

**Cuyahoga Falls City Council
Minutes of the Council Meeting
May 8, 2006**

Call to Order: Mr. Walters at 6:30 p.m.

Roll Call:

Mrs. Hummel, present; Mr. Gorbach, present; 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, present.

Invocation: Mrs. Colavecchio

Pledge: Mr. Barnhart

Approval of Minutes: The minutes of the Regular Council Meeting of April 24, 2006 were approved as submitted.

Reports and Communications:

Notice from the Ohio Division of Liquor Control regarding an application for a change of corporate stock ownership for the Boulevard Tavern Inc., 435 Chestnut Blvd., Cuyahoga Falls. Mr. Walters entertained a motion for an objection hearing. With no motion made, the Clerk will mail the application as submitted.

Letter from Mayor Robart requesting approval for the following appointments:

Civil Service Commission Karen Nelsch, 2545 N. Haven Blvd., Cuy. Falls, OH 44223
Board of Zoning Appeals Jeff Iula, 2597 24th St., Cuy. Falls, OH 44223

Mr. Walters appointed a Special Committee to consider the appointments: Mrs. Hummel (Chair), Mrs. Colavecchio, and Mrs. Pyke.

New Legislation
(first reading)

Temp. Ord. A-57 (*Planning & Zoning*)

An ordinance authorizing and approving the conditional zoning certificate for a Sprint Telecommunications tower at 2300 4th Street and declaring an emergency.

Temp. Ord. A-58 (Finance)

An ordinance authorizing the Director of Public Service to enter into a contract or contracts for the purchase of one tandem axle dump truck for use by the City, and declaring an emergency.

Temp. Ord. A-59 (Public Improvements)

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for replacement of the waterline in Wyoga Lake Road from Wyoga Lake Boulevard to 1,500 feet north, and declaring an emergency.

Temp. Ord. A-60 (Public Affairs)

An ordinance authorizing and directing the execution of a hydro matrix developmental cost sharing agreement by the City of Cuyahoga Falls, Ohio with American Municipal Power-Ohio, Inc.

Temp. Ord. A-61 (Public Affairs)

An ordinance amending Section 1323.01 of the Codified Ordinances of the City of Cuyahoga Falls, and declaring an emergency.

Mrs. Colavecchio moved to suspend the rules to allow a meeting of the Community Development Committee the same night as Council for the purpose of discussing A-56, second by Mrs. Pyke. Motion passed, voice vote (11-0).

Mr. Walters recessed the Council meeting at 6:35 p.m.

Mrs. Hummel called the Special Committee meeting to order at 6:35 p.m. Mayor Robart reviewed the background and qualifications of Karen Nelsch and Jeff Iula. Both nominees addressed Council, expressing their desire to serve. Mr. Gorbach said he appreciates the willingness of Mrs. Nelsch and other volunteers to serve the City. Mr. Flinn said he s known Mr. Iula for a number of years and thinks he ll do a great job. The Committee recommended that the appointments be confirmed.

Mrs. Colavecchio called the Community Development Committee to order at 6:40 p.m. Minutes of the meeting of May 1, 2006 were approved as submitted. Mrs. Colavecchio said it appears the City is relying on public feedback from charettes held three years ago. She would like to see the review process continually updated, with more opportunity for public opinion. She recommends that Council consider a public hearing for next year, or perhaps a Committee can be formed as outreach to the community. She will amend this ordinance requiring that the plan be submitted to Council at least 45 days in advance of the HUD deadline.

Mrs. Hummel said she reviewed the plan last week and had some questions which were answered by Ms. Rodgers. She agrees that the plan should be introduced to Council 45 days in advance, and that allowances be made for more public input.

Mrs. Truby said the annual action plan is an update of the consolidated plan. Thirty days notice is typical for most communities, but she will comply with the 45-day notice.

The Committee recommended bringing out Temp. Ord. A-56 for approval.

Mr. Walters announced that the Council meeting was back in session.

Report of Special Council Committee

Mrs. Hummel moved to approve the appointment of Karen Nelsch to the Civil Service Commission for the remainder of term to expire on December 31, 2009; and the appointment of Jeff Iula to the Board of Zoning Appeals for the remainder of term to expire on December 31, 2008. Mrs. Pyke seconded the motion. Motion passed, voice vote (11-0).

Reports of Council's Standing Committees

Planning & Zoning

No report.

Finance & Appropriations:

Temp. Ord. A-53

An ordinance authorizing the Director of Public Service to execute a modification of the contract or contracts, according to law, for the construction of a new 5th fire station, and declaring an emergency.

The Clerk read A-53 (third reading). Mr. Gorbach moved to amend A-53 on line 20, deleting the amount of \$195,000 and replacing it with the amount of \$137,000, second by Mr. James. Motion passed, voice vote (11-0). Mr. Gorbach moved to adopt A-53, second by Mrs. Klinger. Motion passed, voice vote (11-0).

Temp. Ord. A-54

An ordinance authorizing the Director of Finance to enter into a contract or contracts for the lease and/or purchase of fitness equipment for the Natatorium Recreation and Wellness Center and declaring an emergency.

The Clerk read A-54 (third reading). Mr. Gorbach moved to adopt A-54, second by Mr. James. Motion passed, voice vote (11-0).

Public & Industrial Improvements:

Temp. Ord. A-55

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the repair of the retaining wall located at 402 W. Steels Corners Road in the City of Cuyahoga Falls, and declaring an emergency.

The Clerk read A-55 (third reading). Mr. James moved to adopt A-55, second by Mrs. Ritzinger. Motion passed, voice vote (11-0).

Public Affairs:

No report

Community Development:

Temp. Ord. A-56

An ordinance approving the fiscal year 2006 CDBG Annual Action Plan and Program, and declaring an emergency.

The Clerk read A-56 (third reading). Mrs. Colavecchio moved to amend A-56 by adding a separate section after Section 2 as follows: "All future CDBG Annual Action Plan legislation shall be introduced to Council at least 45 days prior to the Department of Housing & Urban Development s deadline." Mrs. Hummel seconded. Motion passed, voice vote (11-0).

Mrs. Colavecchio moved to adopt A-56, second by Mrs. Hummel. Motion passed, voice vote (11-0).

Schedule of Committee Meetings

Planning & Zoning	May 15, 2006 at 6:15 p.m.
Finance	May 15, 2006 at 6:20 p.m.
Public Improvements	May 15, 2006 at 6:25 p.m.
Public Affairs	May 15, 2006 at 6:30 p.m.
Community Development	Subject to Call

Miscellaneous Business:

None.

Mr. James moved to adjourn, second by Mrs. Pyke. Motion passed, voice vote (11-0). The meeting adjourned at 6:55 p.m.

Don Walters, Council President

Barbara White, Clerk of Council

