

## NEW LEGISLATION

April 25, 2022

<b>Temp. No.</b>	<b>Introduced</b>	<b>Committee</b>	<b>Description</b>
A-46	4/25/22	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, without competitive bidding, for the purchase of services, materials, supplies, and equipment for use in the Electrical Division in 2022, and declaring an emergency.
A-47	4/25/22	PI	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, without competitive bidding, with Ohio Drilling Company Inc. for the inspection, cleaning, and associated repairs for City Well #5, and Well #21 for the Water Division, and declaring an emergency.
A-48	4/25/22	PA	An ordinance to approve current replacement pages to the Cuyahoga Falls Codified Ordinances, and declaring an emergency.
A-49	4/25/22	PA	An ordinance authorizing the Mayor to enter into an agreement with the Ohio Patrolman's Benevolent Association, Patrol and Community Service Officers bargaining unit, effective July 1, 2021, and declaring an emergency.

<b>Temp. No.</b>	<b>Introduced</b>	<b>Committee</b>	<b>Description</b>
A-50	4/25/22	CD	An ordinance authorizing the Mayor to enter into a contract or contracts, without competitive bidding, with Quality Fabrication & Assembly, LLC for the purchase, cutting, and fabrication of stainless steel, to be utilized in a public art sculpture designed by local artist Don Drumm, and to be installed in High Bridge Glens Park located at 1817 Front Street, and making the necessary appropriations for the same, and declaring an emergency.

**CALENDAR**  
April 25, 2022

The following legislation will be up for passage at the Council Meeting on April 25, 2022.

<b>Temp. No.</b>	<b>Introduced</b>	<b>Committee</b>	<b>Description</b>
A-35	4/11/22	Fin	An ordinance authorizing the Director of Finance to enter into a contract or contracts, without competitive bidding, with Storm 7 Labs for the purchase and installation of IT data storage and network hardware upgrades, and declaring an emergency.
A-36	4/11/22	Fin	Authorizing the Director of Public Service to enter into a contract or contracts, without competitive bidding, with Sherman + Reilly for the purchase of braking reel trailer equipment, appurtenances, and services and declaring an emergency.
A-37	4/11/22	Fin	Authorizing the Director of Public Service to enter into a contract or contracts, without competitive bidding, with Skylift Inc. for the purchase of mini-derrick equipment, appurtenances, and services and declaring an emergency.

<b>Temp. No.</b>	<b>Introduced</b>	<b>Committee</b>	<b>Description</b>
A-38	4/11/22	Fin	An ordinance authorizing the Parks and Recreation Board to enter into contracts, without competitive bidding, for the lease and maintenance of golf carts for Brookledge Golf Club, and declaring an emergency.
A-39	4/11/22	PI	An ordinance authorizing the Mayor to execute an agreement with Dant Clayton for the replacement of seating in the Downtown Amphitheater, located at 2085 Front Street, in an amount not to exceed \$58,900.00 and making the necessary appropriations for the same, and declaring an emergency.
A-40	4/11/22	PI	An ordinance authorizing the Director of Public Service to enter into a modification of Contract No. 8495 with Environmental Design Group, and declaring an emergency.
A-41	4/11/22	PI	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the repair and resurfacing of Broad Boulevard, from 2nd Street to State Road, and declaring an emergency.

<b>Temp. No.</b>	<b>Introduced</b>	<b>Committee</b>	<b>Description</b>
A-42	4/11/22	PA	A resolution authorizing the Director of Finance to represent the City of Cuyahoga Falls as a member of the Board of Trustees of the Summit Area Regional Council of Governments, and declaring an emergency.
A-43	4/11/22	PA	An ordinance authorizing the Mayor to enter into a NOPEC Energized Community Grant Agreement with Northeast Ohio Public Energy Council, Inc. for energy efficiency or energy infrastructure projects, and declaring an emergency.
A-44	4/11/22	PA	An ordinance amending the Traffic Control File by providing for installation of various traffic control devices, and declaring an emergency.
A-45	4/11/22	PA	An ordinance establishing pay ranges for part-time, per diem, and special classification workers, and declaring an emergency

**PENDING LEGISLATION**

April 25, 2022

<b>Temp. No.</b>	<b>Introduced</b>	<b>Committee</b>	<b>Description</b>
A-35	4/11/22	Fin	An ordinance authorizing the Director of Finance to enter into a contract or contracts, without competitive bidding, with Storm 7 Labs for the purchase and installation of IT data storage and network hardware upgrades, and declaring an emergency.
A-36	4/11/22	Fin	Authorizing the Director of Public Service to enter into a contract or contracts, without competitive bidding, with Sherman + Reilly for the purchase of braking reel trailer equipment, appurtenances, and services and declaring an emergency.
A-37	4/11/22	Fin	Authorizing the Director of Public Service to enter into a contract or contracts, without competitive bidding, with Skylift Inc. for the purchase of mini-derrick equipment, appurtenances, and services and declaring an emergency.
A-38	4/11/22	Fin	An ordinance authorizing the Parks and Recreation Board to enter into contracts, without competitive bidding, for the lease and maintenance of golf carts for Brookledge Golf Club, and declaring an emergency.

<b>Temp. No.</b>	<b>Introduced</b>	<b>Committee</b>	<b>Description</b>
A-18	2/14/22	PI	An ordinance authorizing the Director of Public Service to enter into a contract or contracts for the replacement of the flat roof on the Municipal Building, located at 2310 2nd Street in the City of Cuyahoga Falls, and declaring an emergency.
A-39	4/11/22	PI	An ordinance authorizing the Mayor to execute an agreement with Dant Clayton for the replacement of seating in the Downtown Amphitheater, located at 2085 Front Street, in an amount not to exceed \$58,900.00 and making the necessary appropriations for the same, and declaring an emergency.
A-40	4/11/22	PI	An ordinance authorizing the Director of Public Service to enter into a modification of Contract No. 8495 with Environmental Design Group, and declaring an emergency.
A-41	4/11/22	PI	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the repair and resurfacing of Broad Boulevard, from 2nd Street to State Road, and declaring an emergency.

<b>Temp. No.</b>	<b>Introduced</b>	<b>Committee</b>	<b>Description</b>
A-42	4/11/22	PA	A resolution authorizing the Director of Finance to represent the City of Cuyahoga Falls as a member of the Board of Trustees of the Summit Area Regional Council of Governments, and declaring an emergency.
A-43	4/11/22	PA	An ordinance authorizing the Mayor to enter into a NOPEC Energized Community Grant Agreement with Northeast Ohio Public Energy Council, Inc. for energy efficiency or energy infrastructure projects, and declaring an emergency.
A-44	4/11/22	PA	An ordinance amending the Traffic Control File by providing for installation of various traffic control devices, and declaring an emergency.
A-45	4/11/22	PA	An ordinance establishing pay ranges for part-time, per diem, and special classification workers, and declaring an emergency



2  
3 CITY OF CUYAHOGA FALLS, OHIO

4  
5 ORDINANCE NO. - 2022

6  
7 AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC  
8 SERVICE TO ENTER INTO A CONTRACT OR CONTRACTS,  
9 WITHOUT COMPETITIVE BIDDING, FOR THE PURCHASE  
10 OF SERVICES, MATERIALS, SUPPLIES, AND EQUIPMENT  
11 FOR USE IN THE ELECTRICAL DIVISION IN 2022, AND  
12 DECLARING AN EMERGENCY.

13  
14 WHEREAS, City departments and divisions must purchase services, materials,  
15 supplies, and equipment throughout the year to operate effectively; and

16  
17 WHEREAS, the public bidding process can slow the procurement of goods and  
18 services necessary to City operations; and

19  
20 WHEREAS, with some vendors, although no specific expenditure for their services,  
21 materials, supplies, and equipment are expected to exceed the competitive bidding  
22 amount threshold individually, collectively these costs are projected to exceed the  
23 competitive bidding limit.

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

27  
28 Section 1. The Director of Public Service is hereby authorized to enter into a contract  
29 or contracts, without competitive bidding, with the vendors listed below, for the  
30 purchase of the materials, supplies, and equipment listed in Exhibit A for use in the  
31 Electrical Division in 2022:

- 32  
33 - Anixter Inc.  
34 - Brownstown Electric Supply Co.  
35 - DECO Supply Company Inc.  
36 - Electric Research and Manufacturing Cooperative, Inc. (ERMCO)  
37 - Main Street Lighting  
38 - Power Line Supply Co.  
39 - Professional Electric Products Company (PEPCO)  
40 - Stella-Jones Corp.

41  
42 Section 2. Notwithstanding as an exception to Section 181.06 of the Codified  
43 Ordinances, Electrical Division expenditures made under the contracts authorized by  
44 this ordinance shall not exceed, in the aggregate, the budgets listed in Exhibit A without  
45 further consent of City Council by ordinance.

46  
47 Section 3. The Director of Finance is hereby directed to make payment for same out  
48 of the Electric Fund, line items Other Operations and Capital Outlay, as indicated in  
49 Exhibit A.

50 Section 4. Any other ordinances and resolutions or portions of ordinances and  
51 resolutions inconsistent herewith are hereby repealed, but any ordinances and  
52 resolutions or portions of ordinances and resolutions not inconsistent herewith and  
53 which have not previously been repealed are hereby ratified and confirmed.  
54

55 Section 5. It is found and determined that all formal actions of this Council  
56 concerning and relating to the adoption of this ordinance were adopted in an open  
57 meeting of this Council and that all deliberations of this Council and of any of its  
58 committees that resulted in such formal action were in meetings open to the public, in  
59 compliance with all legal requirements, to the extent applicable, including Chapter 107  
60 of the Codified Ordinances.  
61

62 Section 6. This ordinance is hereby declared to be an emergency measure necessary  
63 for the preservation of the public peace, health, safety, convenience and welfare of the  
64 City of Cuyahoga Falls and the inhabitants thereof and provided it receives the  
65 affirmative vote of two-thirds of the members elected or appointed to Council, it shall  
66 take effect and be in force immediately upon its passage and approval by the Mayor;  
67 otherwise it shall take effect and be in force at the earliest period allowed by law.  
68

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70 Passed: \_\_\_\_\_  
71 \_\_\_\_\_  
72 President of Council

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74 \_\_\_\_\_  
75 Clerk of Council  
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78 Approved: \_\_\_\_\_  
79 \_\_\_\_\_  
80 Mayor

81 4/25/22  
\\cf-file01\ldpublic\Council\2022ords\04-25-22\Electric Requirements.docx

**Exhibit A – List of Equipment and Budgets**

<b>Equipment Category</b>	<b>Line Item</b>	<b>Original Budget</b>
12.5 kV System Upgrade	Capital Outlay	\$300,000.00
Annual Requirements	Capital Outlay	\$325,000.00
Spare Regulators	Capital Outlay	\$100,000.00
Awards & Promotions	Other Operations	\$17,000.00
Chemical Supplies	Other Operations	\$2,000.00
Clothing - Safety	Other Operations	\$55,000.00
Electric Poles	Other Operations	\$146,000.00
Electrical Supplies	Other Operations	\$18,000.00
Hardware/Lumber Supplies	Other Operations	\$3,800.00
Lighting Supplies	Other Operations	\$70,000.00
Meter Supplies	Other Operations	\$25,000.00
Miscellaneous Operating Supplies	Other Operations	\$2,500.00
Pole Line Supplies	Other Operations	\$200,000.00
Substation Supplies	Other Operations	\$30,000.00
Tools & Equipment	Other Operations	\$80,000.00
Transformers & Capacitors	Other Operations	\$179,000.00
Underground Electrical Supplies	Other Operations	\$85,000.00
Wire and Cable Supplies	Other Operations	\$200,000.00
	Capital Outlay – TOTAL	\$725,000.00
	Other Operations - TOTAL	\$1,113,300.00
	TOTAL	\$1,838,300.00

2  
3 CITY OF CUYAHOGA FALLS, OHIO

4  
5 ORDINANCE NO. - 2022

6  
7 AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO  
8 ENTER INTO A CONTRACT OR CONTRACTS, WITHOUT COMPETITIVE  
9 BIDDING, WITH OHIO DRILLING COMPANY INC. FOR THE INSPECTION,  
10 CLEANING, AND ASSOCIATED REPAIRS FOR CITY WELL #5, AND WELL  
11 #21 FOR THE WATER DIVISION, AND DECLARING AN EMERGENCY.

12  
13 WHEREAS, the repair work identified during inspection needs to be completed in conjunction with  
14 cleaning to put each well back in service as soon as possible; and

15  
16 WHEREAS, Ohio Drilling has performed work on the City’s drinking water wells since at least 1937;  
17 and

18  
19 WHEREAS, the City’s goal is to establish a regular cycle for inspecting, cleaning and repairing each of  
20 the 18 drinking water wells.

21  
22 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls, County of Summit  
23 and State of Ohio, that:

24  
25 Section 1. The Director of Public Service is hereby authorized to enter into a contract or contracts,  
26 without competitive bidding, with Ohio Drilling Company Inc. for the inspection, cleaning, and associated  
27 repairs for City Well #5 and Well #21 for the Water Division.

28  
29 Section 2. The Director of Finance is hereby authorized to make payment for same from the Water  
30 Fund, line item Other Operations for the inspection and cleaning, and Capital Outlay for the repairs.

31  
32 Section 3. Any ordinances or resolutions or portions of ordinances and resolutions inconsistent  
33 herewith are hereby repealed, but any ordinances and resolutions not inconsistent herewith and which  
34 have not previously been repealed are hereby ratified and confirmed.

35  
36 Section 4. It is found and determined that all formal actions of this Council concerning and relating to  
37 the adoption of this ordinance were adopted in an open meeting of this Council and that all deliberations  
38 of this Council and of any of its committees that resulted in such formal action were in meetings open to  
39 the public, in compliance with all legal requirements, to the extent applicable, including Chapter 107 of the  
40 Codified Ordinances.

41  
42 Section 5. This ordinance is hereby declared to be an emergency measure necessary for the preservation  
43 of the public peace, health, safety, convenience and welfare of the City of Cuyahoga Falls and the  
44 inhabitants thereof and provided it receives the affirmative vote of two-thirds of the members elected or  
45 appointed to Council, it shall take effect and be in force immediately upon its passage and approval by the  
46 Mayor; otherwise it shall take effect and be in force at the earliest 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: \_\_\_\_\_

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Mayor

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59 4/25/22

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3 CITY OF CUYAHOGA FALLS, OHIO

4  
5 ORDINANCE NO - 2022

6  
7 AN ORDINANCE TO APPROVE CURRENT REPLACEMENT PAGES  
8 TO THE CUYAHOGA FALLS CODIFIED ORDINANCES, AND  
9 DECLARING AN EMERGENCY.

10  
11 WHEREAS, certain provisions within the Codified Ordinances should be amended to conform  
12 with current State law as required by the Ohio Constitution; and

13  
14 WHEREAS, various ordinances of a general and permanent nature have been passed by  
15 Council which should be included in the Codified Ordinances; and

16  
17 WHEREAS, the City has heretofore entered into a contract with the Walter H. Drane Company  
18 to prepare and publish such revision which is before Council.

19  
20 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls, County  
21 of Summit and State of Ohio:

22  
23 Section 1. That the ordinances of the City of Cuyahoga Falls, Ohio, of a general and  
24 permanent nature, as revised, recodified, rearranged and consolidated into component codes,  
25 titles, chapters and sections within the 2021 Replacement Pages to the Codified Ordinances are  
26 hereby approved and adopted.

27  
28 Section 2. That the following sections and chapters are hereby added, amended or repealed  
29 as respectively indicated in order to comply with current State law.

30  
31 Administrative Code

32  
33 101.03 Rules of Construction. (Amended)

34  
35 Traffic Code

- 36
- 37 301.183 Low-Speed Micromobility Device. (Added)
- 38 301.22 Pedestrian. (Amended)
- 39 301.51 Vehicle. (Amended)
- 40 331.211 Report of Vehicle Failing to Yield Right of Way to Public Safety Vehicle.  
41 (Amended)
- 42 331.37 Driving Upon Sidewalks, Street Lawns or Curbs. (Amended)
- 43 331.43 Wearing Earplugs or Earphones Prohibited. (Amended)
- 44 333.03 Maximum Speed Limits. (Amended)
- 45 335.02 Permitting Operation Without Valid License; One License Permitted.  
46 (Amended)
- 47 335.021 Ohio Driver’s License Required for In State Residents. (Amended)
- 48 335.04 Certain Acts Prohibited. (Amended)
- 49 335.09 Display of License Plates or Validation Stickers; Temporary License  
50 Placard. (Amended)
- 51 371.13 Operation of Personal Delivery Device on Sidewalks and Crosswalks.  
52 (Added)
- 53 371.14 Low-Speed Micromobility Devices. (Added)

54 Traffic Code (Cont.)

- 55  
56 373.10 Motorized Bicycle Operation. (Amended)  
57 373.14 Electric Bicycles. (Amended)  
58

59 General Offenses Code

- 60  
61 505.081 Cruelty to Companion Animals. (Amended)  
62 509.07 Making False Alarms. (Amended)  
63 513.01 Drug Abuse Control Definitions. (Amended)  
64 517.01 Gambling Definitions. (Amended)  
65 517.02 Gambling. (Amended)  
66 517.06 Methods of Conducting a Bingo Game; Prohibitions. (Amended)  
67 517.08 Raffles. (Amended)  
68 517.09 Charitable Instant Bingo Organizations. (Amended)  
69 517.11 Bingo or Game of Chance Records. (Amended)  
70 517.13 Bingo Exceptions. (Amended)  
71 517.14 Instant Bingo Conduct by a Veteran's or Fraternal Organization.  
72 (Amended)  
73 517.15 Skill-Based Amusement Machines. (Amended)  
74 517.16 Electronic Instant Bingo; Prohibited Conduct. (Added)  
75 525.13 Interfering with Civil Rights. (Amended)  
76 529.01 Liquor Control Definitions. (Amended)  
77 529.07 Open Container Prohibited. (Amended)  
78 533.08 Procuring; Engagement in Sexual Activity for Hire. (Amended)  
79 533.09 Soliciting. (Amended)  
80 533.091 Loitering to Engage in Solicitation. (Amended)  
81 533.10 Prostitution. (Amended)  
82 537.02 Vehicular Homicide and Manslaughter. (Amended)  
83 541.04 Criminal Mischief. (Amended)  
84 541.05 Criminal Trespass. (Amended)  
85 545.03 Property Exceptions as Felony Offense. (Amended)  
86 545.09 Passing Bad Checks. (Amended)  
87 549.02 Carrying Concealed Weapons. (Amended)  
88 549.06 Unlawful Transactions in Weapons. (Amended)  
89 553.05 Railroad Vandalism. (Amended)  
90

91 Section 3. The complete text of the sections listed above are set forth in full in the current  
92 replacement pages to the Codified Ordinances. The listing above of each new section by reference  
93 to its title shall constitute sufficient publication of new matter contained therein.  
94

95 Section 4. It is found and determined that all formal actions of this Council and concerning  
96 and relating to the adoption of this ordinance were adopted in an open meeting of this Council,  
97 and that all deliberations of this Council and of its committees that resulted in such formal  
98 action, were in meetings open to the public, in compliance with all legal requirements, to the  
99 extent applicable, including Chapter 107 of the Codified Ordinances.  
100

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

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Passed: \_\_\_\_\_

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President of Council

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Clerk of Council

Approved: \_\_\_\_\_

\_\_\_\_\_  
Mayor

4/25/22

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3 CITY OF CUYAHOGA FALLS, OHIO

4  
5 ORDINANCE NO. - 2022

6  
7 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO  
8 AN AGREEMENT WITH THE OHIO PATROLMAN'S BENEVOLENT  
9 ASSOCIATION, PATROL AND COMMUNITY SERVICE OFFICERS  
10 BARGAINING UNIT, EFFECTIVE JULY 1, 2021, AND  
11 DECLARING AN EMERGENCY.

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

16  
17 WHEREAS, the Mayor and his representatives and the Ohio Police Benevolent Association  
18 have bargained collectively and in good faith and said bargaining has resulted in a tentative  
19 agreement on a collective bargaining agreement effective July 1, 2021, and

20  
21 WHEREAS, on or about April 15, 2022, the membership of Ohio Police Benevolent  
22 Association ratified said 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 Ohio Police Benevolent Association, Patrol and Community Service  
29 Officers bargaining unit, effective July 1, 2021.

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

35  
36 Section 3. Section 4. It is found and determined that all formal actions of this Council and  
37 concerning and relating to the adoption of this ordinance were adopted in an open meeting of this  
38 Council, and that all deliberations of this Council and of its committees that resulted in such  
39 formal action, were in meetings open to the public, in compliance with all legal requirements, to  
40 the extent applicable, including Chapter 107 of the Codified Ordinances.

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

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49  
50 Passed: \_\_\_\_\_

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President of Council

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Clerk of Council

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58 Approved: \_\_\_\_\_

\_\_\_\_\_  
Mayor

59  
60 4/25/22



2  
3 CITY OF CUYAHOGA FALLS, OHIO

4  
5 ORDINANCE NO. - 2022

6  
7 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A  
8 CONTRACT OR CONTRACTS, WITHOUT COMPETITIVE BIDDING,  
9 WITH QUALITY FABRICATION & ASSEMBLY, LLC FOR THE  
10 PURCHASE, CUTTING, AND FABRICATION OF STAINLESS  
11 STEEL, TO BE UTILIZED IN A PUBLIC ART SCULPTURE  
12 DESIGNED BY LOCAL ARTIST DON DRUMM, AND TO BE  
13 INSTALLED IN HIGH BRIDGE GLENS PARK LOCATED AT 1817  
14 FRONT STREET, AND MAKING THE NECESSARY  
15 APPROPRIATIONS FOR THE SAME, AND DECLARING AN  
16 EMERGENCY.

17  
18 WHEREAS, the City of Cuyahoga Falls is the recipient of a donation from Don Drumm, a  
19 local artist, that consists of the design for a public art sculpture to be installed in High Bridge  
20 Glens Park located at 1817 Front Street; and

21  
22 WHEREAS, the City of Cuyahoga Falls solicited a quotes, without competitive bidding, for  
23 the purchase, cutting, and fabrication of stainless steel to construct the public art sculpture  
24 designed by Don Drumm; and

25  
26 WHEREAS, the City receives Community Development Block Grant (“CDBG”) funds from the  
27 Department of Housing and Urban Development and said funds can be used to improve public  
28 facilities, including the creation and installation of public art located in low-to-moderate income  
29 areas; and

30  
31 WHEREAS, the City of Cuyahoga Falls wishes to enter into separate agreements with Quality  
32 Fabrication & Assembly, LLC for the purchase, cutting, and fabrication of stainless steel to be  
33 used in constructing the public art sculpture designed by Don Drumm; and

34  
35 WHEREAS, CDBG funding will be utilized for the fabrication portion of the agreement with  
36 Quality Fabrication & Assembly, LLC, in an amount not to exceed \$65,000.00; and

37  
38 WHEREAS, Quality Fabrication & Assembly, LLC, as a local fabricator capable of saving costs  
39 of transportation in erecting the public art sculpture once constructed, represents a specialized  
40 vendor such that the City is not required to secure competitive bidding.

41  
42 NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Cuyahoga Falls,  
43 County of Summit, State of Ohio, that:

44  
45 Section 1. The Mayor is authorized to enter into separate agreements with Quality  
46 Fabrication & Assembly, LLC, for the purchase and cutting of stainless steel in an amount not  
47 to exceed \$210,000.00, and for fabrication in an amount not to exceed \$65,000.00, for its  
48 construction of a public art sculpture designed by Don Drumm, a local artist, to be installed in  
49 High Bridge Glens Park located at 1817 Front Street.

50 Section 2. The Director of Finance is hereby authorized to increase appropriations in the  
51 Community Development Block Grant Fund, CDBG, line item Capital Outlay and reduce  
52 appropriations in the Community Development Block Grant Fund, CDBG, line item Other  
53 Operations in the amount of \$65,000.00. Furthermore, the Director of Finance is authorized to  
54 increase appropriations in the Capital Fund, line item Capital Outlay in an amount not to exceed  
55 \$210,000.00.

56  
57 Section 3. The Director of Finance is authorized to make payment from the Community  
58 Development Block Grant Fund, CDBG, line item Capital Outlay in the amount of \$65,000.00  
59 and the Capital Fund, line item Capital Outlay in an amount not to exceed \$210,000.00.

60  
61 Section 4. The Mayor, Director of Finance, Director of Community Development, Director of  
62 Law, and any other public officials, individually and/or collectively as may be appropriate, are  
63 authorized to prepare and execute such other documents and do all other things as are necessary  
64 or incidental to carrying out the intent and/or requirements of this legislation.

65  
66 Section 5. Any ordinance or resolutions or portions of ordinances and resolutions  
67 inconsistent herewith are hereby repealed, but any ordinances and resolutions not inconsistent  
68 herewith and which have not previously been repealed are hereby ratified and confirmed.

69  
70 Section 6. It is found and determined that all formal actions of this Council concerning and  
71 relating to the adoption of this ordinance were adopted in an open meeting of this Council and  
72 that all deliberations of this Council and of any of its committees that resulted in such formal  
73 action were in meetings open to the public, in compliance with all legal requirements, to the  
74 extent applicable, including Chapter 107 of the Codified Ordinances.

75  
76 Section 7. This ordinance is hereby declared to be an emergency measure necessary of the  
77 preservation of the public peace, health, safety, convenience, and welfare of the City of Cuyahoga  
78 Falls and the inhabitants thereof, and provided it receives the affirmative vote of two thirds of  
79 the members elected or appointed to Council, it shall take effect and be in force immediately  
80 upon its passage and approval by the Mayor; otherwise it shall take effect and be in force at the  
81 earliest period allowed by law.

82  
83  
84 Passed: \_\_\_\_\_  
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86 \_\_\_\_\_  
87 President of Council

88  
89 \_\_\_\_\_  
90 Clerk of Council

91  
92 Approved: \_\_\_\_\_  
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94 \_\_\_\_\_  
95 Mayor

94 4/25/22  
95 \\cf-file01\ldpublic\Council\2022ords\04-25-22\Steel for Don Drumm Sculpture.docx