE, AND DECLARING AN EMERGENCY.

Council adjourned into a Finance Committee Meeting at 6:37 p.m.

FINANCE COMMITTEE MEETING

Legislation Discussed

Temp. Ord. No. B-56

Temp. Ord. No. B-56

Mr. Schmidt read B-56 (second reading). Mr. Brodzinski stated the process was started with discussion in committee the previous week on legislation to be voted on tonight. He stated if the City is going to make a switch, it needs to be done tonight in order to be effective by April 1. They went out for bids and felt that Benefit Services, Incorporated in Copley was the best. They also have nurses on staff which is a plus. Switching to this company would be a "zero disruption" to employees. Mr. Schmidt asked why Administration waited so long to do this if the contract runs out on April 1. Mr. Brodzinski stated that a month ago there was a strong belief that the City would not be changing their third party administrator but as time went by and questionnaires were sent out, it became obvious that they needed to look into this. It is a one-year contract and will cost the City \$10,000 less. If the contract with PCM was renewed, the fixed cost portion would have been much more expensive. If this legislation does not pass tonight, the City will renew with the old company at \$394,000. Mr. Schmidt asked if the ordinance could be capped. Mr. Brodzinski stated it could but that the cost is based on the number of employees. If the number of employees goes down, the cost will go down. If it goes up, the cost goes up. If the legislation gets capped and the number of employees goes up enough to put the cost over the capped amount, he will just come back to Council for approval. Mrs. Hummel asked if the \$334,000 was just for the third party administration, stop loss and life insurance. Mr. Brodzinski stated it was. She asked if there was anything else the City would contract for. Mr. Brodzinski indicated there was not. Mrs. Hummel asked if this benefits company was affiliated with any health care providers. Mr. Brodzinski stated it was strictly a third party administrator. Mr. Schmidt asked Mrs. Klinger for her opinion about capping the ordinance. She indicated it would be difficult to cap something that will fluctuate. She recommended leaving it as is.

Committee recommended bringing out B-56.

Finance Committee adjourned and Council came back into session at 6:47 p.m.

SPECIAL COMMITTEES

None.

PUBLIC HEARINGS

None.

STANDING COMMITTEES

PLANNING & ZONING

Temp. Ord. No. B-38

Council Clerk read B-38 (third reading). Mr. Schmidt moved to adopt B-38, second by Mrs. Klinger. Motion passed. Voice Vote (10-0).

FINANCE

Temp. Ord. No. B-39

Council Clerk read B-39 (third reading). Mr. Schmidt moved to amend B-39 to add the comma to the dollar amount in line 23 from "125.000" to "125,000", second by Mr. Barnhart. Amendment passed. Voice Vote (10-0). Mr. Schmidt moved to adopt amended B-39, second by Mr. Barnhart. Motion passed. Voice Vote (10-0).

Temp. Ord. No. B-40

Council Clerk read B-40 (third reading). Mr. Schmidt moved to adopt B-40, second by Mr. Barnhart. Motion passed. Voice Vote (10-0).

Temp. Ord. No. B-41

Council Clerk read B-41 (third reading). Mr. Schmidt moved to adopt B-41, second by Mr. Barnhart. Motion passed. Voice Vote (10-0).

Temp. Ord. No. B-42

Council Clerk read B-42 (third reading). Mr. Schmidt moved to adopt B-42, second by Mr. Barnhart. Motion passed. Voice Vote (10-0).

Temp. Ord. No. B-43

Council Clerk read B-43 (third reading). Mr. Schmidt moved to adopt B-43, second by Mr. Barnhart. Motion passed. Voice Vote (10-0).

Temp. Ord. No. B-44

Council Clerk read B-44 (third reading). Mr. Schmidt moved to amend B-44 to add at the end of line 22 "in an amount not to exceed \$170,000", second by Mr. Barnhart. Amendment passed. Voice Vote (10-0). Mr. Schmidt moved to adopt amended B-44, second by Mr. Barnhart. Motion passed. Voice Vote (10-0).

Temp. Ord. No. B-45

Council Clerk read B-45 (third reading). Mr. Schmidt moved to adopt B-45, second by Mr. Barnhart. Motion passed. Voice Vote (10-0).

PUBLIC IMPROVEMENTS

Temp. Ord. No. B-46

Council Clerk read B-46 (third reading). Mr. Walters moved to adopt B-46, second by Mr. Bauer. Motion passed. Voice Vote (10-0).

Temp. Ord. No. B-47

Council Clerk read B-47 (third reading). Mr. Walters moved to adopt B-47, second by Mrs. Pyke. Motion passed. Voice Vote (10-0).

Temp. Ord. No. B-48

Council Clerk read B-48 (third reading). Mr. Walters moved to adopt B-48, second by Mr. Bauer. Motion passed. Voice Vote (10-0).

PUBLIC AFFAIRS

Temp. Ord. No. B-49

Council Clerk read B-49 (third reading). Mr. James moved to adopt B-49, second by Mr. Flinn. Motion passed. Voice Vote (10-0).

Temp. Ord. No. B-50

Council Clerk read B-50 (third reading). Mr. James moved to adopt B-50, second by Mr. Flinn. Motion passed. Voice Vote (10-0).

COMMUNITY DEVELOPMENT

Nothing to report.

SCHEDULE OF MEETINGS

Planning & Zoning Committee:	Subject to call.
Finance Committee:	Monday, April 7, 2003 6:15 p.m.
Public Improvements Committee:	6:20 p.m.
Public Affairs Committee:	6:25 p.m.
Community Development Committee:	6:30 p.m.

MISCELLANEOUS BUSINESS

Mr. James moved to adjourn into Executive Session to discuss specialized details of security arrangements which, if disclosed, might reveal information that could be used for the purpose of committing a violation of law; second by Mrs. Pyke. Roll call: Mr. Schmidt, yes;; Mr. Flinn, yes; Mr. Barnhart, yes; Mr. Potts, yes; Mr. James, yes; Mr. Walters, yes, Mrs. Pyke, yes, Mrs. Klinger, yes; Mr. Bauer, yes; Mrs. Hummel, yes. Motion passed. (10-0).

Mrs. Hummel asked Mrs. Carr if Exhibit A to B-60 relative to the natural gas aggregation would be distributed to Council members before Monday. Mrs. Carr stated it would.

Mrs. Hummel indicated she had requested a list showing the costs for the Front Street project after Administration finalized the Krispy Kreme property. She stated she would like a final cost for everything except the eminent domain property which is with the Attorney General's office. Mrs. Carr stated she would get that.

Mr. Schmidt moved to excuse the absence of Mr. Gorbach; second by Mr. Flinn. Motion passed. Voice vote 10-0.

Council adjourned into Executive Session at 7:00 p.m. and came back into session at 7:44 p.m.

Mrs. Pyke moved to adjourn, second by Mr. James. Motion passed. Voice vote (10-0). Meeting adjourned at 7:45 p.m.

Kathy Hummel, Council President

Cathleen J. Beebe, Council Clerk