

Cuyahoga Falls City Council

Minutes of the Cuyahoga Falls City Council Meeting

January 12, 2004

CALL TO ORDER Mrs. Klinger at 6:35 p.m.

ROLL CALL Mrs. Hummel, present; Mr. Gorbach, present; Mr. Walters, present; Mrs. Ritzinger, present; Mr. James, present; Mr. Potts, present; Mr. Barnhart, present, Mrs. Pyke, present, Mr. Flinn, present; Mr. Mader, present; and Mrs. Klinger, present.

INVOCATION Mr.Mader

PLEDGE Mr. James

APPROVAL OF MINUTES

The minutes of the December 29, 2003 regular Council meeting and the December 15, 2002 Special Council meeting were approved as submitted.

REPORTS AND COMMUNICATIONS

1. A report of the Building Committee for the month of December, 2003.
2. A letter dated December 16, 2003 and January 8, 2004 from Mayor Robart to Council making appointments to the Board of Zoning Appeals: Cyndi Kane, 1531 Silver Lake Avenue, Terry Gahring, 1550 – 20th Street, Karen Nelsch, 2545 North Haven Blvd. And to the Taylor Memorial Library Board of Dr. Robert Ferguson, 425 Broad Boulevard, Cuyahoga Falls; the Civil Service Commission, Frank Sandor, 2105 16th Street and finally to the SNAP Committee, Tim Schwarz, 1864-10th Street, Cuyahoga Falls.

Mrs. Klinger appointed a special committee consisting of Mr. Potts, as Chair, Mr. Walters and Mr. Barnhart to review the Mayor's appointments to the various Boards.

NEW LEGISLATION:

- A-1 An ordinance amending section 1333.02 of the Codified Ordinances, and declaring an emergency.
- A-2 An Ordinance Authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the purchase of certain materials for the sanitation utilities department during 2004, and declaring an emergency.
- A-3 An Ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the maintenance of the heating and air conditioning system and the automatic control systems in various municipal buildings, and declaring an emergency.
- A-4 An Ordinance creating the position of Natatorium Supervisor in the Department of Parks and Recreation, and declaring an emergency.
- A-5 An Ordinance creating the position of Riverfront Centre District Manager, and declaring an emergency.
- A-6 An Ordinance creating the position of CDBG/Entitlement Administrator, and declaring an emergency.
- A-7 An Ordinance authorizing the Mayor to enter into an agreement with the City of Akron, Waste Management, and Akron Regional Landfill Incorporated to provide for the final and permanent closure of the Akron Regional Landfill at Hardy Road and related matters, and declaring an emergency.
- A-8 An Ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for replacement of the waterline in walker drive from Haas Road east to the end, and declaring an emergency.
- A-9 An Ordinance levying special assessments for the repair and replacement of sidewalks in the district known and designated by this council as sidewalk repair district for the year 2003 containing all necessary streets, alleys or public roadways within the corporate limits of the City of Cuyahoga Falls, and declaring an emergency.
- A-10 A resolution creating for the year 2004 a sidewalk repair or replacement district containing such streets, alleys, or public

roadways within the corporate limits of the City of Cuyahoga Falls, declaring the necessity of repairing or replacing the sidewalks abutting on such streets, alleys, or public roadways within said corporate limits and providing the method for levying special assessments, and declaring an emergency.

- A-11 An Ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the replacement or adjustment of concrete sidewalks and curbs at various locations in the City of Cuyahoga Falls , and declaring an emergency.
- A-12 Regulating the complete collection and disposal of solid waste in the City of Cuyahoga Falls, Ohio, establishing the rates and charges therefore, and repealing Ordinance No. 82-1994 and its amendments, and declaring an emergency.

Council recessed at 6:42 p.m. for a special committee meeting.

Mr. Potts called the special committee meeting to order. The Mayor is asking for the appointment of these individuals. The Mayor requests Mr. Sandor be reappointed for a six-year term expiring 12/31/2009. The Civil Service Commission administrates our testing and facilitates filling the numerous positions within the city. Mr. Sandor came to us at a critical time and has been excellent for the city. Mr. Sandor indicates he has overseen 1000 tests during the last year including police and fire testing and looks forward to continuing his service. Mr. Gorbach confirms his six-year commitment and thanks him for his contribution to the city. The Taylor Memorial Library Board: Dr. Robert Ferguson is a reappointment for three years expiring 12-31-06 and Audrey Sandor for a three-year term expiring 12/31/06. Board of Zoning Appeals, Terry Gahring for a reappointment to a five year term expiring 12/31/2008; Karen Nelsch is a reappointment for five year term expires 12/31/2008; and Cyndi Kane to a five year term expiring 12/31/2008. The Mayor commends Karen and Terry for their continuing support and feels Cyndi with her background in real estate will be a great asset. For the SNAP Committee: Tim Schwarz for a four-year term expiring 12/31/07. Mr. Schwarz looks forward to continuing with the signage matters and thanks the Mayor for his appointment.

Committee recommended bringing out these appointments.

The Special Committee adjourned and Council came back into session at 6:50 p.m.

SPECIAL COMMITTEES

Mr. Potts moved to appoint Frank Sandor to the Civil Service Commission; Dr. Robert Ferguson and Audrey Sandor to the Taylor Memorial Library Board; Terry Gehring, Karen Nelsch and Cyndi Kane to the Board of Zoning Appeals and Tim Schwarz to the SNAP Committee, second by Mr. Barnhart. Mr. Potts stated these citizens appeared to be excellent appointments and he is appreciative of their service to the community. Motion passed. Voice Vote (11-0).

PUBLIC HEARINGS

None.

STANDING COMMITTEES

Finance:

Temp. Ord. No. B-172

Council Clerk read B-172 (third reading). Mr. Flinn moved to amend B-172 to Substitute B-172 , second by Mrs. Pyke. Motion passed. Voice Vote (11-0). Mr. Flinn moved to adopt amended B-172, second by Mr. Barnhart. Motion passed. Voice Vote (11-0).

Temp. Ord. No. B-180

Council Clerk read B-180 (third reading). Mr. Flinn moved to adopt B-180, second by Mr. Barnhart. Motion passed. Voice Vote (11-0).

Temp. Ord. No. B-181

Council Clerk read B-181 (third reading). Mr. Flinn moved to adopt B-181, second by Mr. Barnhart. Motion passed. Voice Vote (11-0).

Temp. Ord. No. B-182

Council Clerk read B-182 (third reading). Mr. Flinn moved to amend B-182 by substitution, second by Mrs. Pyke. Mr. Flynn states we added new language at the end of line 20 to one year. Motion passed. Voice Vote (11-0). Mr. Flinn moved to adopt substitute B-182, second by Mrs. Pyke. Motion passed. Voice Vote (11-0).

Temp. Ord. No. B-183

Council Clerk read B-181 (third reading). Mr. Flinn moved to adopt B-181, second by Mr. Barnhart. Motion passed. Voice Vote (11-0).

Temp. Ord. No. B-184

Council Clerk read B-184 (third reading). Mr. Flinn moved to amend B-184 by substitution, seconded by Mrs. Pyke. Mr. Flinn remarks that the line 26 was added the total appropriations. Voice Vote (11-0). Mr. Flinn moves to adopt substitute B-184, second by Mr. Barnhart. Motion passed. Voice Vote (11-0).

Temp. Ord. No. B-185

Council Clerk read B-185 (third reading). Mr. Flinn moved to Table B-185, seconded by Mrs. Pyke. Voice Vote (11-0). Motion Tabled.

Temp. Ord. No. B-186

Council Clerk read B-186 (third reading). Mr. Flinn moved to Table B-186, seconded by Mr. Gorbach. Voice Vote (11-0). Motion Tabled.

Temp. Ord. No. B-187

Council Clerk read B-187 (third reading). Mr. Flinn moved to amend B-187, seconded by Mr. Barnhart with substitute. Motion passed (11-0). Mr. Flinn changed line 20 that the contract would be extended at one-year intervals with no additional cost up to four years. Mr. Flinn moves to adopt Substitute B-187, seconded by Mr. Barnhart. Voice Vote (10-1).

Public and Industrial Improvements:

Temp. Ord. No. B-188

Council Clerk read B-188 (third reading). Mr. Potts moved to adopt B-188, second by Mrs. Pyke. Motion passed. Voice Vote (11-0).

Temp. Ord. No. B-189

Council Clerk read B-189 (third reading). Mr. Potts moved to adopt B-189, second by Mrs. Pyke. Motion passed. Voice Vote (11-0).

Temp. Ord. No. B-190

Council Clerk read B-190 (third reading). Mr. Potts moved to adopt B-190, second by Mr. Pyke. Mr. Potts looks forward to completing this process. Motion passed. Voice Vote (11-0).

Public Affairs:

Temp. Ord. No. Substitute B-191

Council Clerk read Substitute B-191 (third reading). Mr. Flinn moved to adopt Substitute B-191, second by Mr. Barnhart. Motion passed. Voice Vote (11-0).

Community Development:

No Report.

Planning and Zoning:

No Report.

SCHEDULE OF MEETINGS

Planning & Zoning Committee:	January 20, 2004 at 6:15 p.m.
Finance Committee:	January 20, 2004 at 6:20 p.m.
Public Improvements Committee:	January 20, 2004 at 6:25 p.m.
Public Affairs Committee:	January 20, 2004 at 6:30 p.m.
Community Development Committee:	Subject to call.

MISCELLANEOUS BUSINESS

Mrs. Hummel questions Mr. Arrington and Mrs. Carr on the Agreement with the City of Akron and requests a final draft. Mr. Arrington says it will be available by the end of the week.

Mrs. Hummel questions the Dominion gas bills. Mrs. Carr will be preparing a written document about the issues with the Dominion bills. There are some misunderstandings with the bills and some people were automatically placed into the choice customer plan. Mrs. Carr would like to provide information in written form to share with all council members and their residents. Mrs. Carr is meeting with Dominion on 1/13/04 at 10:00 a.m. She will email the information as she compiles it.

Mr. Gorbach would like to address the JR's Pub issue. He was under the assumption that Council would have a vote this evening. He was very clear that there would happen this evening. He would like to have it rectified and would like to have the audience members speak. Mrs. Klinger informed council that other members of council did not encourage residents to attend the meeting since they would not be allowed to speak so she would like to resolve this into next week to allow individuals to come forward during committee meetings. Mrs. Pyke received several emails this evening regarding JR's Pub and does not feel comfortable that close to a vote, not being able to share it with the public and not being able to verify the information. She would like to discuss in Public Affairs and we should encourage the public to attend. She does not want this issue to go on any longer, but also doesn't want people who want to be heard, not listened to. Mrs. Pyke continued to state that it was discussed last week based on a note that was passed to her during committee meeting. Mrs. Hummel clarified that this is a public notice that people should come and attend the next meeting. Mr. Barnhart feels his prepared statement should be read next week and he is prepared for further discussion next week. He is disappointed it wasn't coming to fruition this evening.

Mr. Flinn motioned to adjourn the meeting at 7:15 p.m. seconded by Mrs. Pyke. Meeting Adjourned.

Carol Klinger
Council President

Melissa Wilkinson
Clerk of Council