

## NEW LEGISLATION

February 22, 2016

<b>Temp. No.</b>	<b>Introduced</b>	<b>Committee</b>	<b>Description</b>
A-12	2/22/16	PZ	An ordinance accepting the Planning Commission approval, findings and conditions of the Enclave at Old Mill Pond Final Subdivision Plat-Phase I (Section 1113.04) on Parcel 35-06495, and declaring an emergency.
A-13	2/22/16	PZ	An ordinance authorizing and approving the Preserve at Salt Creek RM-Mixed-Density Residential Overlay Final Master Plan (Section 1132.19 RM) and Preliminary Subdivision Plat (Section 1113.03) on Parcel 37-00484 and Parcel 37-00485 and declaring an emergency.
A-14	2/22/16	Fin	An ordinance authorizing the Director of Public Safety to enter into a contract or contracts without competitive bidding with Motorola, Inc. for the maintenance of the Public Safety Regional Dispatch System equipment, and declaring an emergency.
A-15	2/22/16	PI	An ordinance authorizing the Park and Recreation Board to enter into a contract or contracts, according to law, for the construction of an access point for kayaks and canoes on the Cuyahoga River at River Front Park, and declaring an emergency.
A-16	2/22/16	PI	An ordinance authorizing the Park and Recreation Board to enter into a contract or contracts, according to law, for the repair of the Natatorium roof, and declaring an emergency.
A-17	2/22/16	PI	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the Chart

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Road Woodward Creek Culvert Project, and declaring an emergency.

A-18            2/22/16        PI

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for concrete and masonry repairs to the City-owned parking garages located at 2035 Old Town Loop (the “Blue” parking deck), 2052 Front Street (the “Red” parking deck), and 2318 Second Street (the “Green” parking deck), and declaring an emergency.

A-19            2/22/16        PI

An ordinance consenting to the improvement along State Route 8 within the City of Cuyahoga Falls, by the State of Ohio, by increasing the storage (deceleration length), including necessary ancillary work, authorizing financial cooperation thereof, and declaring an emergency.

## CALENDAR

February 22, 2016

The following legislation will be up for passage at the Council Meeting on February 22, 2016.

<b>Temp. No.</b>	<b>Introduced</b>	<b>Committee</b>	<b>Description</b>
A-7	2/8/16	Fin	An ordinance authorizing the Director of Public Service to enter into a cooperative procurement agreement with the North Central Service Cooperative dba National Joint Powers Alliance ("NJPA"), waiving competitive bidding for the purchase of products, services, materials and supplies purchased through cooperative purchase agreements administered by NJPA, and declaring an emergency.
A-8	2/8/16	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts for the purchase of one R70C Rotary Lift including installation, and declaring an emergency.
A-9	2/8/16	PA	An ordinance amending various sections of the Codified Ordinances to conform to State law, approving the 2015 replacement pages to the Codified Ordinances of the City of Cuyahoga Falls, and declaring an emergency.
A-10	2/8/16	PA	An ordinance amending the Traffic Control File by providing for installation of various traffic control devices, and declaring an emergency.

## PENDING LEGISLATION

February 22, 2016

<b>Temp. No.</b>	<b>Introduced</b>	<b>Committee</b>	<b>Description</b>
B-76	9/14/15	CD	An ordinance authorizing the Director of Community Development to enter into a Community Reinvestment Area Tax Exemption Agreement with North Falls Reserve – Buckeye Urban, LLC., and declaring an emergency.
A-7	2/8/16	Fin	An ordinance authorizing the Director of Public Service to enter into a cooperative procurement agreement with the North Central Service Cooperative dba National Joint Powers Alliance (“NJPA”), waiving competitive bidding for the purchase of products, services, materials and supplies purchased through cooperative purchase agreements administered by NJPA, and declaring an emergency.
A-8	2/8/16	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts for the purchase of one R70C Rotary Lift including installation, and declaring an emergency.
A-9	2/8/16	PA	An ordinance amending various sections of the Codified Ordinances to conform to State law, approving the 2015 replacement pages to the Codified Ordinances of the City of Cuyahoga Falls, and declaring an emergency.
A-10	2/8/16	PA	An ordinance amending the Traffic Control File by providing for installation of various traffic control devices, and declaring an emergency.

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5 CITY OF CUYAHOGA FALLS, OHIO

6  
7 ORDINANCE NO. - 2016

8  
9 AN ORDINANCE ACCEPTING THE PLANNING COMMISSION  
10 APPROVAL, FINDINGS AND CONDITIONS OF THE ENCLAVE  
11 AT OLD MILL POND FINAL SUBDIVISION PLAT-PHASE I  
12 (SECTION 1113.04) ON PARCEL 35-06495, AND DECLARING  
13 AN EMERGENCY.

14  
15 WHEREAS, the Charter of the City of Cuyahoga Falls requires that all decisions made by  
16 the Planning Commission be submitted to Council, and

17  
18 WHEREAS, on February 17, 2016 the Planning Commission recommended approval of  
19 the 32-lot attached single-family Enclave at Old Mill Pond Final Subdivision Plat-Phase I on  
20 Parcel 35-06495 on East Bath Road, and

21  
22 WHEREAS, such approval is given subject to conditions subsequent to be satisfied, and

23  
24 WHEREAS, such approval is necessary to determine that the allotment is satisfactory,  
25 serves the public interest, and is acceptable for recording.

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

29  
30 Section 1. The City Council approves the Enclave at Old Mill Pond Final Subdivision  
31 Plat-Phase I in Cuyahoga Falls, Ohio, in accordance with all Cuyahoga Falls General  
32 Development Code regulations and as stipulated in the Codified Ordinances of the City of  
33 Cuyahoga Falls as approved by the Planning Commission as per all plans and stipulations  
34 contained in Project File PMP-16-00005.

35  
36 Section 2. Any other ordinances or resolutions or portions of ordinances and  
37 resolutions inconsistent herewith are hereby repealed, but any ordinances and resolutions  
38 not inconsistent herewith and which have not previously been repealed are hereby ratified  
39 and confirmed.

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

46  
47 Section 4. This ordinance is hereby declared to be an emergency measure necessary  
48 for the preservation of the public peace, health, safety, convenience and welfare of the City  
49 of Cuyahoga Falls and the inhabitants thereof, for the reason that it is immediately  
50 necessary to permit timely and appropriate development of this property, and provided it  
51 receives the affirmative vote of two thirds of the members elected or appointed to Council, it

52 shall take effect and be in force immediately upon its passage and approval by the Mayor;  
53 otherwise it shall take effect and be in force at the earliest period allowed by law.

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

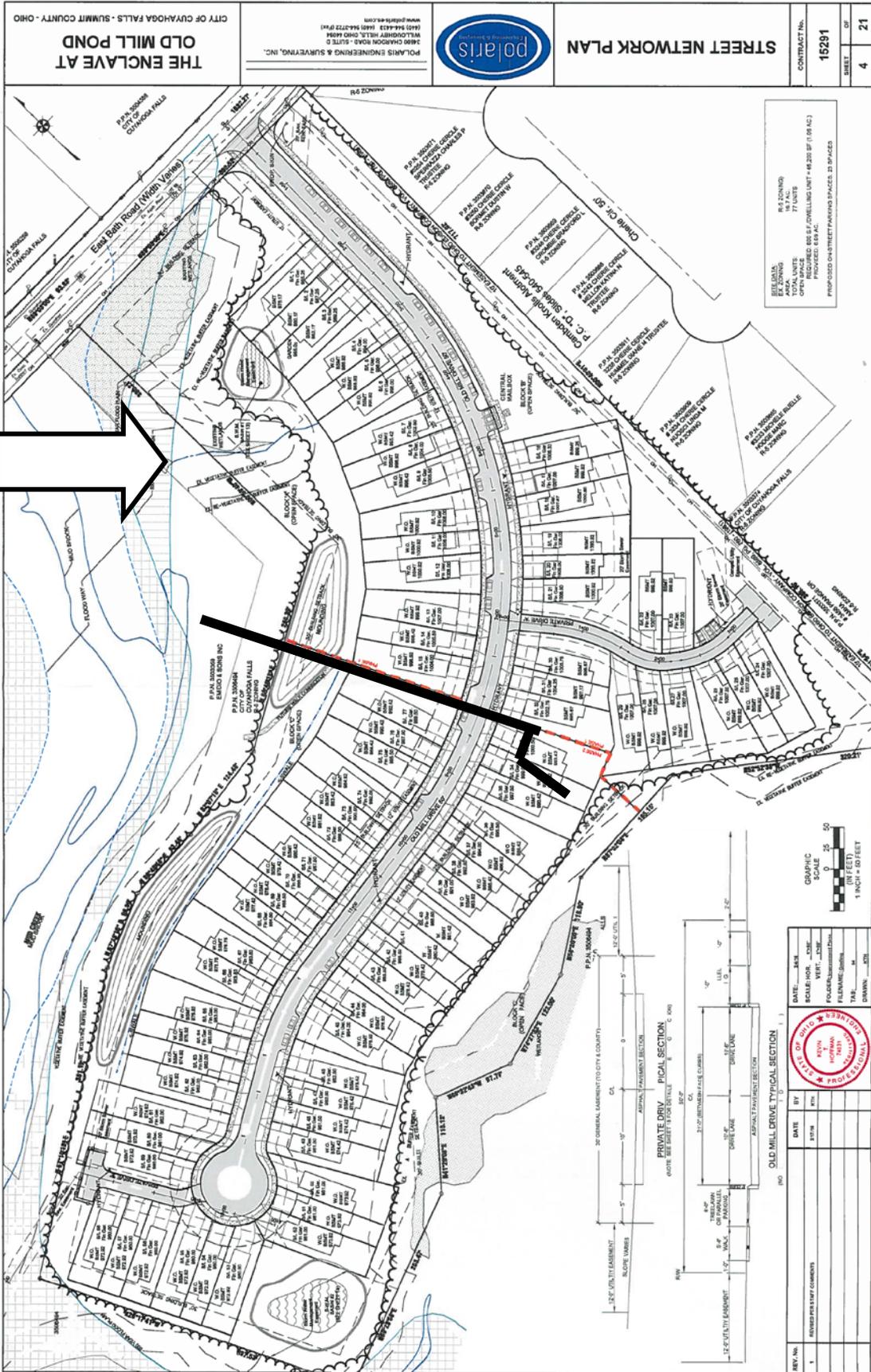
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President of Council

\_\_\_\_\_  
Clerk of Council

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

\_\_\_\_\_  
Mayor

2/22/16  
O:\2016ords\FMP-16-00005 Enclave@OldMillPond Prelim Subdivision.doc



**THE ENCLAVE AT  
OLD MILL POND**

POLARIS ENGINEERING & SURVEYING, INC.  
2480 CHARLTON ROAD, SUITE D  
MELBOURNE HILLS, OHIO 44136  
(440) 844-4433 (440) 842-7722 (FAX)  
www.polaris-es.com



**STREET NETWORK PLAN**

CONTRACT NO.	15291
SHEET OF	4 21

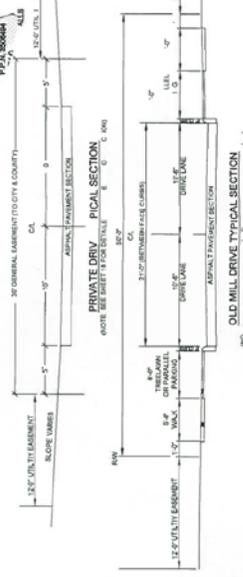
FILED IN: R-5 ZONING  
TOTAL UNITS: 77 UNITS  
OPEN SPACES: 886 S.F. (COVERING UNIT = 48,200 SF (1.08 AC))  
PROVIDED: 689 S.F.  
PROPOSED ON-STREET PARKING SPACES: 23 SPACES



DATE	NOV 11 2014
SCALE	HOR. 1"=40'
VERT.	1"=10'
DESIGNED BY	FORNBERG/STANLEY
PLANNED BY	FORNBERG/STANLEY
DRAWN BY	STL



REV. NO.	DATE	BY	REVISIONS
1	11/11/14	STL	PREPARED FOR COMMENTS



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5 CITY OF CUYAHOGA FALLS, OHIO

6  
7 ORDINANCE NO. - 2016

8  
9 AN ORDINANCE AUTHORIZING AND APPROVING THE  
10 PRESERVE AT SALT CREEK RM-MIXED-DENSITY RESIDENTIAL  
11 OVERLAY FINAL MASTER PLAN (SECTION 1132.19 RM) AND  
12 PRELIMINARY SUBDIVISION PLAT (SECTION 1113.03) ON  
13 PARCEL 37-00484 AND PARCEL 37-00485 AND DECLARING  
14 AN EMERGENCY.

15  
16  
17 WHEREAS, the Charter of the City of Cuyahoga Falls requires that all decisions made by  
18 the Planning Commission be submitted to Council, and

19  
20 WHEREAS, the Planning Commission is required to review and provide a  
21 recommendation for all RM, Mixed Density Residential Overlay Plans and Preliminary  
22 Subdivision Plans in the City of Cuyahoga Falls, Ohio, and

23  
24 WHEREAS, on February 17, 2016, the Planning Commission approved the Preserve at  
25 Salt Creek RM-Mixed Density Overlay Final Master Plan and Preliminary Subdivision Plat  
26 for the construction of 105 single-family residential lots on Parcel 37-00484 and Parcel 37-  
27 00485 on State Road, within the City of Cuyahoga Falls, Ohio.

28  
29 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls,  
30 County of Summit, and State of Ohio, that:

31  
32 Section 1. The City Council approves the Preserve at Salt Creek RM-Mixed Density  
33 Overlay Final Master Plan and Preliminary Subdivision Plat on Parcel 37-00484 and Parcel  
34 37-00485 in Cuyahoga Falls, Ohio, in accordance with all Cuyahoga Falls General  
35 Development Code regulations and as stipulated in the Codified Ordinances of the City of  
36 Cuyahoga Falls as approved by the Planning Commission as per all plans and stipulations  
37 contained in Project File PMP-16-00003.

38  
39 Section 2. Any other ordinances or resolutions or portions of ordinances and  
40 resolutions inconsistent herewith are hereby repealed, but any ordinances and resolutions  
41 not inconsistent herewith and which have not previously been repealed are hereby ratified  
42 and confirmed.

43  
44 Section 3. It is found and determined that all formal actions of this Council concerning  
45 and relating to the adoption of this ordinance were adopted in an open meeting of this  
46 Council, and that all deliberations of this Council and of any of its committees that resulted  
47 in such formal action, were in meetings open to the public, in compliance with all legal  
48 requirements, to the extent applicable, including Chapter 107 of the Codified Ordinances.

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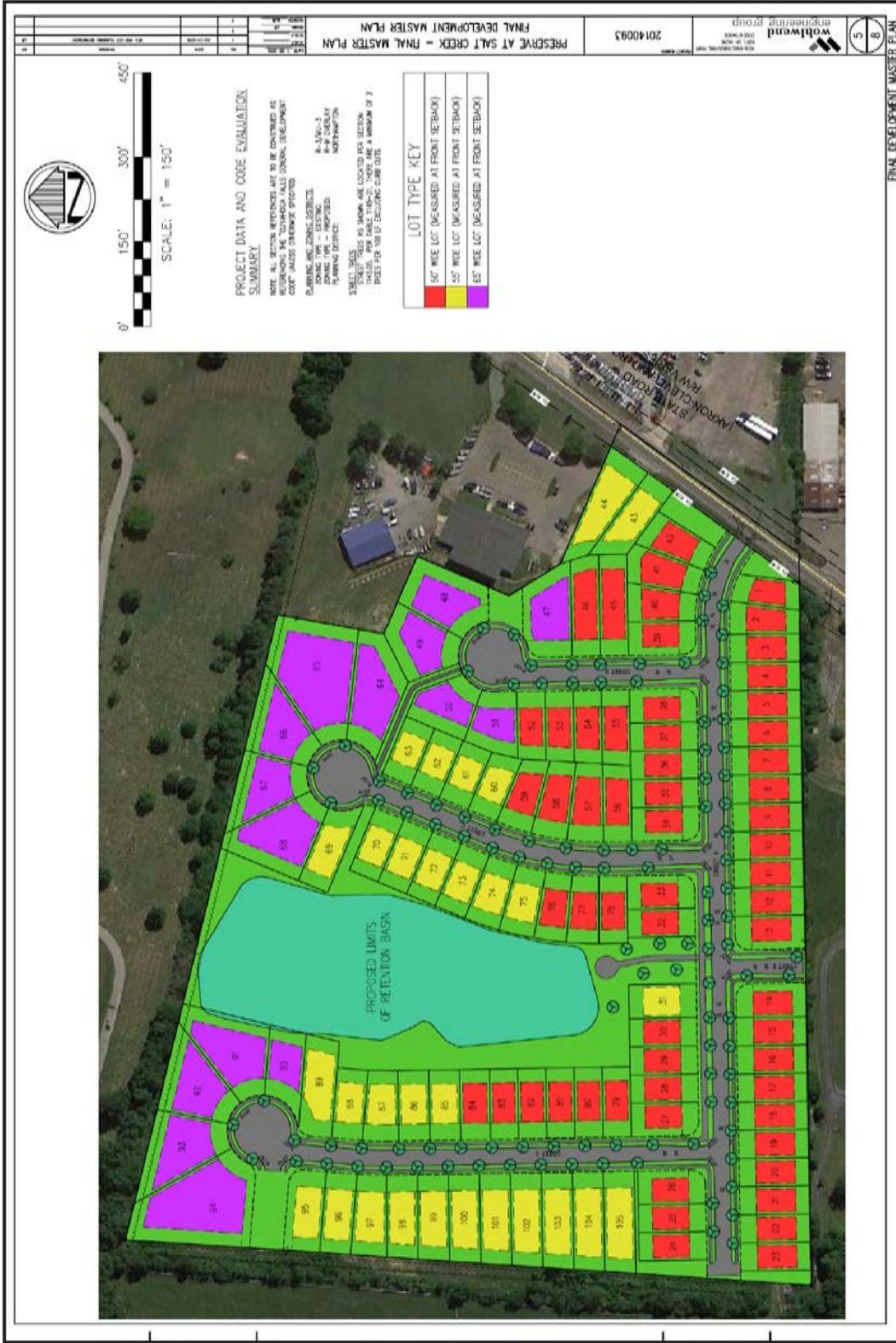
Section 4. This ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga Falls and the inhabitants thereof, for the reason that it is immediately necessary to permit timely and appropriate development of this property, 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

2/22/16



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4 CITY OF CUYAHOGA FALLS, OHIO

5  
6 ORDINANCE NO. - 2016

7  
8 AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC  
9 SAFETY TO ENTER INTO A CONTRACT OR CONTRACTS WITHOUT  
10 COMPETITIVE BIDDING WITH MOTOROLA, INC. FOR THE  
11 MAINTENANCE OF THE PUBLIC SAFETY REGIONAL DISPATCH  
12 SYSTEM EQUIPMENT, AND DECLARING AN EMERGENCY.

13  
14 WHEREAS, Motorola, Inc. is the sole source purveyor of maintenance and repair services for  
15 Motorola radio equipment,

16  
17 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls, County of  
18 Summit and State of Ohio, that:

19  
20 Section 1. The Director of Public Safety is hereby authorized to enter into a contract or contracts  
21 without competitive bidding with Motorola, Inc. for the maintenance and repair of the City's Motorola-  
22 manufactured Public Safety Regional Dispatch System equipment.

23  
24 Section 2. The Director of Finance is hereby authorized and directed to make payment for same  
25 from General Fund, Communications Department, line item Other Operations.

26  
27 Section 3. Any other ordinances and resolutions or portions of ordinances and resolutions  
28 inconsistent herewith are hereby repealed, but any ordinances and resolutions or portions of  
29 ordinances and resolutions not inconsistent herewith and which have not previously been repealed are  
30 hereby ratified and confirmed.

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32 Section 4. 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 all  
34 deliberations of this Council and of any committees that resulted in those formal actions were in  
35 meetings open to the public, in compliance with all legal requirements including Chapter 107 of the  
36 Codified Ordinances.

37  
38 Section 5. 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 Falls  
40 and the inhabitants thereof, and provided it receives the affirmative vote of two-thirds of the members  
41 elected or appointed to Council, it shall take effect and be in force immediately upon its passage and  
42 approval by the Mayor; otherwise it shall take effect and be in force at the earliest period allowed by  
43 law.

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46 Passed: \_\_\_\_\_  
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48 President of Council

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51 Clerk of Council

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54 Approved \_\_\_\_\_  
55 \_\_\_\_\_  
56 Mayor

56 2/22/16

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5 CITY OF CUYAHOGA FALLS, OHIO

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7 ORDINANCE NO. - 2016

8  
9 AN ORDINANCE AUTHORIZING THE PARK AND RECREATION  
10 BOARD TO ENTER INTO A CONTRACT OR CONTRACTS,  
11 ACCORDING TO LAW, FOR THE CONSTRUCTION OF AN  
12 ACCESS POINT FOR KAYAKS AND CANOES ON THE  
13 CUYAHOGA RIVER AT RIVER FRONT PARK, AND DECLARING  
14 AN EMERGENCY.  
15

16  
17 BE IT ORDAINED by the Council of the City of Cuyahoga Falls, County of Summit and State  
18 of Ohio, that:

19  
20 Section 1. The Parks and Recreation Board is hereby authorized to enter into a contract or  
21 contracts, according to law, for the construction of an access point for kayaks and canoes on the  
22 Cuyahoga River at River Front Park.  
23

24 Section 2. The Director of Finance is hereby authorized and directed to make payment for  
25 same from the Recreation Levy Fund, line item Capital Outlay.  
26

27 Section 3. Any other ordinances and resolutions or portions of ordinances and resolutions  
28 inconsistent herewith are hereby repealed, but any ordinances and resolutions or portions of  
29 ordinances and resolutions not inconsistent herewith and which have not previously been  
30 repealed are hereby ratified and confirmed.  
31

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

38 Section 5. 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: \_\_\_\_\_

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President of Council

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51 Clerk of Council

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

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Mayor

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5 CITY OF CUYAHOGA FALLS, OHIO

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7 ORDINANCE NO. - 2016

8  
9 AN ORDINANCE AUTHORIZING THE PARK AND RECREATION  
10 BOARD TO ENTER INTO A CONTRACT OR CONTRACTS,  
11 ACCORDING TO LAW, FOR THE REPAIR OF THE NATATORIUM  
12 ROOF, AND DECLARING AN EMERGENCY.  
13

14 WHEREAS, the roof above the gymnasium and fitness floor in the Natatorium are leaking.

15  
16 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls, County  
17 of Summit and State of Ohio, that:

18  
19 Section 1. The Parks and Recreation Board is hereby authorized to enter into a contract or  
20 contracts, according to law, for the repair of the Natatorium roof.  
21

22  
23 Section 2. The Finance Director is hereby authorized and directed to make payment for same  
24 from the Leisure Time Fund, line item Capital Outlay.  
25

26 Section 3. Any other ordinances and resolutions or portions of ordinances and resolutions  
27 inconsistent herewith are hereby repealed, but any ordinances and resolutions or portions of  
28 ordinances and resolutions not inconsistent herewith and which have not previously been  
29 repealed are hereby ratified and confirmed.  
30

31 Section 4. It is found and determined that all formal actions of this Council concerning and  
32 relating to the adoption of this resolution were adopted in an open meeting of this Council and  
33 that all deliberations of this Council and of any of its committees that resulted in such formal  
34 action were in meetings open to the public, in compliance with all legal requirements including  
35 Chapter 107 of the Codified Ordinances.  
36

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

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49 Clerk of Council

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51 Approved: \_\_\_\_\_  
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53 Mayor

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4 CITY OF CUYAHOGA FALLS, OHIO

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6 ORDINANCE NO. - 2016

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9 AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC  
10 SERVICE TO ENTER INTO A CONTRACT OR CONTRACTS,  
11 ACCORDING TO LAW, FOR THE CHART ROAD WOODWARD CREEK  
12 CULVERT PROJECT, AND DECLARING AN EMERGENCY.  
13

14  
15 BE IT ORDAINED by the Council of the City of Cuyahoga Falls, County of Summit and State of  
16 Ohio, that:

17  
18 Section 1. The Director of Public Service is hereby authorized to enter into a contract or  
19 contracts, according to law, for the Chart Road Woodward Creek Culvert Project.  
20

21 Section 2. The Director of Finance is hereby authorized and directed to make payment for same  
22 from the Storm Water Fund, line item Capital Outlay.  
23

24 Section 3. Any other ordinances or resolutions or portions of ordinances and resolutions  
25 inconsistent herewith are hereby repealed, but any ordinances and resolutions not inconsistent  
26 herewith and which have not previously been repealed are hereby ratified and confirmed.  
27

28 Section 4. It is found and determined that all formal actions of this Council concerning and  
29 relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that  
30 all deliberations of this Council and of any of its committees that resulted in such formal action,  
31 were in meetings open to the public, in compliance with all legal requirements, to the extent  
32 applicable, including Chapter 107 of the Codified Ordinances.  
33

34 Section 5. This ordinance is hereby declared to be an emergency measure necessary for the  
35 preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga  
36 Falls and the inhabitants thereof, for the reason that it is immediately necessary to permit timely  
37 and appropriate development of this property, and provided it receives the affirmative vote of two  
38 thirds of the members elected or appointed to Council, it shall take effect and be in force  
39 immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in  
40 force at the earliest period allowed by law.  
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44 Passed: \_\_\_\_\_  
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46 President of Council

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49 Clerk of Council

50 Approved: \_\_\_\_\_  
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52 Mayor

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4 CITY OF CUYAHOGA FALLS, OHIO

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6 ORDINANCE NO. - 2016

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9 AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO  
10 ENTER INTO A CONTRACT OR CONTRACTS, ACCORDING TO LAW, FOR  
11 CONCRETE AND MASONRY REPAIRS TO THE CITY-OWNED PARKING  
12 GARAGES LOCATED AT 2035 OLD TOWN LOOP (THE "BLUE" PARKING  
13 DECK), 2052 FRONT STREET (THE "RED" PARKING DECK), AND 2318  
14 SECOND STREET (THE "GREEN" PARKING DECK), AND DECLARING AN  
15 EMERGENCY.  
16

17  
18 BE IT ORDAINED by the Council of the City of Cuyahoga Falls, County of Summit and State of Ohio:  
19

20 Section 1. The Director of Public Service is hereby authorized to enter into a contract or contracts,  
21 according to law, for concrete and masonry repairs to the City-owned parking garages located at 2035 Old Town  
22 Loop (the "Blue" Parking Deck), 2052 Front Street (the "Red" Parking Deck), and 2318 Second Street (the  
23 "Green" Parking Deck).  
24

25 Section 2. The Director of Finance is hereby authorized and directed to make payment for same from the  
26 Capital Projects Fund, line item Capital Outlay.  
27

28 Section 3. Any other ordinances or resolutions or portions of ordinances and resolutions inconsistent  
29 herewith are hereby repealed, but any ordinances and resolutions not inconsistent herewith and which have  
30 not previously been repealed are hereby ratified and confirmed.  
31

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

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

\_\_\_\_\_  
President of Council

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49 Clerk of Council

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

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Mayor

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4 CITY OF CUYAHOGA FALLS, OHIO

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6 ORDINANCE NO. - 2016

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9 AN ORDINANCE CONSENTING TO THE IMPROVEMENT  
10 ALONG STATE ROUTE 8 WITHIN THE CITY OF CUYAHOGA  
11 FALLS, BY THE STATE OF OHIO, BY INCREASING THE  
12 STORAGE (DECELERATION LENGTH), INCLUDING  
13 NECESSARY ANCILLARY WORK, AUTHORIZING FINANCIAL  
14 COOPERATION THEREOF, AND DECLARING AN  
15 EMERGENCY.  
16

17  
18 WHEREAS, the State of Ohio has identified the need for and proposes the improvement  
19 of a portion of the public highway, including necessary ancillary work, in the City of  
20 Cuyahoga Falls, said portion of highway within the municipal corporation limits being  
21 hereinafter referred to as the Improvement, and described as follows:  
22

23 Project to increase the storage (deceleration length) on the  
24 northbound and southbound off-ramps from State Route 8 to  
25 Howe Avenue in order to eliminate queuing from the ramp  
26 intersections; and  
27

28 WHEREAS, Ohio Revised Code §5521.01 specifies that the consent of this Council is  
29 required prior to the improvement of a state highway within the City’s corporate limits,  
30

31 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls,  
32 County of Summit and State of Ohio, that:  
33

34 Section 1. This Council hereby consents to improvement, along State Route 8 within the  
35 City of Cuyahoga Falls, PID 102453, Sum-SR8-4.41, by increasing the storage (deceleration  
36 length), including necessary ancillary work; and  
37

38 Section 2. This Council’s consent is granted with the following understandings:  
39

40 A. The City will agree to pay One Hundred Percent (100%) of the cost of  
41 those features requested by the City which are determined by the State and  
42 Federal Highway Administration to be unnecessary for the Project.  
43

44 B. The City agrees that all right-of-way required for the described Project will  
45 be acquired and/or made available in accordance with current state and  
46 federal regulations. The City also understands that right-of-way costs  
47 include eligible utility costs.  
48

49 C. Upon completion of the Project, and unless otherwise agreed, the City  
50 shall 1) provide adequate maintenance for the described Project in  
51 accordance with all applicable State and Federal law, including, but not  
52 limited to, 23 USC §116; 2) provide ample financial provisions, as necessary,  
53 for the maintenance of the described Project; 3) maintain the right-of-way,  
54 keeping it free of obstructions; and 4) hold said right-of-way inviolate for  
55 public highway purposes.  
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D. The Director of Public Service and/or the Mayor of the City of Cuyahoga Falls are authorized on behalf of the City of Cuyahoga Falls to enter into contracts with the State of Ohio Department of Transportation necessary to complete the above described Project.

Section 3. The Clerk of Council is hereby directed to transmit to the Director of Transportation a certified copy of this Ordinance.

Section 4. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this resolution 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

2/22/16  
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