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3 CITY OF CUYAHOGA FALLS, OHIO

4  
5 ORDINANCE NO. 560 - 2017

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7 AN ORDINANCE AUTHORIZING THE MAYOR TO APPLY FOR  
8 AND ACCEPT FINANCIAL ASSISTANCE IN THE FORM OF A  
9 GRANT FROM THE FEDERAL CONGESTION  
10 MITIGATION/AIR QUALITY FUNDS PROGRAMMED BY THE  
11 AKRON METROPOLITAN AREA TRANSPORTATION STUDY  
12 (AMATS) FOR THE IMPROVEMENT OF BARNEY'S BUSY  
13 CORNERS, AND DECLARING AN EMERGENCY.  
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15 WHEREAS, the United States Congress has set aside monies for Congestion Mitigation  
16 and Air Quality (CMAQ) projects through the State of Ohio, Department of Transportation  
17 (ODOT) and administered by the Akron Metropolitan Area Transportation Study (AMATS);  
18 and  
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20 WHEREAS, Local Public Agencies, (LPAs) can apply for these monies and be selected for  
21 funding by the Ohio Association of Regional Councils (OARC), who has been charged with  
22 management of a statewide CMAQ program by ODOT; and  
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24 WHEREAS, the Improvement of Barney's Busy Corners is a transportation activity eligible  
25 to receive federal CMAQ funding; and  
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27 WHEREAS, if requested funds are granted, the City of Cuyahoga Falls shall be responsible  
28 for at least twenty (20%) percent of the eligible costs; and  
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30 WHEREAS, the Improvement of Barney's Busy Corners is vital to the safe and efficient  
31 travel of motorists from the cities of Cuyahoga Falls, Tallmadge and Akron; and  
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33 WHEREAS, the Improvement of Barney's Busy Corners is in need of correcting poor lane  
34 alignments and difficult grades, separating roadways to reduce congestion and improve  
35 efficiency, and reducing crashes.  
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37 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls,  
38 County of Summit, and State of Ohio, that:  
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40 Section 1. The Mayor is hereby authorized to apply for and accept financial assistance in  
41 the form of a grant from the Federal Congestion Mitigation/Air Quality (CMAQ) Funds  
42 programmed by the Akron Metropolitan Area Transportation Study (AMATS) for the following  
43 Congestion Reduction Project:  
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45 Project Description: The Improvement of Barney's Busy Corners, including relocation of  
46 roadways.  
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48 Estimated Construction Cost: \$13,400,000.  
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50 Section 2. This Council's authorization is granted with the following understandings:  
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- 52 A. The City will bear one hundred percent (100%) of the cost of preliminary engineering.
- 53 B. The City will bear one hundred percent (100%) of the total cost of those features  
54 requested by the City which are not eligible for federal participation.
- 55 C. The federal share will assume eighty percent (80%) of the construction and right of  
56 way cost of the improvement not to exceed \$6,000,000. The City will be responsible  
57 for the local share.
- 58 D. The City of Cuyahoga Falls is in receipt of and acknowledges the applicability of the  
59 "AMATS 2014 CMAQ Guidance" to this funding request.

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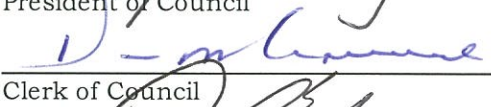
Section 3. Any other ordinances or resolutions or portions of ordinances and resolutions inconsistent herewith are hereby repealed, but any ordinances and resolutions not inconsistent herewith and which have not previously been repealed are hereby ratified and confirmed.

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.

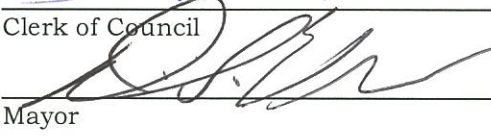
Section 5. This ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga Falls and the inhabitants thereof, and provided it receives the affirmative vote of two thirds of the members elected 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: 7-31-17

  
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President of Council

  
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Clerk of Council

Approved: 8-1-2017

  
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Mayor