City of Cuyahoga Falls
Department of Law
Memorandum

To: Members of City Council
Mayor Don Walters
Members of Cabinet
From: Janet M. Ciotola, Director of Law
Date: October 29, 2021
Re: Notice Order of Business for Regular City Council Meeting

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In your packet for introduction on November 1, 2021 is the following ordinance:

> Temp. Ord. B-101
> AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO APPLY FOR FEDERAL SURFACE TRANSPORTATION BLOCK GRANT FUNDS PROGRAMMED BY THE AKRON METROPOLITAN AREA TRANSPORTATION STUDY, FOR THE RECONSTRUCTION OF WYOGA LAKE ROAD, BETWEEN EAST STEELS CORNERS ROAD AND SEASONS ROAD, AND DECLARING AN EMERGENCY.

I am requesting that Council suspend its rules (specifically, C.O. §111.05(f)) to permit this ordinance to be introduced and considered by the Council on November 1, 2021 and voted on during the November 8, 2021 meeting due to an imminent grant deadline.

Please feel free to call me if there are any questions. Thank you.

B-101 Presented by the Administration

CITY OF CUYAHOGA FALLS, OHIO

ORDINANCE NO. – 2021

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO APPLY FOR FEDERAL SURFACE TRANSPORTATION BLOCK GRANT FUNDS PROGRAMMED BY THE AKRON METROPOLITAN AREA TRANSPORTATION STUDY, FOR THE RECONSTRUCTION OF WYOGA LAKE ROAD, BETWEEN EAST STEELS CORNERS ROAD AND SEASONS ROAD, AND DECLARING AN EMERGENCY.

WHEREAS, the City Engineer has identified the need for and proposes the reconstruction of Wyoga Lake Road between East Steels Corners Road and Seasons Road; and

WHEREAS, the Akron Metropolitan Area Transportation Study is conducting a competitive grant process under which Federal Surface Transportation Funds may be made available to partially support construction costs for City sponsored projects.

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

Section 1. The Director of Public Service is authorized to apply for and accept financial assistance in the form of a Federal Surface Transportation Block Grant Funds from the U.S. Department of Transportation, through the Akron Metropolitan Area Transportation Study, for the purpose of supporting construction costs related to the Project, as follows:

Project Name: Wyoga Lake Road Reconstruction

Description: From East Steels Corners Road to Seasons Road, approximately 7,900-feet; reconstruct and widen roadway to include the addition of a center turn lane, multi-use path, and traffic signals where warranted.

Estimated Construction Cost: $7,500,000.

Section 2. This Council's authorization is granted with the following understandings:

A. The City will bear one hundred percent (100%) of the cost of preliminary engineering.
B. The City will bear one hundred percent (100%) of the total cost of those features requested by the City which are not eligible for Federal participation.
C. The Federal share will assume eighty percent (80%) of the construction cost of the improvement not to exceed $6,000,000. The City will be responsible for the local share.
D. The City of Cuyahoga Falls is in receipt of and acknowledges the applicability of the AMATS "Funding Policy Guidelines" to this funding request.
E. The Director of Finance be and hereby is authorized and directed to make payment for same from the Capital Projects Fund.

Section 3. Any ordinances or resolutions or portions of ordinances and resolutions inconsistent herewith be and the same are hereby repealed, but any ordinances and resolutions not inconsistent herewith and which have not previously been repealed are hereby ratified and confirmed.

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

Section 5. This ordinance 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 receives 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

11/1/21
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