

Cuyahoga Falls City Council  
Minutes of the Council Meeting  
September 8, 2003

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

ROLL CALL Mr. Schmidt, present; Mr. Gorbach, present; 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 Mrs. Hummel

PLEDGE Mrs. Klinger

APPROVAL OF MINUTES

The minutes from the July 14, 2003 meeting were approved as submitted. The minutes from the July 28, 2003 meeting were approved as amended.

REPORTS AND COMMUNICATIONS

1. A report of the Building Department for the months of July and August 2003.
2. A notice from the Ohio Division of Liquor Control regarding a new liquor license for Northampton Restaurant Group Inc. dba On Tap, 3263 State Road, Cuyahoga Falls, OH 44223.
3. A Notice from the Ohio Division of Liquor Control regarding a change for stock ownership for Cooker Restaurant Corp. dba Cuyahoga Cooker Bar & Grill, 283 Howe Avenue & Patio, Cuyahoga Falls, OH 44221.
4. A notice from the Ohio Municipal League regarding their Annual Conference scheduled for October 1-3 in Cincinnati, Ohio.
5. A letter dated August 28, 2003 from Summit County Council enclosing a certified copy of their legislation passed in regard to the annexation petition of 96.2960 acres of land in Boston Township.

NEW LEGISLATION

Temp. Ord. No. B-123 (Finance Committee)

AN ORDINANCE AUTHORIZING THE MAYOR OR HIS DESIGNEE TO MAKE APPLICATION TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY TO OBTAIN PUBLIC FUNDS NECESSARY AS A RESULT OF THE SEVERE STORMS OF THE SUMMER OF 2003, AND ESTABLISHING THE EMERGENCY MANAGEMENT FUND, AND DECLARING AN EMERGENCY.

Temp. Ord. No. B-124 (Finance Committee)

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 A STORM WATER EVALUATION STUDY, AND DECLARING AN EMERGENCY.

Temp. Ord. No. B-125 (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-126 (Finance Committee)

AN ORDINANCE AUTHORIZING PAYMENT TO TUCKER SUPPLY FOR THE PURCHASE AND ENGRAVING OF BRICKS AND FILLER BRICKS REQUIRED FOR THE ENGRAVED BRICK WALL PROJECT AT FALLS RIVER SQUARE, AND DECLARING AN EMERGENCY.

Temp. Ord. No. B-127 (Finance Committee)

AN ORDINANCE ACCEPTING APPLICATIONS AND DESIGNATING DEPOSITORIES FOR THE ACTIVE AND INTERIM FUNDS OF THE CITY OF CUYAHOGA FALLS FOR THE FIVE-YEAR PERIOD BEGINNING AUGUST 23, 2003 AND ENDING AUGUST 22, 2008, AND DECLARING AN EMERGENCY.

Mr. Gorbach moved to suspend the Rules in order to hold a committee meeting on the same night as Council to discuss B-123, second by Mr. Barnhart. Motion passed. Voice Vote (11-0).

Temp. Ord. No. B-128 (Public Improvements Committee)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT OR CONTRACTS, ACCORDING TO LAW, FOR CONSTRUCTION OF AN IRON-MANGANESE SETTLING BASIN AT THE WATER PLANT, AND DECLARING AN EMERGENCY.

Temp. Ord. No. B-129 (Public Improvements Committee)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT OR CONTRACTS, ACCORDING TO LAW, FOR REPLACEMENT OF THE WATERLINE IN BROADWAY EAST FROM DEMING STREET TO HANOVER STREET, AND DECLARING AN EMERGENCY.

Temp. Res. No. B-130 (Public Affairs Committee)

A RESOLUTION TO ADOPT THE SOLID WASTE MANAGEMENT PLAN FOR THE SUMMIT/AKRON SOLID WASTE MANAGEMENT AUTHORITY, AND DECLARING AN EMERGENCY.

Temp. Ord. No. B-131 (Community Development Committee)

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH BOSTON TOWNSHIP, ACCORDING TO LAW, FOR THE CREATION OF A JOINT ECONOMIC DEVELOPMENT DISTRICT LOCATED WITH BOSTON TOWNSHIP, AND DECLARING AN EMERGENCY.

Temp. Ord. No. B-132 (Community Development Committee)

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH BOSTON TOWNSHIP, ACCORDING TO LAW, FOR THE ANNEXATION OF 96.2960 ACRES OF LAND, MORE OR LESS, FROM BOSTON TOWNSHIP TO THE CITY OF CUYAHOGA FALLS, AND DECLARING AN EMERGENCY.

Council Clerk announced that a public hearing has been scheduled for Monday, October 27, 2003 at 6:30 p.m. in Council Chambers to discuss B-131.

PUBLIC HEARINGS

None.

SPECIAL COMMITTEES

None.

Council recessed into a Finance Committee meeting at 6:35 p.m.

Finance Committee

Mr. Gorbach called the Finance Committee to order at 6:35 p.m. All members were present. The minutes from the July 21, 2003 meeting were approved as submitted.

Legislation Discussed

Temp. Ord. No. B-123

Temp. Ord. No. B-123. Mr. Gorbach read B-123 (second reading). Mrs. Carr stated this legislation is a technicality and that in order for the City to receive the immediate grant funding it is applying for, it must be brought before City Council for approval. FEMA will pay 75%, the State will pay 12.5% and the City will be obligated for 12.5%. Mr. Gorbach asked if it was FEMA's guidelines requiring the creation of a special fund. Mr. Brodzinski stated the money would be deposited into the fund and transferred out to cover costs as they come in. Mr. Gorbach asked if there was a deadline. Mrs. Carr stated it was mid-September and added that the City has already submitted most things. Mr. Gorbach asked if she could make a guess as to what the City would be entitled. Mrs. Carr stated not until FEMA does its initial evaluation. They are pretty quick and the City may know by the end of the month. Mr. Gorbach asked if the money is a reimbursement. Mrs. Carr stated it was both and that it depends on the dollar amount and the project. Overtime and things we have already paid will be reimbursed. Things yet to be fixed will be paid up front. Mrs. Pyke wanted to clarify that this was supposed to be an ordinance and not a resolution. Mr. Arrington stated it could be either but in order to set up the fund, it had to be an ordinance. Mr. Potts asked if there were guidelines the City had to follow regarding investing the money. Mrs. Carr stated FEMA allows the City to accept the money for public service and provide money to the City for City damage. There are certain categories that money is budgeted toward. She stated you cannot apply for damage under \$1,000. FEMA has been quite helpful in showing them how to group items together in order to reach the \$1,000 minimum. Mr. Potts stated some residents in Ward 8 applied to FEMA and have already received their money. Mrs. Pyke asked about the resident who was told he was not eligible for FEMA for his yard which was sliding into the Gorge. Mrs. Carr stated it couldn't hurt for him to apply but, because it is outside and not a structure, it most likely is not eligible. FEMA only deals with structural damage.

Committee recommended bringing out B-123.

Council came back into session at 6:43 p.m.

STANDING COMMITTEES

PLANNING & ZONING

Nothing to report.

FINANCE

Temp. Ord. No. B-123

Council Clerk read B-123 (third reading). Mr. Gorbach moved to adopt B-123, second by Barnhart. Motion passed. Voice Vote (11-0).

PUBLIC IMPROVEMENTS

Nothing to report.

PUBLIC AFFAIRS

Nothing to report.

COMMUNITY DEVELOPMENT

Nothing to report.

SCHEDULE OF MEETINGS

Planning & Zoning Committee:	Subject to call.
Finance Committee:	Monday, September 15, 2003 at 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

Mrs. Hummel requested that Council members receive copies of the terms of the JEDD agreement as soon as possible, as well as the annexation agreement. The annexation agreement should be wrapped up this week, and they are still fine tuning the JEDD agreement. As soon as they are completed, it should not be a problem getting Council copies.

Mrs. Hummel asked how thick the solid waste management plan was. Mrs. Carr stated pretty thick and indicated it was accessible via the internet. Mrs. Hummel stated she would contact Bob Leonard to get a copy.

Mrs. Pyke moved to adjourn, second by Mr. Gorbach. Motion passed. Voice Vote (11-0). Meeting adjourned at 7:05 p.m.

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Kathy Hummel, Council President

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Cathleen J. Beebe, Council Clerk