

**Cuyahoga Falls City Council
Minutes of the Council Meeting
March 26, 2007**

Call to Order: Ms. White at 6:30 p.m.

Roll Call:

Mrs. Hummel, present; Mr. Gorbach, absent; Mrs. Colavecchio, present; Mr. James, present; Mrs. Ritzinger, present; Mrs. Klinger, present; Mrs. Pyke, present; Mr. Barnhart, present; Mr. Flinn, present; Mr. Mader, present; and Mr. Walters, absent.

Mrs. Colavecchio moved to elect Mrs. Hummel to serve as acting president, second by Mrs. Ritzinger. Motion passed, voice vote (9-0).

Invocation: Mrs. Colavecchio

Pledge: Boy Scout Troop 179

Approval of Minutes: The minutes of the Regular Council Meeting of March 12, 2007 were approved as submitted.

Reports and Communications:

Notice from the Ohio Division of Liquor Control regarding a permit application for Kenneth Cox, 3941 State Road, CFO 44223. Mrs. Hummel entertained a motion requesting an objection hearing. With no motion made, she instructed the Clerk to sign and submit the form.

Notice from the Ohio Division of Liquor Control regarding a permit application for the Fred Albrecht Grocery Co. dba Acme #12, 2630 Bailey Road, CFO 44221. Mrs. Hummel entertained a motion requesting an objection hearing. With no motion made, she instructed the Clerk to sign and submit the form.

**New Legislation
(first reading)**

Temp. Ord. B-52 (Finance)

An ordinance authorizing the Mayor to enter into a contract with Medtronic Emergency Response Systems for the purchase of four (4) Lifepak 12 defibrillators, and declaring an emergency.

Temp. Ord. B-53 (Public Improvements)

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the repair of Deepwood Drive from Towpath Boulevard to the south end, and of 9th Street, from Broad Boulevard to Leavitt Avenue, with concrete and declaring an emergency.

Temp. Ord. B-54 (Public Improvements)

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the remediation of a landslide on Sackett Avenue near Babb Run Park, and declaring an emergency.

Temp. Ord. B-55 (Public Improvements)

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, to relocate and construct a new public roadway, and declaring an emergency.

Temp. Res. B-56 (Public Affairs)

A resolution authorizing the City of Cuyahoga Falls to file an application to the State of Ohio to participate in the Clean Ohio Revitalization Fund and declaring an emergency.

Temp. Res. B-57 (Public Affairs)

A resolution in support of an application to the Clean Ohio Council and declaring an emergency.

Temp. Ord. B-58 (Public Affairs)

An ordinance authorizing the Mayor to enter into a contract or contracts, according to law, to allow Cascade Auto Group access to the City's rights of way and vertical infrastructure, and declaring an emergency.

Public Hearings

Mrs. Hummel opened the public hearings for B-21, B-22, B-23 and B-24 and read each ordinance by title. Mr. Guerra spoke in favor of all four ordinances, noting that they are essentially housekeeping measures within the zoning code.

Temp. Ord. B-21

An ordinance approving a map amendment for 1203 Bailey Road (Parcel Number 02-04774, 02-04773, 02-05779) and 1271 Howe Avenue (Parcel Number 02-010294) from R-5 Moderate Density Residential to MU-2 Neighborhood Center zoning classification, as more fully described and depicted herein and declaring an emergency.

Mrs. Hummel asked the required three times if anyone would like to speak for or against the ordinance. Hearing no comments from the public, Mrs. Hummel announced that the public hearing on B-21 was closed.

Temp. Ord. B-22

An ordinance approving a map amendment for the front portion of 4610 State Road (Parcel Number 37-00002) from R-3 Sub-Urban Density Residential zoning classification to MU-3 Sub-Urban Center zoning classification, as more fully described and depicted herein and declaring an emergency.

Mrs. Hummel asked the required three times if anyone would like to speak for or against the ordinance. Hearing no comments from the public, Mrs. Hummel announced that the public hearing on B-22 was closed.

Temp. Ord. B-23

An ordinance approving a map amendment for 3390, 3398, 3422, 3432 and 3452 Wyoga Lake Road (Parcel Numbers 38-00005, 38-00020, 38-00008, 38-00009, 38-00007, 38-00027, 38-00025, 38-00026) from R-5 Moderate Density Residential to MU-4 Sub-Urban Corridor zoning classification, as more fully described and depicted herein and declaring an emergency.

Mrs. Hummel asked the required three times if anyone would like to speak for or against the ordinance. Hearing no comments from the public, Mrs. Hummel announced that the public hearing on B-23 was closed.

Temp Ord. B-24

An ordinance approving a map amendment for 2396 7th Street (Parcel Number 02-12992), from R-4 Medium Density Residential district classifications to MU-4 Sub-Urban Corridor zoning classification, as more fully described and depicted herein and declaring an emergency.

Mrs. Hummel asked the required three times if anyone would like to speak for or against the ordinance. Hearing no comments from the public, Mrs. Hummel announced that the public hearing on B-24 was closed.

Reports of Council's Standing Committees**Planning & Zoning****Temp. Ord. B-36**

An ordinance authorizing and approving the conditional zoning certificate for Ace Cash Express at 617 Howe Avenue and declaring an emergency.

Mr. Barnhart moved to adopt B-36, second by Mrs. Klinger. Voice vote indicated two no votes. Mr. Flinn requested a roll call. Mrs. Hummel instructed the Clerk to call the roll:

Mrs. Hummel, yes; Mrs. Colavecchio, yes; Mr. James, yes; Mrs. Ritzinger, yes; Mrs. Klinger, yes; Mrs. Pyke, yes; Mr. Barnhart, no; Mr. Flinn, yes; Mr. Mader, no.

Motion passed, voice vote (7-2).

Temp. Ord. B-43

An ordinance authorizing and approving the site plan for development of a 385,778 sf warehouse/distribution center at 210 East Steels Corners Road in an E-1 Employment District and M-1 Manufacturing District and declaring an emergency.

Mr. Barnhart moved to adopt B-43, second by Mrs. Klinger. Motion passed, voice vote (9-0).

Finance & Appropriations:

Temp. Ord. B-44

An ordinance authorizing the Mayor to enter into a contract and/or contracts, according to law, for the purchase of nine self-contained breathing apparatus units for use by the Fire Department, and declaring an emergency.

Mr. James moved to adopt B-44, second by Mrs. Klinger. Motion passed, voice vote (9-0).

Temp. Ord. B-45

An ordinance authorizing the Director of Finance to enter into a contract or contracts to purchase time and attendance hardware, software and professional services, and declaring an emergency.

Mr. James moved to adopt B-45, second by Mrs. Klinger. Motion passed, voice vote (9-0).

Temp. Ord. B-46

An ordinance amending Section 945.06 of the Codified Ordinances and declaring an emergency.

Mr. James moved to adopt B-46, second by Mrs. Klinger. Motion passed, voice vote (9-0).

Public & Industrial Improvements:

Temp. Ord. B-48

An ordinance authorizing the Director of Public Service to execute a modification of the contract for professional engineering services for improvements to the Howe Avenue and Main Street intersection, and declaring an emergency.

Mr. James moved to amend B-48 on line 30, removing the amount of \$53,000 and replacing it with \$72,000, second by Mrs. Ritzinger. Motion passed, voice vote (9-0).

Mr. James moved to adopt amended B-48, second by Mrs. Ritzinger. Motion passed, voice vote (9-0).

Public Affairs:

Temp. Res. B-49

A resolution authorizing the City of Cuyahoga Falls to file an application to the State of Ohio, to participate in the Clean Ohio Revitalization Fund and, declaring an emergency.

Mrs. Ritzinger moved to adopt B-49, second by Mrs. Colavecchio. Motion passed, voice vote (9-0).

Temp. Res. B-50

A resolution in support of an application to the Clean Ohio Council and, declaring an emergency.

Mrs. Ritzinger moved to adopt B-50, second by Mr. Flinn. Motion passed, voice vote (9-0).

Temp. Ord. B-51

An ordinance amending the Traffic Control File by providing for installation of various traffic control devices, and declaring an emergency.

Mrs. Ritzinger moved to adopt B-51, second by Mrs. Colavecchio. Motion passed, voice vote (9-0).

Community Development:

No report.

Schedule of Committee Meetings

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| Planning & Zoning | April 2, 2007 at 6:15 p.m. |
| Finance | April 2, 2007 at 6:20 p.m. |
| Public Improvements | April 2, 2007 at 6:25 p.m. |
| Public Affairs | April 2, 2007 at 6:30 p.m. |
| Community Development | Subject to Call |

Miscellaneous Business:

Mrs. Ritzinger moved to excuse the absence of Mr. Walters and Mr. Gorbach, second by Mr. James. Motion passed, voice vote (9-0).

Mrs. Hummel said that B-21, B-22, B-23 and B-24 will be discussed in the Planning & Zoning committee on April 2, 2007. She noted that B-11 (Heritage Ridge) will not be discussed on April 2, but rather on April 16. There will be a public hearing for B-37 on April 9, 2007.

Mrs. Hummel inquired about the public meeting scheduled by the administration regarding the landlord utility ordinance. Mrs. Carr said the meeting will take place at 6:30 p.m. on April 12, 2007 at the Quirk Cultural Center, 3rd Floor Theater.

Mr. Flinn moved to adjourn, second by Mr. James. Motion passed, voice vote (9-0).
The meeting adjourned at 6:54 p.m.

Don Walters, Council President

Barbara White, Clerk of Council

