

NEW LEGISLATION

September 13, 2010

The following legislation has been temporarily assigned to the below-stated committee by the Clerk of Council:

Temp. No.	Introduced	Committee	Description
A-110	9/13/10	Fin	An ordinance authorizing the Director of Finance to increase appropriations in the Street Construction, Maintenance and Repair Fund and the General Fund
A-111	9/13/10	Fin	An ordinance authorizing payment of the moral claim of A. Hugh McLaughlin as approved by the Claims Commission
A-112	9/13/10	PI	An ordinance authorizing the Director of Public Service to enter into a modification of Contract No. 6561 with Perrin Asphalt Co., Inc.
A-113	9/13/10	PI	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, with PFK Associates, Inc. for professional services necessary for Phase 2 design engineering for the construction and replacement of Substation #4
A-114	9/13/10	PI	An ordinance authorizing the Director of Public Service to enter into a contract and/or contracts without competitive bidding with the City of Stow, Ohio for construction of a water main in Season Road

CALENDAR

September 13, 2010

The following legislation will be up for passage at the Council Meeting on September 13, 2010.

Temp. No.	Introduced	Committee	Description
A-82	6/14/10	PA	An ordinance enacting Chapter 111 of the Codified Ordinances, Titled "Council Rules"
A-104	7/12/10	CD	An ordinance authorizing the Mayor to enter into a Community Reinvestment Area agreement with the Village at Watermark LLC and Watermark Commercial LLC (Testa Enterprises)
A-107	7/26/10	PI	An ordinance authorizing the Director of Development to enter into a contract, and/or contracts, according to law, to facilitate environmental assessment and remediation activities at the property located at 1110-1130 Portage Trail
A-108	7/26/10	CD	An ordinance authorizing an amendment to the 2009-2013 Community Development Block Grant Consolidated Plan, as approved in ordinance No. 45-2009

PENDING LEGISLATION

September 13, 2010

Temp. No.	Introduced	Committee	Description
A-74	6/14/10	Fin	An ordinance eliminating biweekly pay for the members of the Civil Service Commission
A-82	6/14/10	PA	An ordinance enacting Chapter 111 of the Codified Ordinances, Titled "Council Rules"
A-91	6/28/10	PI	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for improvements to the Portage Trail and Northampton Road intersection
A-96	7/6/10	PA	An ordinance providing an amendment to the Charter of the City of Cuyahoga Falls, Ohio, originally adopted by the electorate on November 3, 1959, and amended from time to time, to be submitted at the next general election on November 2, 2010, which amendment will revise Article III, Section 2, and declaring an emergency
A-99	7/6/10	PA	An ordinance providing an amendment to the Charter of the City of Cuyahoga Falls, Ohio, originally adopted by the electorate on November 3, 1959, and amended from time to time, to be submitted at the next general election on November 2, 2010, which amendment will revise Article VIII, section 1.1, and declaring an emergency
A-104	7/12/10	CD	An ordinance authorizing the Mayor to enter into a Community Reinvestment Area agreement with the Village at Watermark LLC and Watermark Commercial LLC (Testa Enterprises)
A-107	7/26/10	PI	An ordinance authorizing the Director of Development to enter into a contract, and/or contracts, according to law, to facilitate environmental assessment and remediation activities at the property located at 1110-1130 Portage Trail
A-108	7/26/10	CD	An ordinance authorizing an amendment to the 2009-2013 Community Development Block Grant Consolidated Plan, as approved in ordinance No. 45-2009

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3 CITY OF CUYAHOGA FALLS, OHIO

4
5 ORDINANCE NO. - 2010

6
7 AN ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE
8 TO INCREASE APPROPRIATIONS IN THE STREET
9 CONSTRUCTION, MAINTENANCE AND REPAIR FUND AND THE
10 GENERAL FUND, AND DECLARING AN EMERGENCY.

11
12 WHEREAS, the City has the opportunity to purchase rock salt for the upcoming winter
13 season at advantageous prices, and

14
15 WHEREAS, it is necessary to increase appropriations in the Street Construction,
16 Maintenance and Repair (SCMR) Fund to take advantage of this opportunity,

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

20
21 Section 1. The Director of Finance is hereby authorized to increase appropriations in the
22 Street Construction, Maintenance and Repair (SCMR) Fund, line item Other Operations by
23 \$120,000 and in the General Fund – General Administration, line item Transfer (SCMR Fund) by
24 \$120,000.

25
26 Section 2. Any other ordinances and resolutions or portions of ordinances and resolutions
27 inconsistent herewith be and the same are hereby repealed, but any ordinances and resolutions
28 or portions of ordinances and resolutions not inconsistent herewith and which have not
29 previously been repealed are hereby ratified and confirmed.

30
31 Section 3. It is hereby found and determined that all formal actions of this Council
32 concerning and relating to the adoption of this ordinance were adopted in an open meeting of this
33 Council and that all deliberations of this Council and of any of its committees that resulted in
34 such formal action were in meetings open to the public, in compliance with all legal requirements
35 including Chapter 107 of the Codified Ordinances.

36
37 Section 4. 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 for the reason that the supplies are necessary for the daily
40 functioning of the Street Department, and provided it receives the affirmative vote of two-thirds of
41 the members elected or appointed to Council, it shall take effect and be in force immediately upon
42 its 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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48 President of Council

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52 Clerk of Council

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54 Approved: _____
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56 Mayor

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5 CITY OF CUYAHOGA FALLS, OHIO

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7 ORDINANCE NO. - 2010

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9 AN ORDINANCE AUTHORIZING PAYMENT OF THE MORAL
10 CLAIM OF A. HUGH McLAUGHLIN AS APPROVED BY THE
11 CLAIMS COMMISSION, AND DECLARING AN EMERGENCY.
12

13 WHEREAS, Section 155.02(f) of the Codified Ordinances of the City of Cuyahoga Falls, Ohio
14 provides that payment of a moral claim in excess of \$500.00 must first be approved by City
15 Council, and
16

17 WHEREAS, on September 7, 2010 the Claims Commission approved the claim of A. Hugh
18 McLaughlin in the amount of \$1,000.00,
19

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

23 Section 1. The Director of Finance is hereby authorized and directed to pay the moral claim
24 of A. Hugh McLaughlin in the amount of \$1,000.00 as approved by the Claims Commission on
25 September 7, 2010, from the Capital Projects Fund.
26

27 Section 2. Any other ordinances and resolutions or portions of ordinances and resolutions
28 inconsistent herewith be and the same are hereby repealed, but any ordinances and resolutions
29 or portions of ordinances and resolutions not inconsistent herewith and which have not
30 previously been repealed are hereby ratified and confirmed.
31

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

38 Section 4. 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: _____

President of Council

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Clerk of Council

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54 Approved: _____

Mayor

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3 CITY OF CUYAHOGA FALLS, OHIO

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5 ORDINANCE NO. -2010

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7 AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC
8 SERVICE TO ENTER INTO A MODIFICATION OF CONTRACT NO.
9 6561 WITH PERRIN ASPHALT CO., INC. AND DECLARING AN
10 EMERGENCY.

11
12 WHEREAS, under the authority of Ordinance 2-2010 the City, after competitive bidding, entered
13 into Contract No. 6561 with Perrin Asphalt Co., Inc., for the purposes of executing the 2010 Utility
14 Patch Program; and

15
16 WHEREAS, it is necessary to adjust the unit quantities of labor and material in the contract
17 beyond what was originally estimated, in order to meet the needs of the City in executing the 2010
18 utility patch program, which will increase the estimated total contract price by an amount not
19 exceeding \$80,000.00,

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

23
24 Section 1. The Director of Public Service is hereby authorized to enter into a modification of
25 Contract No. 6561 with Perrin Asphalt Co. Inc., increasing the unit quantities of labor and material
26 as necessary in the opinion of the Director of Public Service, but not to exceed an amount \$80,000.00
27 over the original estimated contract price.

28
29 Section 2. The Director of Finance is hereby authorized and directed to pay invoices for work
30 based upon the Contract as modified, in an amount not to exceed \$80,000.00 over the original
31 estimated contract price, from the Water and Sewer Funds, Line Item Capital Outlay.

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

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

43
44 Section 5. This ordinance is hereby declared to be an emergency measure necessary for the
45 preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga
46 Falls and the inhabitants thereof, and provided it receives the affirmative vote of two-thirds of the
47 members elected or appointed to Council, it shall take effect and be in force at the earliest period
48 allowed by law.

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50 Passed: _____

President of Council

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55 Clerk of Council

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58 Approved: _____

Mayor

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3 CITY OF CUYAHOGA FALLS, OHIO

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5 ORDINANCE NO. - 2010

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7 AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC
8 SERVICE TO ENTER INTO A CONTRACT OR CONTRACTS,
9 ACCORDING TO LAW, WITH PFK ASSOCIATES, INC. FOR
10 PROFESSIONAL SERVICES NECESSARY FOR PHASE 2 DESIGN
11 ENGINEERING FOR THE CONSTRUCTION AND REPLACEMENT
12 OF SUBSTATION #4, AND DECLARING AN EMERGENCY.
13

14 WHEREAS, effective management of the City’s electric distribution system for overall system
15 reliability requires that Substation #4 be replaced and upgraded,
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 Service to enter into a contract or contracts, according to law,
21 with PFK Associates, Inc. for professional services necessary for Phase 2 design engineering for the
22 construction and replacement of Substation #4.
23

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

27 Section 3. Any other ordinances and resolutions or portions of ordinances and resolutions
28 inconsistent herewith be and the same are hereby repealed, but any ordinances and resolutions or
29 portions of 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 hereby found and determined that all formal actions of this Council concerning
33 and 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 action
35 were in meetings open to the public, in compliance with all legal requirements including Chapter 107
36 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 provided it receives the affirmative vote of two-thirds of the members elected or appointed
41 to Council, it shall take effect and be in force immediately upon its passage and approval by the
42 Mayor; otherwise 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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Clerk of Council

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53 Approved: _____

Mayor

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4 CITY OF CUYAHOGA FALLS, OHIO

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6 ORDINANCE NO. - 2010

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9 AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC
10 SERVICE TO ENTER INTO A CONTRACT AND/OR
11 CONTRACTS WITHOUT COMPETITIVE BIDDING WITH THE
12 CITY OF STOW, OHIO FOR CONSTRUCTION OF A WATER
13 MAIN IN SEASONS ROAD, AND DECLARING AN
14 EMERGENCY.

15
16 WHEREAS, the water main in Seasons Road is in need of replacement; and

17
18 WHEREAS, the City is authorized by Ohio Revised Code §735.053 to enter into
19 contracts with other political subdivisions, without competitive bidding, to obtain services,
20 supplies, and materials from the other political subdivision, and

21
22 WHEREAS, the City of Stow, Ohio is willing to construct a water main for the City of
23 Cuyahoga Falls in accordance with the City’s specifications in Seasons Road from Wyoga
24 Lake Road to the eastern corporation limits,

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

28
29 Section 1. The Director of Public Service is hereby authorized to enter into a contract or
30 contracts, without competitive bidding, according to law, with the City of Stow, Ohio for
31 replacement of a 12” water main in Seasons Road from Wyoga Lake Road to the eastern
32 corporation limits, in accordance with the City’s specifications, and to provide
33 reimbursement for expenditures made therefor in an amount not to exceed \$42,000.00.

34
35 Section 2. The Director of Finance is hereby authorized and directed to make payment
36 for same from the Water Fund, line item Capital Outlay, in an amount not to exceed
37 \$42,000.00.

38
39 Section 3. Any other ordinances or resolutions or portions of ordinances and
40 resolutions inconsistent herewith be and the same are hereby repealed, but any ordinances
41 and resolutions not inconsistent herewith and which have not previously been repealed are
42 hereby ratified and confirmed.

43
44 Section 4. It is hereby found and determined that all formal actions of this Council
45 concerning and relating to the adoption of this ordinance were adopted in an open meeting
46 of this Council, and that all deliberations of this Council and of any of its committees that
47 resulted in such formal action, were in meetings open to the public, in compliance with all
48 legal requirements, to the extent applicable, including Chapter 107 of the Codified
49 Ordinances.

50
51 Section 5. This ordinance is hereby declared to be an emergency measure necessary for
52 the preservation of the public peace, health, safety, convenience and welfare of the City of
53 Cuyahoga Falls and the inhabitants thereof, for the reason that it is immediately necessary
54 to permit timely and appropriate development of this property, and provided it receives the

55 affirmative vote of two thirds of the members elected or appointed to Council, it shall take
56 effect and be in force immediately upon its passage and approval by the Mayor; otherwise it
57 shall take effect and be in force at the earliest period allowed by law.

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60 Passed: _____

President of Council

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Clerk of Council

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68 Approved: _____

Mayor

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