

NEW LEGISLATION

June 9, 2014

Temp. No.	Introduced	Committee	Description
A-56	6/9/14	Fin	A resolution authorizing the Director of Public Service to apply for and accept financial assistance in the form of a grant or loan from the Ohio Public Works Commission for replacement of a 6" water main in Second Street, and declaring an emergency.
A-57	6/9/14	Fin	A resolution authorizing the Director of Public Service to apply for and accept financial assistance in the form of a grant or loan from the Ohio Public Works Commission for replacement of a 6" water main in Schiller Avenue, and declaring an emergency.
A-58	6/9/14	PI	An ordinance authorizing the Director of Public Service to enter into a contract or contracts without competitive bidding with Arbor Construction Company for the construction of sidewalks, landscaping and other public improvements on state Road, Portage Trail, and Lillis Drive, and declaring an emergency.
A-59	6/9/14	PA	An ordinance authorizing the Mayor to enter into an agreement with the Fraternal Order of Police, Ohio Labor Council, Inc. effective January 1, 2014, and declaring an emergency.
A-60	6/9/14	PA	An ordinance authorizing the Mayor to enter into an agreement with the American Federation of State, County and Municipal Employees (AFSCME), Local 2662, effective January 1, 2014, and declaring an emergency.

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CALENDAR

June 9, 2014

The following legislation will be up for passage at the Council Meeting on June 9, 2014.

Temp. No.	Introduced	Committee	Description
A-41 (Sub)	4/14/14	PI	An ordinance authorizing the Director of Public Service to execute a modification of Contract No. 6787 with Karvo Paving Company Inc., and declaring an emergency.
A-55	5/27/14	PA	An ordinance amending the Traffic Control File by providing for installation of various traffic control devices, and declaring an emergency.

PENDING LEGISLATION

June 9, 2014

Temp. No.	Introduced	Committee	Description
A-41 (Sub)	4/14/14	PI	An ordinance authorizing the Director of Public Service to execute a modification of Contract No. 6787 with Karvo Paving Company Inc., and declaring an emergency.
A-51	5/12/14	PA	An ordinance amending Ordinance 95-2004 which implemented Sections 3735.65 through 3735.70 of the Ohio Revised Code, and established and described the boundaries of a Community Reinvestment Area in the City of Cuyahoga Falls, and declaring an emergency.
A-55	5/27/14	PA	An ordinance amending the Traffic Control File by providing for installation of various traffic control devices, and declaring an emergency.

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4 CITY OF CUYAHOGA FALLS, OHIO

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7 RESOLUTION NO. - 2014

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10 A RESOLUTION AUTHORIZING THE DIRECTOR OF
11 PUBLIC SERVICE TO APPLY FOR AND ACCEPT
12 FINANCIAL ASSISTANCE IN THE FORM OF A GRANT OR
13 LOAN FROM THE OHIO PUBLIC WORKS COMMISSION
14 FOR REPLACEMENT OF A 6” WATER MAIN IN SECOND
15 STREET, AND DECLARING AN EMERGENCY.
16

17
18 WHEREAS, the Ohio Public Works Commission (“OPWC”), through its State Capital
19 Improvement Program and Local Transportation Improvement Program, provides
20 financial assistance to political subdivisions for capital improvements to public
21 infrastructure; and
22

23 WHEREAS, the City of Cuyahoga Falls has identified the need, plans for, and
24 proposes a capital improvement to public infrastructure, to wit: replacement of a 6”
25 water main with a 8” water main, including all necessary appurtenances, in Second
26 Street between Broad Blvd. and May Avenue; and
27

28 WHEREAS, the infrastructure improvement hereinabove described is considered to
29 be a priority need for the community and is a qualified project under the OPWC
30 programs,
31

32 NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cuyahoga Falls,
33 County of Summit and State of Ohio, that:
34

35 Section 1. The Director of Public Service is hereby authorized to apply for and
36 accept financial assistance in the form of a grant or loan from the Ohio Public Works
37 Commission for the purpose of supporting the capital improvement consisting of
38 replacement of a 6” water main with a 8” water main, including all necessary
39 appurtenances, in Second Street between Broad Blvd. and May Avenue, by means of
40 the State Capital Improvement Program (SCIP) and/or Local Transportation
41 Improvement Program (LTIP) administered by the Ohio Public Works Commission.
42

43 Section 2. The Director of Public Service is hereby authorized to enter into
44 agreements as may be necessary to apply for and accept the financial assistance
45 mentioned herein.
46

47 Section 3. The Clerk is hereby directed to prepare and transmit a certified copy of
48 this Resolution to the Ohio Public Works Commission.
49

50 Section 4. It is found and determined that all formal actions of this Council
51 concerning and relating to the adoption of this resolution were adopted in an open
52 meeting of this Council and that all deliberations of this Council and of any of its
53 committees that resulted in such formal action were in meetings open to the public, in
54 compliance with all legal requirements, to the extent applicable, including Chapter 107
55 of the Codified Ordinances.

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Section 5. This resolution is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga Falls and the inhabitants thereof, and provided it received the affirmative vote of two-thirds of the members elected or appointed to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force at the earliest period allowed by law.

Passed: _____
_____ President of Council

Clerk of Council

Approved: _____
_____ Mayor

6/9/14
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4 CITY OF CUYAHOGA FALLS, OHIO

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7 RESOLUTION NO. - 2014

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10 A RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC
11 SERVICE TO APPLY FOR AND ACCEPT FINANCIAL
12 ASSISTANCE IN THE FORM OF A GRANT OR LOAN FROM
13 THE OHIO PUBLIC WORKS COMMISSION FOR
14 REPLACEMENT OF A 6” WATER MAIN IN SCHILLER
15 AVENUE, AND DECLARING AN EMERGENCY.
16

17
18 WHEREAS, the Ohio Public Works Commission (“OPWC”), through its State Capital
19 Improvement Program and Local Transportation Improvement Program, provides financial
20 assistance to political subdivisions for capital improvements to public infrastructure; and
21

22 WHEREAS, the City of Cuyahoga Falls has identified the need, plans for, and proposes a
23 capital improvement to public infrastructure, to wit: replacement of a 6” water main with a
24 12” water main, including all necessary appurtenances, in Schiller Avenue between State
25 Road and Portage Trail; and
26

27 WHEREAS, the infrastructure improvement hereinabove described is considered to be a
28 priority need for the community and is a qualified project under the OPWC programs,
29

30 NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cuyahoga Falls,
31 County of Summit and State of Ohio, that:
32

33 Section 1. The Director of Public Service is hereby authorized to apply for and accept
34 financial assistance in the form of a grant or loan from the Ohio Public Works Commission
35 for the purpose of supporting the capital improvement consisting of replacement of a 6”
36 water main with a 12” water main, including all necessary appurtenances, in Schiller
37 Avenue between State Road and Portage Trail, by means of the State Capital Improvement
38 Program (SCIP) and/or Local Transportation Improvement Program (LTIP) administered by
39 the Ohio Public Works Commission.
40

41 Section 2. The Director of Public Service is hereby authorized to enter into agreements
42 as may be necessary to apply for and accept the financial assistance mentioned herein.
43

44 Section 3. The Clerk is hereby directed to prepare and transmit a certified copy of this
45 Resolution to the Ohio Public Works Commission.
46

47 Section 4. It is found and determined that all formal actions of this Council concerning
48 and relating to the adoption of this resolution were adopted in an open meeting of this
49 Council and that all deliberations of this Council and of any of its committees that resulted
50 in such formal action were in meetings open to the public, in compliance with all legal
51 requirements, to the extent applicable, including Chapter 107 of the Codified Ordinances.
52

53 Section 5. This resolution is hereby declared to be an emergency measure necessary for
54 the preservation of the public peace, health, safety, convenience and welfare of the City of

55 Cuyahoga Falls and the inhabitants thereof, and provided it received the affirmative vote of
56 two-thirds of the members elected or appointed to Council, it shall take effect and be in
57 force immediately upon its passage and approval by the Mayor; otherwise it shall take effect
58 and be in force at the earliest period allowed by law.

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61 Passed: _____

President of Council

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Clerk of Council

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69 Approved: _____

Mayor

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4 CITY OF CUYAHOGA FALLS, OHIO

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6 ORDINANCE NO. - 2014

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8 AN ORDINANCE AUTHORIZING THE DIRECTOR OF
9 PUBLIC SERVICE TO ENTER INTO A CONTRACT OR
10 CONTRACTS WITHOUT COMPETITIVE BIDDING WITH
11 ARBOR CONSTRUCTION COMPANY FOR THE
12 CONSTRUCTION OF SIDEWALKS, LANDSCAPING
13 AND OTHER PUBLIC IMPROVEMENTS ON STATE
14 ROAD, PORTAGE TRAIL, AND LILLIS DRIVE, AND
15 DECLARING AN EMERGENCY.

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18 WHEREAS, Article I, Section 2 of the City Charter, adopted pursuant to Art.
19 XVIII, Sections 3 and 7 of the Ohio Constitution, authorizes this Council to make
20 exception to the competitive bidding procedures set forth in the Revised Code,
21

22 WHEREAS, Ordinance No. 63-2012, authorized the Director of Public Service to
23 enter into contracts, after publicly advertising for bids, for certain public
24 improvements in State Road between Graham Road and Schiller Avenue, Portage
25 Trail between Norma Street and 25th Street, and Lillis Drive, including construction
26 of roadways, curbs and sidewalks, sanitary and storm sewers and sewer laterals,
27 water mains and service connections, traffic control devices, street lighting,
28 landscaping and all necessary appurtenances associated with such improvements;
29 and
30

31 WHEREAS, the sidewalks and landscaping portion of the project was
32 subsequently removed from the bid contract due to the delays in the private
33 development; and
34

35 WHEREAS, the public sidewalks and landscaping improvements should
36 coincide with the timing of the private sidewalks and landscaping improvements to
37 maintain a continuity of color and design; and
38

39 WHEREAS, Arbor Construction Company is in the best position to ensure the
40 coordination of all public and private sidewalk and landscaping improvements for a
41 cohesive and attractive appearance; and
42

43 WHEREAS, to rebid this portion of the project will most likely result in a higher
44 cost to the City.
45

46 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga
47 Falls, County of Summit and State of Ohio, that:
48

49 Section 1.The Director of Public Service is hereby authorized to enter into a
50 contract or contracts without competitive bidding with Arbor Construction
51 Company for the construction of sidewalk and landscaping improvements along
52 Portage Trail from State Road to Lillis Drive, along with all necessary and
53 incidental appurtenances associated with such improvements.
54

55 Section 2.The Director of Finance is hereby authorized and directed to make
56 payment for same from Capital Projects Fund, line item Capital Outlay.
57

58 Section 3.Any other ordinances and resolutions or portions of ordinances and
59 resolutions inconsistent herewith are hereby repealed, but any ordinances and
60 resolutions or portions of ordinances and resolutions not inconsistent herewith
61 and which have not previously been repealed are hereby ratified and confirmed.
62

63 Section 4.It is found and determined that all formal actions of this Council
64 concerning and relating to the passage of this ordinance were taken in an open
65 meeting of this Council and that all deliberations of this Council and of any
66 committees that resulted in those formal actions were in meetings open to the
67 public, in compliance with all legal requirements including Chapter 107 of the
68 Codified Ordinances.
69

70 Section 5.This ordinance is hereby declared to be an emergency measure
71 necessary for the preservation of the public peace, health, safety, convenience and
72 welfare of the City of Cuyahoga Falls and the inhabitants thereof, for the reason
73 that it is immediately necessary to permit timely and appropriate development of
74 the property and provided it receives the affirmative vote of two-thirds of the
75 members elected or appointed to Council, it shall take effect and be in force
76 immediately upon its passage and approval by the Mayor; otherwise it shall take
77 effect and be in force at the earliest period allowed by law.
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80 Passed:_____

President of Council

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Clerk of Council

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88 Approved_____

Mayor

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90 6/9/14

91 O:\2014ords\Sidewalks on Portage Crossings.doc

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4 CITY OF CUYAHOGA FALLS, OHIO

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6 ORDINANCE NO. - 2014

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8 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO
9 AN AGREEMENT WITH THE FRATERNAL ORDER OF POLICE,
10 OHIO LABOR COUNCIL, INC. EFFECTIVE JANUARY 1, 2014,
11 AND DECLARING AN EMERGENCY.

12
13 WHEREAS, Ohio Revised Code Chapter 4117 authorizes public employees to bargain collec-
14 tively with public employers regarding wages, hours, terms and other conditions of employment
15 and to enter into collective bargaining agreements; and

16
17 WHEREAS, the Mayor and his representatives and the Fraternal Order of Police, Ohio Labor
18 Council, Inc. ("FOP") have bargained collectively and in good faith and said bargaining has result-
19 ed in a tentative agreement on a collective bargaining agreement effective January 1, 2014; and

20
21 WHEREAS, on or about June 2, 2014, the membership of the FOP ratified said collective bar-
22 gaining agreement;

23
24 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls, County
25 of Summit and State of Ohio, that:

26
27 Section 1. The Mayor is hereby authorized to enter into a collective bargaining agreement as
28 negotiated with and ratified by the FOP, effective January 1, 2014.

29
30 Section 2. Any other ordinances and resolutions or portions of ordinances and resolutions
31 inconsistent herewith are hereby repealed but any ordinances and resolutions or portions of ordi-
32 nances and resolutions not inconsistent herewith and which have not previously been repealed
33 are hereby ratified and confirmed.

34
35 Section 3. It is found and determined that all formal actions of this Council concerning and
36 relating to the adoption of this ordinance were adopted in an open meeting of this Council and
37 that all deliberations of this Council and of any of its committees that resulted in such formal
38 action were in meetings open to the public, in compliance with all legal requirements including
39 Chapter 107 of the Codified Ordinances.

40
41 Section 4. This ordinance is hereby declared to be an emergency measure necessary for the
42 preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga
43 Falls and the inhabitants thereof and provided it receives the affirmative vote of two-thirds of the
44 members elected or appointed to Council, it shall take effect and be in force immediately upon its
45 passage and approval by the Mayor; otherwise it shall take effect and be in force at the earliest
46 period allowed by law.

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49 Passed: _____

President of Council

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54 _____
Clerk of Council

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57 Approved: _____

Mayor

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3 CITY OF CUYAHOGA FALLS, OHIO

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5 ORDINANCE NO. - 2014

6
7 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO
8 AN AGREEMENT WITH THE AMERICAN FEDERATION OF
9 STATE, COUNTY AND MUNICIPAL EMPLOYEES (AFSCME),
10 LOCAL 2662, EFFECTIVE JANUARY 1, 2014, AND DECLARING
11 AN EMERGENCY.

12
13 WHEREAS, Ohio Revised Code Chapter 4117 authorizes public employees to bargain collec-
14 tively with public employers regarding wages, hours, terms and other conditions of employment
15 and to enter into collective bargaining agreements; and

16
17 WHEREAS, the Mayor and his representatives and AFSCME Local 2662 have bargained col-
18 lectively and in good faith and said bargaining has resulted in a tentative agreement on a
19 collective bargaining agreement effective January 1, 2014, and

20
21 WHEREAS, on or about June 3, 2014, the membership of AFSCME Local 2662 ratified said
22 collective bargaining agreement;

23
24 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls, County
25 of Summit and State of Ohio, that:

26
27 Section 1. The Mayor is hereby authorized to enter into a collective bargaining agreement as
28 negotiated with and ratified by AFSCME Local 2662, effective January 1, 2014.

29
30 Section 2. Any other ordinances and resolutions or portions of ordinances and resolutions
31 inconsistent herewith are hereby repealed but any ordinances and resolutions or portions of ordi-
32 nances and resolutions not inconsistent herewith and which have not previously been repealed
33 are hereby ratified and confirmed.

34
35 Section 3. It is found and determined that all formal actions of this Council concerning and
36 relating to the adoption of this ordinance were adopted in an open meeting of this Council and
37 that all deliberations of this Council and of any of its committees that resulted in such formal
38 action were in meetings open to the public, in compliance with all legal requirements including
39 Chapter 107 of the Codified Ordinances.

40
41 Section 4. This ordinance is hereby declared to be an emergency measure necessary for the
42 preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga
43 Falls and the inhabitants thereof and provided it receives the affirmative vote of two-thirds of the
44 members elected or appointed to Council, it shall take effect and be in force immediately upon its
45 passage and approval by the Mayor; otherwise it shall take effect and be in force at the earliest
46 period allowed by law.

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49 Passed: _____

President of Council

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Clerk of Council

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57 Approved: _____

Mayor