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3 CITY OF CUYAHOGA FALLS, OHIO

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6 ORDINANCE NO - 2011

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9 AN ORDINANCE AUTHORIZING THE DIRECTOR OF  
10 PUBLIC SERVICE TO ENTER INTO A CONTRACT OR  
11 CONTRACTS FOR CLEANING SERVICES AT THE  
12 MUNICIPAL BUILDING, AND DECLARING AN  
13 EMERGENCY.  
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15  
16 BE IT ORDAINED by the Council of the City of Cuyahoga Falls, County of  
17 Summit and State of Ohio, that:

18  
19 Section 1. The Director of Public Service is hereby authorized to enter into a  
20 contact or contracts, according to law, for cleaning services for the Municipal  
21 Building, for a period not to exceed two years.

22  
23 Section 2. The Finance Director is authorized and directed to make  
24 payment for same from funds properly appropriated.  
25

26 Section 3. Notwithstanding and as an exception to Section 151.01 of the  
27 Codified Ordinances ("C.O."), any employee who (a) is an incumbent in the  
28 classification of "Cleaning Personnel," (b) is separated by layoff due to  
29 abolishment of the classification, (c) irrevocably waives his/her right to transfer,  
30 downgrade or displace ("bump") another employee under the collective  
31 bargaining agreement, and (d) irrevocably waives his/her right to recall under  
32 the collective bargaining agreement, shall upon separation be entitled to  
33 immediately cash out accrued vacation and sick leave balances pursuant to  
34 C.O. §§151.01(f) and 151.05(c) as if the employee had retired with ten (10) or  
35 more years of service. This Section 3 shall be effective only upon consent of the  
36 employee's union, which shall be expressed in a memorandum of  
37 understanding which further acknowledges abolishment of the classification of  
38 "Cleaning Personnel."  
39

40 Section 4. Any other ordinances and resolutions or portions of ordinances  
41 and resolutions inconsistent herewith are hereby repealed, but any ordinances  
42 and resolutions or portions of ordinances and resolutions not inconsistent  
43 herewith and which have not previously been repealed are hereby ratified and  
44 confirmed.  
45

46 Section 5. It is found and determined that all formal actions of this Council  
47 concerning and relating to the adoption of this ordinance were adopted in an  
48 open meeting of this Council and that all deliberations of this Council and of  
49 any of its committees that resulted in such formal action were in meetings open

50 to the public, in compliance with all legal requirements including Section  
51 121.22 of the Ohio Revised Code.

52  
53 Section 6. This ordinance is hereby declared to be an emergency measure  
54 necessary for the preservation of the public peace, health, safety, convenience  
55 and welfare of the City of Cuyahoga Falls and the inhabitants thereof and  
56 provided it receives the affirmative vote of two-thirds of the members elected or  
57 appointed to Council, it shall take effect and be in force immediately upon its  
58 passage and approval by the Mayor; otherwise it shall take effect and be in force  
59 at the earliest period allowed by law.

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62 Passed: \_\_\_\_\_  
63 \_\_\_\_\_  
64 President of Council

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66 \_\_\_\_\_  
67 Clerk of Council

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70 Approved: \_\_\_\_\_  
71 \_\_\_\_\_  
72 Mayor

73 11/28/11  
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## NEW LEGISLATION

December 12, 2011

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

<b>Temp. No.</b>	<b>Introduced</b>	<b>Committee</b>	<b>Description</b>
B-129	12/12/11	Fin	An ordinance amending Sections 923.01 and 923.02 of Part Five, Title Nine of the Codified Ordinances of the City of Cuyahoga Falls, establishing water rates, and declaring an emergency.
B-130	12/12/11	PI	A resolution consenting to the repair of the Bailey Road Bridge over State Route 8 within the City of Cuyahoga Falls, by the State of Ohio, and declaring an emergency.
B-131	12/12/11	PA	A resolution approving the Furnace Run Watershed Plan, and declaring an emergency.
B-132	12/12/11	CD	A resolution accepting the recommendations of the Tax Incentive Review Council concerning Enterprise Zone and Community Reinvestment Area tax exemption agreements within the City of Cuyahoga Falls, and declaring an emergency.

## CALENDAR

December 12, 2011

The following legislation will be up for passage at the Council Meeting on December 12, 2011.

<b>Temp. No.</b>	<b>Introduced</b>	<b>Committee</b>	<b>Description</b>
B-115	11/14/11	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts without competitive bidding with Genuine Parts Company for the operation of an automotive parts shop in a City facility located at 2560 Bailey Road, and for the purchase of auto and truck parts, for a period not to exceed three years, and declaring an emergency.
B-123	11/28/11	Fin	An ordinance authorizing the Director of Finance to enter into a contract or contracts without competitive bidding with Comdoc, Inc., for the lease of printers, copy machines, and facsimile machines for a period not to exceed five years, and declaring an emergency.
B-124	11/28/11	Fin	A resolution requesting the Summit County Fiscal Officer to make advance distribution of tax receipts payable to the City of Cuyahoga Falls, and declaring an emergency.
B-125	11/28/11	Fin	An ordinance authorizing the Director of Public Safety to enter into a contract or contracts without competitive bidding with Finley Fire Equipment Company, Inc for weekly vehicle maintenance services, and declaring an emergency.
B-126	11/28/11	PA	An ordinance authorizing the Director of Law to enter into a contract or contracts with Mazanec, Raskin & Ryder Co., LPA, for legal services related to pending and potential tort and employment litigation, and declaring an emergency.

## PENDING LEGISLATION

December 12, 2011

<b>Temp. No.</b>	<b>Introduced</b>	<b>Committee</b>	<b>Description</b>
B-70	6/27/11	PA	A resolution urging the Ohio General Assembly to promptly enact pending legislation which would regulate dangerous hallucinogenic substances that are currently being marketed as bath salts and plant food, by adding such substances to the list of controlled substances identified in Section 3719.41 of the Ohio Revised Code, and declaring an emergency.
B-72	7/11/11	Fin	An ordinance authorizing the Director of Public Service to issue an encroachment permit to the Judith Loving Trust for the purpose of installing and operating a private sanitary force main sewer in Quick Road, and declaring an emergency.
B-115	11/14/11	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts without competitive bidding with Genuine Parts Company for the operation of an automotive parts shop in a City facility located at 2560 Bailey Road, and for the purchase of auto and truck parts, for a period not to exceed three years, and declaring an emergency.
B-121	11/28/11	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts for cleaning services at the Municipal Building, and declaring an emergency.
B-122	11/28/11	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts for the purchase of preventive maintenance and repair services related to specialized vehicles and equipment used by the Sanitation Department, and declaring an emergency.

B-123	11/28/11	Fin	An ordinance authorizing the Director of Finance to enter into a contract or contracts without competitive bidding with Comdoc, Inc., for the lease of printers, copy machines, and facsimile machines for a period not to exceed five years, and declaring an emergency.
B-124	11/28/11	Fin	A resolution requesting the Summit County Fiscal Officer to make advance distribution of tax receipts payable to the City of Cuyahoga Falls, and declaring an emergency.
B-125	11/28/11	Fin	An ordinance authorizing the Director of Public Safety to enter into a contract or contracts without competitive bidding with Finley Fire Equipment Company, Inc for weekly vehicle maintenance services, and declaring an emergency.
B-126	11/28/11	PA	An ordinance authorizing the Director of Law to enter into a contract or contracts with Mazanec, Raskin & Ryder Co., LPA, for legal services related to pending and potential tort and employment litigation, and declaring an emergency.
B-127	11/28/11	Fin	An ordinance providing for supplemental and/or amended appropriations of money for current operating expenses and capital expenditures of the City of Cuyahoga Falls, and authorizing the transfer of appropriations within and for the various funds hereinafter set forth, and declaring an emergency.
B-128	11/28/11	Fin	An ordinance establishing annual appropriations of money for the current expenses, capital expenditures and other expenses of the City of Cuyahoga Falls for the fiscal year ending December 31, 2012, and declaring an emergency.

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3 CITY OF CUYAHOGA FALLS, OHIO

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5 ORDINANCE NO. - 2011

6  
7 AN ORDINANCE AMENDING SECTIONS 923.01 AND  
8 923.02 OF PART FIVE, TITLE NINE OF THE CODIFIED  
9 ORDINANCES OF THE CITY OF CUYAHOGA FALLS,  
10 ESTABLISHING WATER RATES, AND DECLARING AN  
11 EMERGENCY.

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

15  
16 Section 1. Sections 923.01 and 923.02 of the Codified Ordinances of the City of  
17 Cuyahoga Falls are hereby amended to read in full as follows (new text double  
18 underlined; deleted text in ~~striketrough~~):

19  
20 923.01 WATER RATES

21 (a) The Director of Public Service is hereby authorized to establish the following City  
22 water rates for all water billed:

23  
24 WATER RATE SCHEDULE EFFECTIVE JANUARY 1, 2011

25	26 First 400 cubic feet per month - Minimum	\$ <del>8.26</del> <u>9.50</u> per month
27	27 Next 19,600 cubic feet per month	\$ <del>20.64</del> <u>23.74</u> per 1,000 cu. ft.
28	28 All over 20,000 cubic feet per month by	\$ <del>14.35</del> <u>16.50</u> per 1,000 cu. ft.
29	29 users located outside the City of Cuyahoga	
30	30 Falls or next 130,000 cubic feet per month	
31	31 by users located within the City of	
32	32 Cuyahoga Falls	
33	33 All over 150,000 cubic feet per month	\$ <del>12.83</del> <u>14.76</u> per 1,000 cu. ft.
34	34 by users located within	
35	35 the City of Cuyahoga Falls	

36  
37 MINIMUM METER RATES TO BE CHARGED  
38 ACCORDING TO SIZE AS FOLLOWS EFFECTIVE JANUARY 1, 2011

39	40 Meter Minimum (inches)		41 Cubic Feet per Month
42	42 Minimum Rate per Month		
43	43 5/8	400	\$ <del>8.26</del> <u>9.50</u>
44	44 3/4	900	<del>18.58</del> <u>21.37</u>
45	45 1	1,900	<del>39.23</del> <u>45.12</u>
46	46 1-1/4	2,200	<del>45.41</del> <u>52.22</u>
47	47 1-1/2	2,500	<del>51.61</del> <u>59.35</u>
48	48 2	3,100	<del>64.00</del> <u>73.60</u>
49	49 3	4,400	<del>90.83</del> <u>104.46</u>
50	50 4	6,300	<del>130.05</del> <u>149.56</u>
51	51 6	9,600	<del>198.17</del> <u>227.90</u>
52	52 8	16,700	<del>344.74</del> <u>396.45</u>

FIRE SERVICE UNMETERED RATES EFFECTIVE JANUARY 1, 2011~~2~~

Connection (inches)	Rate per Month
2	\$ <del>36.75</del> <u>42.26</u>
3	<del>52.57</del> <u>60.46</u>
4	<del>75.13</del> <u>86.40</u>
6	<del>114.99</del> <u>132.24</u>
8	<del>199.44</del> <u>229.36</u>
10	<del>249.85</del> <u>287.33</u>
12	<del>337.01</del> <u>387.56</u>

(b) The charge to be made and the price to be paid for water service rendered to any lot, parcel of land, building, premises or connection situated without the corporate limits of the City of Cuyahoga Falls shall be the same charge as heretofore set forth for the lots, parcels of land, buildings, premises or connections situated within the corporate limits of the City of Cuyahoga Falls, plus a premium of fifty percent (50%), except those customers covered by a contract with the City.

(c) Minimum charges shall not apply to water measured by a “sprinkler meter.” A “sprinkler meter” is a second water meter used to measure water used exclusively for exterior purposes by a domestic customer who is already served by a primary water/sewer account for interior domestic purposes.

~~923.02 DELIVERY OF WATER BY CITY TRUCK~~ SALE OF WATER BY DELIVERY OR AT PLANT TAP

(a) Upon request, the City will deliver water by truck to a residence that does not have access to water through municipal water lines or a functioning well. Delivery will be made to a cistern or other water tank that has been installed to provide domestic water service to the residence.

(b) Deliveries will be made at times designated by the Director of Public Service. A request for delivery must be made not less than 24 hours in advance of the delivery.

(c) The charge for delivery shall be a flat fee of ~~\$27.00~~ 33.93 per delivery up to a maximum of 1,600 gallons per delivery. The Director of Public Service is hereby authorized to adjust this fee in January of each calendar year beginning in ~~2009~~ 2013, provided that no annual adjustment, whether an increase or decrease, may be made in excess of 3% of the rate then in effect except by ordinance. Residents shall be billed for said water delivery through the City’s Utility Billing office.

(d) Upon request, the City may sell finished water at a designated plant tap at the rate of \$4.03 per 1,000 gallons for water haulers who deliver the water in Cuyahoga Falls and \$5.18 per 1,000 gallons for water haulers who deliver the water outside Cuyahoga Falls. This rate may be adjusted pursuant to Subsection c.

(e) The Director of Public Service is authorized to promulgate regulations as necessary to provide for the efficient and secure sale of water pursuant to this Section.

Section 2. The amendments set forth in Section 1 of this Ordinance shall be effective January 1, 2012 or the effective date of this Ordinance, whichever is later.

Section 3. Existing section 923.01 of the Codified Ordinances, as amended by Ord. 138-2010, passed December 28, 2010, is hereby repealed effective as of the effective date of Section 1 of this ordinance. Existing section 923.02 of the Codified Ordinances,

108 as enacted by Ord. 141-2007, passed December 10, 2007, is hereby repealed effective  
109 as of the effective date of Section 1 of this ordinance.

110  
111 Section 4. Any ordinances or resolutions or portions of ordinances and resolutions  
112 inconsistent herewith are hereby repealed, but any ordinances and resolutions not  
113 inconsistent herewith and which have not previously been repealed are hereby ratified  
114 and confirmed.

115  
116 Section 4. It is found and determined that all formal actions of this Council  
117 concerning and relating to the passage of this ordinance were taken in an open meeting  
118 of this Council and that all deliberations of this Council and of any committees that  
119 resulted in those formal actions were in meetings open to the public, in compliance with  
120 all legal requirements including Chapter 107 of the Codified Ordinances.

121  
122 Section 5. This ordinance is hereby declared to be an emergency measure necessary  
123 for the preservation of the public peace, health, safety, convenience and welfare of the  
124 City of Cuyahoga Falls and the inhabitants thereof, and provided it receives the  
125 affirmative vote of two-thirds of the members elected or appointed to Council, it shall  
126 take effect and be in force immediately upon its passage and approval by the Mayor;  
127 otherwise it shall take effect and be in force at the earliest period allowed by law.

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130 Passed: \_\_\_\_\_  
131 \_\_\_\_\_  
132 President of Council

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134 \_\_\_\_\_  
135 Clerk of Council

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138 Approved \_\_\_\_\_  
139 \_\_\_\_\_  
140 Mayor

141 12/12/11  
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3 CITY OF CUYAHOGA FALLS, OHIO

4  
5 RESOLUTION NO. - 2011

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7 A RESOLUTION CONSENTING TO THE REPAIR OF  
8 THE BAILEY ROAD BRIDGE OVER STATE ROUTE 8  
9 WITHIN THE CITY OF CUYAHOGA FALLS, BY THE  
10 STATE OF OHIO, AND DECLARING AN EMERGENCY.

11  
12 WHEREAS, the State of Ohio has identified the need for and proposes the  
13 repair of the Bailey Road Bridge over State Route 8, in the City of Cuyahoga Falls,  
14 and

15  
16 WHEREAS, Ohio Revised Code §5521.01 specifies that the consent of this  
17 Council is required prior to the improvement of a state highway within the City's  
18 corporate limits,

19  
20 NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cuyahoga  
21 Falls, County of Summit and State of Ohio, that:

22  
23 Section 1. This Council hereby consents to the repair of the Bailey Road  
24 Bridge over State Route 8, pursuant to the plans and specifications developed and  
25 included as part of the project identified as PID No. 92594, SUM-IR76/SR8-  
26 11.03/6.44 by the State of Ohio, Dept. of Transportation, which project shall  
27 include the repair of the Bailey Road Bridge.

28  
29 Section 2. This Council's consent is granted with the following  
30 understandings:

- 31  
32 A. The City will agree to pay One Hundred Percent (100%) of the cost  
33 of those features requested by the City which are determined by  
34 the State and Federal Highway Administration to be unnecessary  
35 for the Project.  
36 B. Upon completion of the Project, and unless otherwise agreed, the  
37 City shall 1) provide adequate maintenance for the described  
38 Project in accordance with all applicable state and federal law,  
39 including, but not limited to, 23 USC §116; 2) provide ample  
40 financial provisions, as necessary, for the maintenance of the  
41 described Project; 3) maintain the right-of-way, keeping it free of  
42 obstructions; and 4) hold said right-of-way inviolate for public  
43 highway purposes.  
44

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

47  
48 Section 4. It is found and determined that all formal actions of this Council  
49 concerning and relating to the adoption of this resolution were adopted in an open

50 meeting of this Council and that all deliberations of this Council and of any of its  
51 committees that resulted in such formal action were in meetings open to the  
52 public, in compliance with all legal requirements including Chapter 107 of the  
53 Codified Ordinances.

54  
55 Section 5. This resolution is hereby declared to be an emergency measure  
56 necessary for the preservation of the public peace, health, safety, convenience and  
57 welfare of the City of Cuyahoga Falls and the inhabitants thereof, and provided it  
58 received the affirmative vote of two-thirds of the members elected or appointed to  
59 Council, it shall take effect and be in force immediately upon its passage and  
60 approval by the Mayor; otherwise it shall take effect and be in force at the earliest  
61 period allowed by law.

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64 Passed: \_\_\_\_\_  
65 \_\_\_\_\_  
66 President of Council

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68 \_\_\_\_\_  
69 Clerk of Council

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72 Approved: \_\_\_\_\_  
73 \_\_\_\_\_  
74 Mayor

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CITY OF CUYAHOGA FALLS, OHIO  
RESOLUTION NO. - 2011

A RESOLUTION APPROVING THE FURNACE RUN  
WATERSHED PLAN, AND DECLARING AN EMERGENCY.

WHEREAS, the Ohio Balanced Growth Program (the "Program") is a joint effort of the Ohio Lake Erie Commission and the Ohio Water Resources Council, both agencies of the State of Ohio; and

WHEREAS, the Program seeks to establish and encourage collaborative intergovernmental partnerships for the purpose of implementing a watershed-based land use planning process; and

WHEREAS, the Cuyahoga River Community Planning Organization ("CRCPO") is a non-profit organization funded by the Ohio Lake Erie Commission and authorized by the Program to create a watershed planning partnership focused on the Furnace Run watershed, a portion of which lies within the City of Cuyahoga Falls; and

WHEREAS, CRCPO has organized local government participation in the Furnace Run Watershed Planning Partnership, which includes the City of Cuyahoga Falls and six other municipalities and townships, as a part of a watershed-based land use planning process known as the Furnace Run Balanced Growth Initiative; and

WHEREAS, this Council has resolved, in Resolution No. 20-2009, to support and participate in the Furnace Run Balanced Growth Initiative; and

WHEREAS, the Furnace Run Watershed Planning Partnership and the CRCPO have produced the 2011 Furnace Run Watershed Plan (the "Plan"), and will seek endorsement of the Plan by the Ohio Lake Erie Commission after approval of the Partnership members; and

WHEREAS, upon approval, the Priority Development Areas, Priority Conservation Areas and Priority Agricultural Areas identified in the Plan may be used by State of Ohio agencies to guide state activities and programs affecting these areas, and may serve as the basis for special incentive programs to be directed to the Furnace Run watershed communities,

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

Section 1. This Council approves of the 2011 Furnace Run Watershed Plan as developed by the Cuyahoga River Community Planning Organization with the participation of the Furnace Run Watershed Planning Partnership, and expresses its support for CRCPO's effort to obtain endorsement of the Plan by the Ohio Lake Erie Commission.

Section 2. This Council will favorably review and support any changes to the City's ordinances and regulations that it finds are necessary to coordinate the City's land use regulatory program with the goals of the Plan.

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Section 3. It is found and determined that all formal actions of this Council concerning and relating to the passage of this resolution were taken in an open meeting of this Council and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements including Chapter 107 of the Codified Ordinances.

Section 4. 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

12/12/11  
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5 CITY OF CUYAHOGA FALLS, OHIO

6  
7 RESOLUTION NO. - 2011

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9 A RESOLUTION ACCEPTING THE RECOMMENDATIONS OF  
10 THE TAX INCENTIVE REVIEW COUNCIL CONCERNING  
11 ENTERPRISE ZONE AND COMMUNITY REINVESTMENT  
12 AREA TAX EXEMPTION AGREEMENTS WITHIN THE CITY OF  
13 CUYAHOGA FALLS, AND DECLARING AN EMERGENCY.  
14

15  
16 WHEREAS, the City of Cuyahoga Falls has designated certain areas within the city as  
17 Enterprise Zones pursuant to Ohio Revised Code (“R.C.”) §§5709.61-69, and as Community  
18 Reinvestment Areas, pursuant to R.C. §3735.65 *et seq.*; and  
19

20 WHEREAS, pursuant to these statutes, the City of Cuyahoga Falls has entered into  
21 Enterprise Zone and Community Reinvestment Area tax exemption agreements (the “tax  
22 exemption agreements”) with various businesses in the mentioned areas for the abatement  
23 of portions of the businesses’ real property and/or tangible personal property taxes as  
24 incentives for the businesses to invest in the community; and  
25

26 WHEREAS, the City has established a Tax Incentive Review Council pursuant to R.C.  
27 §5709.85, for the purpose of annually assessing whether the owner of property exempted  
28 from taxation pursuant to a tax exemption agreement has complied with the agreement;  
29 and  
30

31 WHEREAS, the Tax Incentive Review Council is required to annually submit written  
32 recommendations to this Council concerning whether each tax exemption agreement  
33 subject to its review should be continued, modified or cancelled; and  
34

35 WHEREAS, this Council has received the recommendations of the Tax Incentive Review  
36 Council relative to tax exemption agreements in effect in calendar year 2010; and  
37

38 WHEREAS, R.C. §5709.85 requires the legislative authority of a local government  
39 granting Enterprise Zone or Community Reinvestment Area tax exemptions to accept, reject  
40 or modify all or any portion of the recommendations of its Tax Incentive Review Council,  
41

42 NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cuyahoga Falls,  
43 County of Summit, and State of Ohio, that:  
44

45 Section 1. This Council hereby accepts the recommendations of the Tax Incentive  
46 Review Council for tax exemption agreements in effect during 2010, as follows:  
47

<u>Tax Exemption Agreement with:</u>	<u>Council Recommendation</u>
ACME Twelve LLC	Continue
Alro Steel Corporation	Continue
Americhem	Continue
Andrea H. Folatko, DDS & Crooked River Properties	Continue
Ansco Machine	Continue

55 B&B Towing Continue  
 56 CFP, Ltd. Continue  
 57 Decker Fasteners Continue  
 58 GOJO Industries Continue  
 59 JUZO Investments, Ltd. Continue  
 60 Pilot Plastics Continue  
 61 Roadrunner Dawes Freight Systems, Inc, et al Continue  
 62 S. Lee & Judith Ann Combs & GS Steel Continue  
 63 SGS Tool Company Continue  
 64 Village at Watermark, LLC Continue  
 65 Valley Savings Bank & First Akron Development Corp Continue

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 67 Section 2. Any other ordinances or resolutions or portions of ordinances and  
 68 resolutions inconsistent herewith are hereby repealed, but any ordinances and resolutions  
 69 not inconsistent herewith and which have not previously been repealed are hereby ratified  
 70 and confirmed.

71  
 72 Section 3. It is found and determined that all formal actions of this Council concerning  
 73 and relating to the acceptance of this resolution were adopted in an open meeting of this  
 74 Council, and that all deliberations of this Council and of any of its committees that resulted  
 75 in such formal action, were in meetings open to the public, in compliance with all legal  
 76 requirements, to the extent applicable, including Chapter 107 of the Codified Ordinances.

77  
 78 Section 4. This resolution is hereby declared to be an emergency measure necessary for  
 79 the preservation of the public peace, health, safety, convenience and welfare of the City of  
 80 Cuyahoga Falls and the inhabitants thereof, for the reason that it is immediately necessary  
 81 to permit timely and appropriate development of this property, and provided it receives the  
 82 affirmative vote of two thirds of the members elected or appointed to Council, it shall take  
 83 effect and be in force immediately upon its passage and approval by the Mayor; otherwise it  
 84 shall take effect and be in force at the earliest period allowed by law.

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 86 Passed: \_\_\_\_\_  
 87 \_\_\_\_\_  
 88 President of Council

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 90 \_\_\_\_\_  
 91 Clerk of Council

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 94 Approved: \_\_\_\_\_  
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 96 Mayor

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