NEW LEGISLATION

February 12, 2024

Temp. No. A-22	Introduced 2/12/24	Committee Fin	Description An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the construction of a new Street Department Warehouse at 3159 Northampton Road, and declaring an emergency.
A-23	2/12/24	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the annual resurfacing and/or repair of various streets as described in Exhibit 'A' attached hereto, in the City of Cuyahoga Falls and authorizing the Director of Public Service to enter into a contract or contracts for pavement preservation on various streets within the City, and declaring an emergency.
A-24	2/12/24	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the replacement of the roofs at the Electric Department, Street Department, Water Treatment Plant, and the Water Stock Room in the City of Cuyahoga Falls, and declaring an emergency.
A-25	2/12/24	Fin	An ordinance amending sections 945.02, 945.04, 945.06, and 945.14 of the Codified Ordinances, relating to the City Cemetery, and declaring an emergency.

PA

A resolution expressing support for and urging the passage of the Woodridge Local School District Levy, at the election held on March 19, 2024, and declaring an emergency.

CALENDAR

February 12, 2024

The following legislation will be up for passage at the Council Meeting on February 12, 2024.

Temp. No. A-16	Introduced 1/22/24	Committee Fin	Description An ordinance authorizing the Director of Public Service to enter into a contract or contracts, without competitive bidding, with Moody's of Dayton for well repairs and additional well services, and declaring an emergency.
A-17	1/22/24	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the Water Treatment Plant Sand Filter Improvement Project, and declaring an emergency.
A-18	1/22/24	Fin	An ordinance appropriating Community Development Block Grant carryover funds for calendar year 2024, and declaring an emergency.
A-19	1/22/24	Fin	An ordinance increasing appropriations in the Capital Projects Fund for the improvement of West Portage Trail, from State Road to Northampton Road, and declaring an emergency.
A-20	1/22/24	Fin	A resolution of intent to appropriate certain property along State Road, Seasons Road and Wyoga Lake Road, and declaring an emergency.
A-21	1/22/24	Fin	An ordinance authorizing the Parks and Recreation Board to enter into a contract or contracts, according to law, for the Natatorium Pool Surface Refinish Projects, and declaring an emergency.

PENDING LEGISLATION

February 12, 2024

Temp. No. A-16	Introduced 1/22/24	Committee Fin	Description An ordinance authorizing the Director of Public Service to enter into a contract or contracts, without competitive bidding, with Moody's of Dayton for well repairs and additional well services, and declaring an emergency.
A-17	1/22/24	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the Water Treatment Plant Sand Filter Improvement Project, and declaring an emergency.
A-18	1/22/24	Fin	An ordinance appropriating Community Development Block Grant carryover funds for calendar year 2024, and declaring an emergency.
A-19	1/22/24	Fin	An ordinance increasing appropriations in the Capital Projects Fund for the improvement of West Portage Trail, from State Road to Northampton Road, and declaring an emergency.
A-20	1/22/24	Fin	A resolution of intent to appropriate certain property along State Road, Seasons Road and Wyoga Lake Road, and declaring an emergency.
A-21	1/22/24	Fin	An ordinance authorizing the Parks and Recreation Board to enter into a contract or contracts, according to law, for the Natatorium Pool Surface Refinish Projects, and declaring an emergency.

1 2	A-22 Presented by the Administration
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4	CITY OF CUYAHOGA FALLS, OHIO
5 6	ORDINANCE NO. – 2024
7	ORDININGE NO. 2024
8	AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC
9	SERVICE TO ENTER INTO A CONTRACT OR CONTRACTS,
10	ACCORDING TO LAW, FOR THE CONSTRUCTION OF A NEW
11 12	STREET DEPARTMENT WAREHOUSE AT 3159 NORTHAMPTON
13	ROAD, AND DECLARING AN EMERGENCY.
14	BE IT ORDAINED by the Council of the City of Cuyahoga Falls, County of Summit and State
15	of Ohio:
16	
17	Section 1. The Director of Public Service is hereby authorized to enter into a contract or
18 19	contracts, according to law, for the construction of a new Street Department warehouse at 3159 Northampton Road.
20	Northampton Road.
21	Section 2. The Director of Finance is hereby authorized to make payment for the same from
22	the Local Fiscal Recovery Fund, line item Capital Outlay.
23	
24 25	<u>Section 3.</u> Any other ordinances or resolutions or portions of ordinances and resolutions inconsistent herewith be and the same are hereby repealed, but any ordinances and resolutions
26	not inconsistent herewith and which have not previously been repealed are hereby ratified and
27	confirmed.
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29	Section 4. It is found and determined that all formal actions of this Council concerning and
30	relating to the adoption of this ordinance were adopted in an open meeting of this Council, and
31 32	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
33	extent applicable, including Chapter 107 of the Codified Ordinances.
34	S · · · · · · · · · · · · · · · · · · ·
35	Section 5. This ordinance is hereby declared to be an emergency measure necessary for the
36	preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga
37 38	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
-	and members elected of appointed to council, it shall take effect and be in force infiniteliately

ıe ga of 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
Approved:	Clerk of Council
0.110.104	Mayor

2/12/24

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CITY OF CUYAHOGA FALLS, OHIO ORDINANCE NO. - 2024

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT OR CONTRACTS, ACCORDING TO LAW, FOR THE ANNUAL RESURFACING AND/OR REPAIR OF VARIOUS STREETS AS DESCRIBED IN EXHIBIT 'A' ATTACHED HERETO, IN THE CITY OF CUYAHOGA FALLS AND AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT OR CONTRACTS FOR PAVEMENT PRESERVATION ON VARIOUS STREETS WITHIN THE CITY, AND DECLARING AN EMERGENCY.

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

- <u>Section 1.</u> The Director of Public Service is hereby authorized to enter into a contract or contracts, according to law, for the resurfacing and/or repair of various streets as described in Exhibit 'A' attached hereto, in the City of Cuyahoga Falls.
- <u>Section 2.</u> The Director of Public Service is hereby authorized to enter into a contract or contracts, according to law, for pavement preservation on various streets within the City.
- <u>Section 3.</u> The Director of Finance is hereby authorized to make payment for the same from the Capital Projects Fund, line-item Capital Outlay.
- <u>Section 4.</u> Any other 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 5. 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.
- <u>Section 6.</u> 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:		
Approved.	Mayor	
2/12/24		

2/12/24

Exhibit A

2024 Street Resurfacing List

STREET NAME	<u>FROM</u>	<u>TO</u>
12 TH STREET	PORTAGE TRAIL	ROOSEVELT
12 TH STREET	SILVER LAKE	ROOSEVELT
17 TH STREET	CHESTNUT	GRANT
25 TH STREET	WYANDOTTE	SACKETT
26 TH STREET	SACKETT	BROAD
6 TH STREET	CHESTNUT	DEAD END
AVERY STREET	LYNN	LOOMIS
CLEAR CREEK DRIVE	WOODHAVEN	END
GRANT AVENUE	STATE	26 TH
GRANT AVENUE	STATE	$2^{\rm ND}$
HIGH STREET	BROADWAY	TALLMADGE
LOOMIS AVENUE	MAIN	TALLMADGE
MAGNOLIA AVENUE	RITCHIE	TALLMADGE
MAPLEWOOD STREET	THIRD	FOURTH
MURRAY STREET	LOOMIS	MAGNOLIA
NORMA STREET	PORTAGE TRAIL	SILVER LAKE
NORWOOD STREET	KATHRON	HOLLYWOOD
OVERBROOK ROAD	OAK PARK	RUTH
RITCHIE STREET	LOOMIS	MAGNOLIA+150
ROANOKE AVENUE	BAILEY	CHARLES
SCOTT STREET	GRAHAM	PRIOR DRIVE
SHANNON AVENUE	LOOMIS	TALLMADGE
SILVER LAKE AVENUE	13 TH	OAKWOOD
TACOMA STREET	SEDRO	100 S
TACOMA STREET	NORTHMORELAND	400 N
TACOMA STREET	NORTHMORELAND	ONIEDA
TREASCH DRIVE	SEDRO	BAILEY
VALENCIA DRIVE	STATE	END

Exhibit A

2024 Street Resurfacing List

STREET NAME	<u>FROM</u>	<u>TO</u>
VAN BUREN AVENUE	OAKWOOD	BAILEY
WOODHAVEN DRIVE	DEVAN VALE	END
WOODRIDGE CIRCLE	WOODRIDGE	END
WOODRIDGE DRIVE	QUICK	END

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CITY OF CUYAHOGA FALLS, OHIO

ORDINANCE NO. -2024

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT OR CONTRACTS. ACCORDING TO LAW, FOR THE REPLACEMENT OF THE ROOFS AT THE ELECTRIC DEPARTMENT, STREET DEPARTMENT, WATER TREATMENT PLANT, AND THE WATER STOCK ROOM IN THE CITY OF CUYAHOGA FALLS, AND DECLARING AN EMERGENCY.

WHEREAS, the Electric Department, Street Department, and Water Stock Room are located at 2560 Bailey Road, Cuyahoga Falls, Ohio 44221; and

WHEREAS, the Water Treatment Plant is located at 2228 Monroe Falls Avenue, Cuyahoga Falls, Ohio 44221.

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

- Section 1. The Director of Public Service is hereby authorized to enter into a contract or contracts, according to law, for the replacement of the roofs at the Electric Department, Street Department, Water Treatment Plant, and Water Stock Room, in the City of Cuyahoga Falls.
- The Director of Finance is hereby authorized to make payment for the same from the Electric Fund, Water Fund, and Capital Projects fund line item Capital Outlay.
- Any other 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.
- It is found and determined that all formal actions of this Council concerning and Section 4. 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.
- 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
2/12/24	
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(s) "Perpetual Care Endowment" means monies received for the purpose of perpetual

care of the plots. Such charges shall be paid in full at the time of purchase and shall not

be deferred under any circumstances. Perpetual Care only covers general maintenance of

cemetery plots, it does not cover special care of headstones, plantings, or miscellaneous

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items.

accordance with City ordinances.

- (t) "Plot" means a space within a lot of a cemetery used or intended to be used for earth burial; one grave.
 - (u) "Resident" means a person who meets at least one of the following criteria:
 - (1) Currently resides in the City of Cuyahoga Falls;
- (2) Resided in the City of Cuyahoga Falls immediately prior to entering a care facility; or
- (3) In the case where the grave or niche to be purchased is for a deceased person, one plot or niche may be available to that person at a resident rate provided:
 - A. He/she was a resident at the time of his/her death; or
- B. He/she was a resident immediately prior to enrolling in a college or university, or entering active service in the United States armed services.
- (v) "Vault" or "c<u>Crypt" means a space in a mausoleum of sufficient size used, or intended to be used, to entomb uncremated human remains. means a lined and sealed outer container for a casket. Vaults must be constructed of steel or concrete.</u>
- (w) "Veteran" means those individuals recognized for Veteran's status by the Federal Government.
- Section 945.03 No Changes Required.

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945.04 Deferred Payments; Sale and Cancellation Upon Default.

If not paid for in full at the time of purchase, plots or niches may be sold upon the following terms: one third (1/3) cash on the day of sale, the remaining two thirds (2/3) within one (1) year from the date of the sale. Such deferred payments shall be secured by the promissory note of the purchaser, and such notes shall not bear interest until due. No deed shall be delivered until the entire purchase price has been paid. No marker, memorial or niche plate shall be placed, nor shall a burial be permitted on such plot or in such niche, until the full purchase price has been paid, and in the case of a burial, a burial permit has been received by the Director of Public Service. Upon default in the payment of the purchase price of any plot or niche purchased after June 1, 1968, the City shall have the right, upon first giving thirty (30) days written notice by registered mail addressed to the purchaser of record or, if the name and/or address of such purchaser cannot be ascertained, by publication for one (1) time in a newspaper published in the City or the County, to declare the sale of such plot or niche canceled. Thereupon all rights of such purchaser to such plot or niche shall be terminated and any payments thereon shall stand forfeited to the City as liquidated damages for failure to purchase such plot or niche.

945.04 Rules and Regulations

Except as specifically stated herein, the Director of Public Service may establish rules and regulations for the operation of City cemeteries. A copy of the rules and regulations shall be maintained in the office of the Director of Public Service.

Section 945.05 No Changes Required

946.06 Charges Established; Records

(a) The following rates shall be in existence and apply uniformly throughout the City cemeteries, effective upon passage of this chapter:

	Resident	Nonresident
Purchase of Grave - Adult	\$ 375.00	\$ 600.00
	600.00	<u>825.00</u>
Perpetual Care Endowment (Adult)	75.00	120.00
	200.00	<u>275.00</u>
Purchase of Grave - Infant	100.00	150.00

	Resident	Nonresident
Perpetual Care Endowment (Infant)	20.00	30.00
Burial - Adult	525.00	525.00
	700.00	700.00
Burial - Infant	150.00	150.00
	300.00	300.00
Burials <u>and Inurnments</u> or		
Saturday/Holiday or after 3:00 p.m		
on weekdays		
Burial of Cremains	200.00	200.00
	<u>350.00</u>	<u>350.00</u>
Purchase of Columbium Niche	400.00	600.00
	1,000.00	<u>1,200.00</u>
Perpetual Care Endowment-	40.00	60.00
Columbarium	100.00	<u>100.00</u>
Niche Inurnment	50.00	50.00
Niche Disurnment	50.00	50.00
Purchase of Grave In Cremation	200.00	300.00
Garden		
Perpetual Care Endowment in	40.00	60.00
Cremation Garden		
Purchase of Designated Cremation	1 200.00	300.00
Plot	<u>350.00</u>	<u>500.00</u>
Designated Cremation Plot	t 40.00	60.00
Endowment	<u>150.00</u>	<u>150.00</u>
Niche Plaque Inscription	\$150.00	
(Plus \$35.00 for Veterans Emblem)		
Foundation Charge - <u>Cement</u>	65.00 per sq. ft.	65.00 per sq. ft.
Veteran Marker Setting	50.00	50.00
	100.00	<u>100.00</u>
Flat Marker Setting	35.00 per sq. ft.	35.00 per sq. ft.
<u>Foundation Charge- Sand</u>		
Transfer Fee	50.00	50.00
Disinterment- Adult	600.00	600.00
	<u>700.00</u>	<u>700.00</u>
Reinterment - Adult	600.00	600.00
	<u>700.00</u>	<u>700.00</u>
Disinterment- Infant	250.00	250.00
Reinterment - Infant	250.00	250.00
Disinterment - Cremains	300.00	300.00
	<u>350.00</u>	<u>350.00</u>
Reinterment - Cremains	200.00	200.00
(h) Described for 11 and 20 and 4 and 25 and	<u>350.00</u>	350.00

⁽b) Records of all sales and transfers and owners of all plots or niches shall be made and kept in the Office of the Director of Public Service.

Section 945.07 through 945.13 No Changes Required.

945.14 SUPERVISION OF CHILDREN; CERTAIN FLOWERS PROHIBITED; VEHICLES.

(a) Children shall not be allowed on the cemetery grounds unless accompanied by parents or other responsible persons.

109 (b) Flowers of the field daisy are particularly noxious and shall not be brought into 110 the cemetery. Any bouquet found containing them will be destroyed. 111 (e) (b) Vehicles shall not be driven onto lots or lawns. No vehicle shall be parked or left 112 on a road or driveway within the cemetery in such a position as to prevent another vehicle 113 from passing. Vehicles in the cemetery shall obey all posted traffic signs. 114 115 Section 945.15 through 945.99 No Changes Required. 116 117 118 Section 3. Any ordinances or resolutions or portions of ordinances and resolutions inconsistent herewith are hereby repealed, but any ordinances and resolutions not 119 120 inconsistent herewith and which have not previously been repealed are hereby ratified 121 and confirmed. 122 123 Section 4. It is found and determined that all formal actions of this Council 124 concerning and relating to the passage of this ordinance were taken in an open meeting 125 of this Council and that all deliberations of this Council and of any committees that 126 resulted in those formal actions were in meetings open to the public, in compliance with

all requirements 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.

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138	Passed:	
139		President of Council
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143		Clerk of Council
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147	Approved	
148		Mayor
149	2/12/24	
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 CITY OF CUYAHOGA FALLS, OHIO

RESOLUTION NO. - 2024

A RESOLUTION EXPRESSING SUPPORT FOR AND URGING THE PASSAGE OF THE WOODRIDGE LOCAL SCHOOL DISTRICT LEVY, AT THE ELECTION HELD ON MARCH 19, 2024, AND DECLARING AN EMERGENCY.

WHEREAS, the Woodridge Local School District includes three public schools in the City of Cuyahoga Falls, serving almost 2,000 students; and

WHEREAS, a properly funded public school system is foundational to civic and economic success; and

WHEREAS, the Woodridge Local School District has caused a proposed levy to be placed on the March 19, 2024 ballot; and

WHEREAS, this levy is a renewal and decrease, commencing in 2024, and continuing for 10 years.

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

Section 1. The Council and Administration express their support for the Woodridge Local School District levy and urge its passage at the March 19, 2024 election.

Section 2. 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 3. 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 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	

2/12/24