

2
3 CITY OF CUYAHOGA FALLS, OHIO

4
5 ORDINANCE NO. 66 - 2011

6
7 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A
8 SETTLEMENT AGREEMENT IN THE CASE OF JOHN P.
9 RICHARD, JR. V. CITY OF CUYAHOGA FALLS, AND
10 DECLARING AN EMERGENCY.

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

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15 Section 1. The Mayor is hereby authorized to execute a settlement agreement in the case of
16 *John P. Richard, Jr. v. City of Cuyahoga Falls*, Summit County Court of Common Pleas Case No.
17 CV 2010-04-2432, on the basis of the proposal negotiated and presented to City Council on July
18 11, 2011.

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20 Section 2. The Director of Finance is hereby authorized and directed to make payment for
21 same from the Capital Projects Fund.

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23 Section 3. The Mayor and/or Director of Law, as indicated, are hereby authorized to execute
24 and file such pleadings and documents with the court or other agencies, including, without
25 limitation, a stipulated judgment entry and any other pleadings necessary to effectuate the intent
26 of the parties as set forth in the proposed settlement agreement.

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28 Section 4. Any ordinances or resolutions or portions of ordinances and resolutions
29 inconsistent herewith are hereby repealed, but any ordinances and resolutions not inconsistent
30 herewith and which have not previously been repealed are hereby ratified and confirmed.

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32 Section 5. It is found and determined that all formal actions of this Council concerning and
33 relating to the passage of this ordinance were taken in an open meeting of this Council and that
34 all deliberations of this Council and of any committees that resulted in those formal actions were
35 in meetings open to the public, in compliance with all legal requirements including Chapter 107
36 of the Codified Ordinances.

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

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46 Passed: 7-11-11

Diana Colavecchio
President of Council

Cathleen J. McEacham
Clerk of Council

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54 Approved 7/12/11

DRobert
Mayor