

## CUYAHOGA FALLS CITY COUNCIL

### Minutes of the Council Meeting

June 14, 2010

- Call to Order:** Mrs. Colavecchio at 6:35 p.m.
- Roll Call:** Mrs. Hummel, present; Mr. Walters, present; Mr. James, present; Mr. Ihasz, present; Mr. Rubino, present; Mrs. Klinger, present; Mrs. Pyke, present; Mr. Barnhart, present; Mr. Mader, present; Mr. Iula, present; Mrs. Colavecchio, present.
- Invocation:** Mrs. Hummel
- Pledge of Allegiance:** Mr. Ihasz
- Approval of Minutes:** The minutes from the May 24, 2010 regular Council meeting and the May 24 Special Committee meeting were approved as submitted.
- Reports and Communications:**
1. A Notice from the Ohio Division of Liquor Control regarding a new license application to Falls Farr LLC dba Farinacci Pizza, 3265 Oakwood Dr., Cuyahoga Falls. No objections were voiced.
  2. 2009 Annual Report of the Cuyahoga Falls Police Department. Mrs. Colavecchio indicated the Clerk would make a copy available to any Council member who wished to have one.

#### New Legislation (First Reading)

##### **Temp. Ord. A-72 (Finance)**

An ordinance authorizing the sale of unneeded, unfit or obsolete personal property, including vehicles and equipment, owned by the City by internet auction, auction or consignment and declaring an emergency.

##### **Temp. Ord. A-73 (Finance)**

An ordinance authorizing the Director of Public Service to enter into a contract and/or contracts for tree services for a period of two years, and declaring an emergency.

##### **Temp. Ord. A-74 (Finance)**

An ordinance eliminating biweekly pay for the members of the Civil Service Commission, and declaring an emergency.

##### **Temp. Ord. A-75 (Finance)**

An ordinance amending Sections 947.02 and 947.06 of the Codified Ordinances and declaring an emergency

**Temp. Ord. A-77 (Finance)**

An ordinance authorizing a settlement in the case of *Moran Foods Inc. v. State Road Associates and the City of Cuyahoga Falls*, and declaring an emergency.

**Temp. Ord. A-78 (Finance)**

An ordinance creating the positions of Water Distribution Manager and Sewer Collections Manager and eliminating the positions of Water Utilities Maintenance Supervisor and Assistant Water Utilities Superintendent in the Department of Water Utilities and eliminating the position of Storm Water Administrator in the Department of Building and amending the report on staffing for 2010, and declaring an emergency.

Mrs. Hummel moved to hold a committee meeting on the same night as Council in order to discuss Temp. Ord. A-77, second by Mrs. Klinger. Mrs. Hummel stated this was requested by Administration and there will be an Executive Session prior to the Finance Committee. Motion passed, voice vote (11-0).

**Temp. Ord. A-79 (Public Improvements)**

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for subsurface utility engineering along State Road from Graham Road to Quick Road, in the City of Cuyahoga Falls, and declaring an emergency.

**Temp. Ord. A-80 (Public Improvements)**

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the decontamination of dangerous buildings located at 1533 Beechwood Circle, and certifying the cost thereof to the county fiscal officer for collection in the manner provided by law and declaring an emergency.

**Temp. Ord. A-81 (Public Affairs)**

An ordinance authorizing the Mayor to execute the Summit County Intergovernmental Memorandum of Understanding for Job Creation and Retention and Tax Revenue Sharing, and declaring an emergency.

**Temp. Ord. A-82 (Public Affairs)**

An ordinance enacting Chapter 111 of the Codified Ordinances, titled "Council Rules" and declaring an emergency.

**Temp. Ord. A-83 (Public Affairs)**

An ordinance amending Section 505.10 of the Codified Ordinances, and declaring an emergency.

**Temp. Ord. A-84 (Public Affairs)**

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

**Temp. Ord. A-85 (Community Development)**

An ordinance authorizing the Mayor to enter into a contract or contracts with Zaremba Home Again Restoration LLC, according to law, for professional services to rehabilitate homes purchased under the neighborhood stabilization program, and declaring an emergency.

Mr. James moved to hold a committee meeting on the same night as Council in order to discuss Temp. Ord. A-85, second by Mrs. Klinger. Mr. James stated that Administration indicated it was of vital importance to get this passed as soon as possible because the City is under a time constraint. Motion passed, voice vote (11-0).

Mr. James asked to excuse Mrs. Klinger from executive session, second by Mrs. Hummel. Motion passed, voice vote (11-0).

Mr. James moved to dissolve into executive session to discuss pending litigation with legal counsel, second by Mrs. Hummel. Roll call: Mrs. Hummel, yes; Mr. Walters, yes; Mr. James, yes; Mr. Ihasz, yes; Mr. Rubino, yes; Mrs. Klinger, yes; Mrs. Pyke, yes; Mr. Barnhart, yes; Mr. Mader, yes; Mr. Iula, yes; Mrs. Colavecchio, yes. Motion passed (11-0).

Council dissolved into Executive Session at 6:42 p.m.

Mr. James moved to adjourn from Executive Session, second by Mrs. Hummel. Roll call: Mrs. Hummel, yes; Mr. Walters, yes; Mr. James, yes; Mr. Ihasz, yes; Mr. Rubino, yes; Mrs. Klinger, yes; Mrs. Pyke, yes; Mr. Barnhart, yes; Mr. Mader, yes; Mr. Iula, yes; Mrs. Colavecchio, yes. Motion passed (11-0).

Council reconvened at 7:20 p.m.

Mrs. Klinger asked to be excused from discussing and voting on Temp. Ord. A-77 as a continuation of what has been done on this matter regarding her conflict, second by Mr. James. Motion passed, voice vote (11-0).

Council recessed into Committee meetings at 7:21 p.m. and reconvened at 7:45 p.m.

**Reports of Council's Standing Committees**

(Third Reading)

**Planning & Zoning**

Nothing to report.

**Finance & Appropriations**

**Temp. Ord. A-77**

An ordinance authorizing a settlement in the case of *Moran Foods Inc. v. State Road Associates and the City of Cuyahoga Falls*, and declaring an emergency.

Mrs. Hummel moved to adopt Temp. Ord. A-77, second by Mr. Walters. Motion passed, voice vote (10-0).

**Public & Industrial Improvements**

**Temp. Res. A-70**

A resolution pledging cooperation by the City of Cuyahoga Falls, Ohio in the matter of the State Road and Portage Trail Roadway improvements related to the redevelopment of the former State Road Shopping Center, and declaring an emergency.

Mr. Walters moved to adopt Temp. Res. A-70, second by Mr. Mader. Motion passed, voice vote (11-0).

**Public Affairs:**

**Temp. Ord. A-71**

An ordinance authorizing the Mayor to enter into a license agreement, according to law, to allow Kentucky Data Link, Inc. access to the City's rights of way and electric poles and declaring an emergency.

Mr. Ihasz moved to adopt Temp. Ord. A-71, second by Mrs. Hummel. Motion passed, voice vote (11-0)

**Community Development:**

**Temp. Ord. A-85**

An ordinance authorizing the Mayor to enter into a contract or contracts with Zarembo Home Again Restoration LLC, according to law, for professional services to rehabilitate homes purchased under the neighborhood stabilization program, and declaring an emergency.

Mr. James moved to adopt Temp. Ord. A-85, second by Mrs. Pyke. Motion passed, voice vote (11-0).

**Schedule of Committee Meetings**

Planning & Zoning:	Subject to call.
Finance:	June 21, 2010, 6:30 p.m.
Public Improvements:	June 21, 2010, 6:35 p.m.
Public Affairs:	June 21, 2010, 6:40 p.m.
Community Development:	Subject to call.

**Miscellaneous Business:**

Mrs. Hummel moved to adjourn, second by Mr. James. Motion passed, voice vote (11-0). Meeting adjourned at 7:50 p.m.

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Diana Colavecchio, Council President

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Cathleen J. Meacham, Clerk of Council