

NEW LEGISLATION

March 14, 2011

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

Temp. No.	Introduced	Committee	Description
B-25	3/14/11	PZ	An ordinance approving the site plan for construction of 110 multi-family residential units at the Manchester Falls Subdivision on Howe Avenue and declaring an emergency.
B-26	3/14/11	PZ	An ordinance approving the Manchester Falls Final Subdivision-Phase 1 on Howe Avenue and declaring an emergency.
B-27	3/14/11	PZ	An ordinance approving the site plan related to construction of a 20,800 square foot addition to a building located at 318 Remington Road (35-02687) and declaring an emergency.
B-28	3/14/11	PZ	An ordinance amending Appendix C of Title 5, Part 11 of the Codified Ordinances of the City of Cuyahoga Falls (General Development Code), and declaring an emergency.
B-29	3/14/11	Fin	An ordinance authorizing the Director of Public Service to enter into an energy purchase agreement known as the "EcoSmart Choice Program," with American Municipal Power, Inc., and declaring an emergency.
B-30	3/14/11	PI	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the construction of Chart Road from Northampton Road to a point approximately 600 feet west of Keyser Parkway, including roadside ditches, catch basins, waterlines and storm sewers where required, and roadway asphalt, together with necessary appurtenances, and declaring an emergency.
B-31	3/14/11	PI	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 declaring an emergency.

B-32

3/14/11

CD

An ordinance authorizing the Mayor to enter into a contract with Testa Builders, Inc. for the professional services necessary to operate the development/construction management portion of the Neighborhood Stabilization Program, and declaring an emergency.

CALENDAR

March 14, 2011

The following legislation will be up for passage at the Council Meeting on March 14, 2011.

Temp. No.	Introduced	Committee	Description
A-144 Sub	11/22/10	PA	An ordinance adopting the Report on Staffing for the City of Cuyahoga Falls for calendar year 2011, and declaring an emergency.
B-22	2/28/11	Fin	An ordinance authorizing the Director of Public Safety to enter into a contract or contracts, without competitive bidding, with Innoprise Software, Inc., for the professional services necessary to install, maintain and operate an enterprise software system, including associated software licensing, and declaring an emergency.
B-23	2/28/11	PI	An ordinance authorizing the Parks and Recreation Board to enter into a contract or contracts, according to law, for replacement of the entry vestibule at the Cuyahoga Falls Natatorium Health and Wellness Center, and declaring an emergency.
B-24	2/28/11	PA	An ordinance authorizing the Mayor to enter into a mutual aid agreement with various political subdivisions located within Summit County in order to provide and receive police services including accident investigation services in participation with the Summit County Crash Response Team, and declaring an emergency.

PENDING LEGISLATION

March 14, 2011

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-144 Sub	11/22/10	PA	An ordinance adopting the Report on Staffing for the City of Cuyahoga Falls for calendar year 2011, and declaring an emergency.
B-22	2/28/11	Fin	An ordinance authorizing the Director of Public Safety to enter into a contract or contracts, without competitive bidding, with Innoprise Software, Inc., for the professional services necessary to install, maintain and operate an enterprise software system, including associated software licensing, and declaring an emergency.
B-23	2/28/11	PI	An ordinance authorizing the Parks and Recreation Board to enter into a contract or contracts, according to law, for replacement of the entry vestibule at the Cuyahoga Falls Natatorium Health and Wellness Center, and declaring an emergency.
B-24	2/28/11	PA	An ordinance authorizing the Mayor to enter into a mutual aid agreement with various political subdivisions located within Summit County in order to provide and receive police services including accident investigation services in participation with the Summit County Crash Response Team, and declaring an emergency.

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5 CITY OF CUYAHOGA FALLS, OHIO

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7 ORDINANCE NO. - 2011

8
9 AN ORDINANCE APPROVING THE SITE PLAN FOR CONSTRUCTION OF
10 110 MULTI-FAMILY RESIDENTIAL UNITS AT THE MANCHESTER FALLS
11 SUBDIVISION ON HOWE AVENUE AND DECLARING AN EMERGENCY.
12
13

14 WHEREAS, Art. VIII, §1.7 of the Charter of the City of Cuyahoga Falls requires that all affirmative
15 decisions made by the Planning Commission be submitted to Council, and
16

17 WHEREAS, site plan review by the Planning Commission is required for the construction of all new
18 buildings in excess of 8,000 SF in the City of Cuyahoga Falls, Ohio, and
19

20 WHEREAS, on February 15, 2011, the Planning Commission approved the major site plan for the
21 construction of 110 multi-family units, at the Manchester Falls Subdivision, within the City of Cuyahoga
22 Falls, Ohio.
23

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

27 Section 1. City Council approves the site plan for the construction of 110 multi-family units in the
28 Manchester Falls Subdivision in Cuyahoga Falls, Ohio, in accordance with Cuyahoga Falls General
29 Development Code regulations as set forth in the Codified Ordinances of the City of Cuyahoga Falls and as
30 approved by the Planning Commission as per the plans and final stipulations contained in File P-017-10-
31 SP.
32

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

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

43 Section 4. This ordinance is hereby declared to be an emergency measure necessary for the
44 preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga Falls and
45 the inhabitants thereof, for the reason that it is immediately necessary to permit timely and appropriate
46 development of this property, and provided it receives the affirmative vote of two thirds of the members
47 elected or appointed to Council, it shall take effect and be in force immediately upon its passage and
48 approval by the Mayor; otherwise it shall take effect and be in force at the earliest period allowed by law.
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51 Passed: _____

President of Council

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Clerk of Council

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59 Approved: _____

Mayor

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5 CITY OF CUYAHOGA FALLS, OHIO

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7 ORDINANCE NO. - 2011

8
9 AN ORDINANCE APPROVING THE MANCHESTER FALLS FINAL
10 SUBDIVISION-PHASE I ON HOWE AVENUE AND DECLARING AN
11 EMERGENCY.

12
13
14 WHEREAS, Art. VIII, §1.7 of the Charter of the City of Cuyahoga Falls requires that all affirmative
15 decisions made by the Planning Commission be submitted to Council, and

16
17 WHEREAS, site plan review by the Planning Commission is required to approve all Major Subdivisions
18 in the City of Cuyahoga Falls, Ohio, and

19
20 WHEREAS, on February 15, 2011, the Planning Commission approved Manchester Falls Final
21 Subdivision Phase I within the City of Cuyahoga Falls, Ohio.

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

25
26 Section 1. City Council approves the Manchester Falls Final Subdivision Phase I in Cuyahoga Falls,
27 Ohio, in accordance with Cuyahoga Falls General Development Code regulations as set forth in the Codified
28 Ordinances of the City of Cuyahoga Falls and as approved by the Planning Commission as per the plans
29 and final stipulations contained in File P-05-11-S.

30
31 Section 2. Any other ordinances or resolutions or portions of ordinances and resolutions inconsistent
32 herewith are hereby repealed, but any ordinances and resolutions not inconsistent herewith and which
33 have not previously been repealed are hereby ratified and confirmed.

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

40
41 Section 4. This ordinance is hereby declared to be an emergency measure necessary for the
42 preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga Falls and
43 the inhabitants thereof, for the reason that it is immediately necessary to permit timely and appropriate
44 development of this property, and provided it receives the affirmative vote of two thirds of the members
45 elected or appointed to Council, it shall take effect and be in force immediately upon its passage and
46 approval by the Mayor; otherwise it shall take effect and be in force at the earliest period allowed by law.

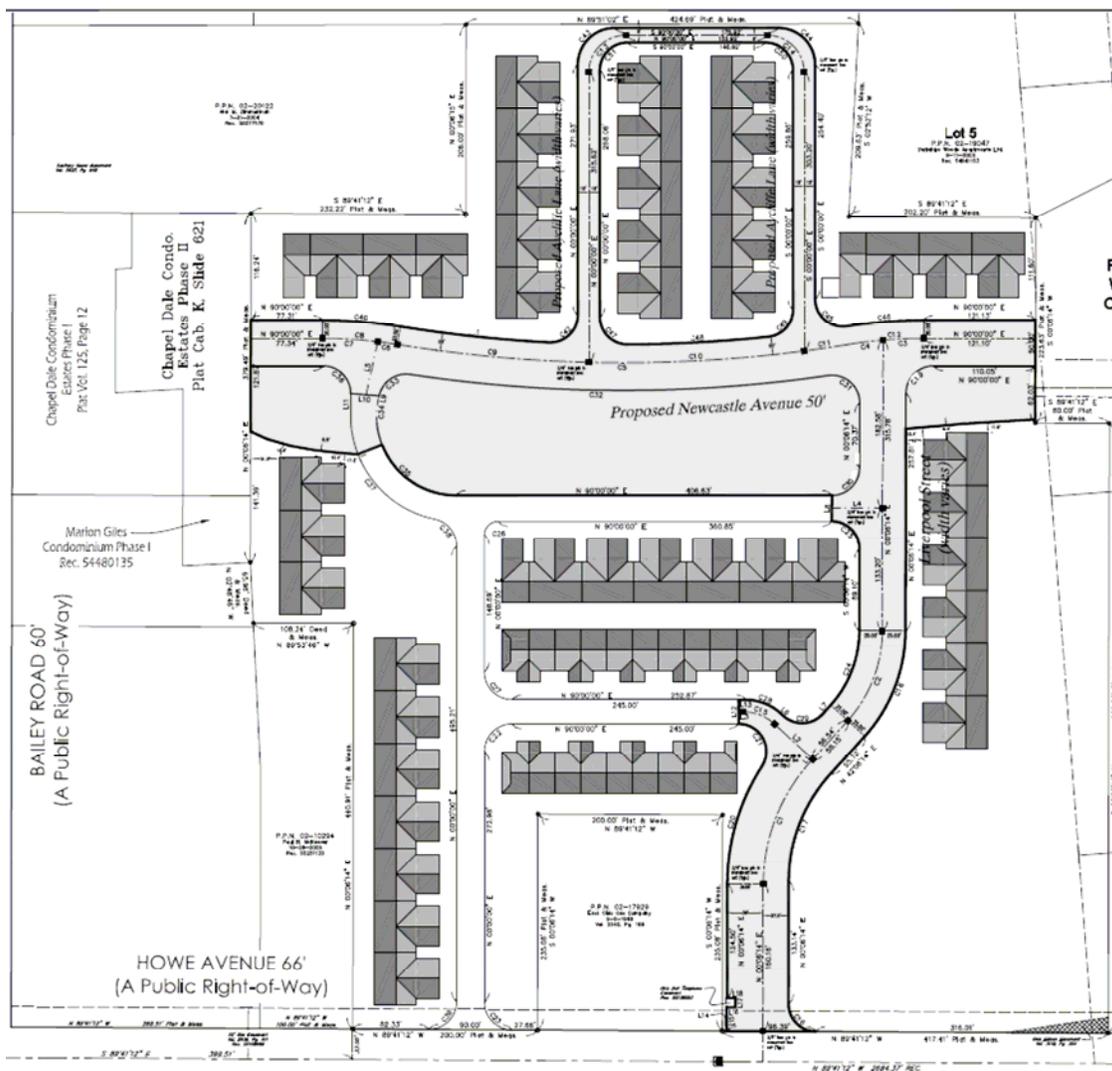
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49 Passed: _____

President of Council

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54 Clerk of Council

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57 Approved: _____

Mayor



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5 CITY OF CUYAHOGA FALLS, OHIO

6
7 ORDINANCE NO. - 2011

8
9 AN ORDINANCE APPROVING THE SITE PLAN RELATED TO
10 CONSTRUCTION OF A 20,800 SQUARE FOOT ADDITION TO A
11 BUILDING LOCATED AT 318 REMINGTON ROAD (35-02687) AND
12 DECLARING AN EMERGENCY.
13

14
15 WHEREAS, Art. VIII, §1.7 of the Charter of the City of Cuyahoga Falls requires that all affirmative
16 decisions made by the Planning Commission be submitted to Council, and
17

18 WHEREAS, site plan review by the Planning Commission is required for the construction of all new
19 buildings in excess of 8,000 SF in the City of Cuyahoga Falls, Ohio, and
20

21 WHEREAS, on March 1, 2011, the Planning Commission approved the site plan for the construction of
22 a 20,800 square foot addition for Ultra Tech Machinery, Inc at 318 Remington Road, within the City of
23 Cuyahoga Falls, Ohio.
24

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

28 Section 1. The City Council approves the site plan for the construction of a 20,800 square foot
29 industrial building addition for Ultra Tech Machinery, Inc at 318 Remington Road Cuyahoga Falls, Ohio, in
30 accordance with Cuyahoga Falls General Development Code regulations as set forth in the Codified
31 Ordinances of the City of Cuyahoga Falls and as approved by the Planning Commission as per the plans
32 and final stipulations contained in File P-06-11-SP.
33

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

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

44 Section 4. 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 Falls and
46 the inhabitants thereof, for the reason that it is immediately necessary to permit timely and appropriate
47 development of this property, and provided it receives the affirmative vote of two thirds of the members
48 elected or appointed to Council, it shall take effect and be in force immediately upon its passage and
49 approval by the Mayor; otherwise it shall take effect and be in force at the earliest period allowed by law.
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52 Passed: _____
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54 President of Council

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57 Clerk of Council

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60 Approved: _____
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62 Mayor

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4 CITY OF CUYAHOGA FALLS, OHIO

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6 ORDINANCE NO. - 2011

7
8 AN ORDINANCE AMENDING APPENDIX C OF TITLE 5, PART 11
9 OF THE CODIFIED ORDINANCES OF THE CITY OF CUYAHOGA
10 FALLS (GENERAL DEVELOPMENT CODE), AND DECLARING AN
11 EMERGENCY.

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

15
16 Section 1. The table contained in Appendix C of Title 5, Part 11 of the Codified Ordinances
17 of the City of Cuyahoga Falls (General Development Code) is hereby amended to read in full as
18 depicted on Exhibit A attached hereto:

19
20 Section 2. Any ordinances or resolutions or portions of ordinances and resolutions
21 inconsistent herewith are hereby repealed, but any ordinances and resolutions not inconsistent
22 herewith and which have not previously been repealed are hereby ratified and confirmed.

23
24 Section 3. It is found and determined that all formal actions of this Council concerning and
25 relating to the passage of this ordinance were taken in an open meeting of this Council and that
26 all deliberations of this Council and of any committees that resulted in those formal actions were
27 in meetings open to the public, in compliance with all legal requirements including Chapter 107
28 of the Codified Ordinances.

29
30 Section 4. This ordinance is hereby declared to be an emergency measure necessary for the
31 preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga
32 Falls and the inhabitants thereof, and provided it receives the affirmative vote of two-thirds of the
33 members elected or appointed to Council, it shall take effect and be in force immediately upon its
34 passage and approval by the Mayor; otherwise it shall take effect and be in force at the earliest
35 period allowed by law.

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38 Passed: _____

President of Council

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43 Clerk of Council

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46 Approved _____

Mayor

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3 CITY OF CUYAHOGA FALLS, OHIO

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5 ORDINANCE NO. - 2011

6
7 AN ORDINANCE AUTHORIZING THE DIRECTOR OF
8 PUBLIC SERVICE TO ENTER INTO AN ENERGY
9 PURCHASE AGREEMENT KNOWN AS THE "ECOSMART
10 CHOICE PROGRAM," WITH AMERICAN MUNICIPAL
11 POWER, INC., AND DECLARING AN EMERGENCY.

12
13 WHEREAS, the City of Cuyahoga Falls ("City") operates a municipal electric utility
14 system; and

15
16 WHEREAS, American Municipal Power, Inc. ("AMP") is an Ohio nonprofit
17 corporation that functions as a wholesale power supplier and services provider for
18 certain member municipalities, including the City, that operate electric systems
19 ("Members"); and

20
21 WHEREAS, the City desires to offer its electric customers a "green energy" choice in
22 electric power sources, and

23
24 WHEREAS, AMP has developed a green energy program named EcoSmart Choice®
25 ("EcoSmart Choice Program") that provides for the sale of green energy electricity
26 products, including energy generated from hydroelectric, wind and landfill gas facilities,
27 to certain consumers within Member communities, including Cuyahoga Falls; and

28
29 WHEREAS, the City desires to participate, and AMP desires that the City participate
30 in the EcoSmart Choice Program, on terms and conditions as generally set forth in a
31 participating member agreement between AMP and the City ("Participating Member
32 Agreement"), on file with the Clerk; and

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

36
37 Section 1. The Director of Public Service is hereby authorized to enter into a
38 Participating Member Agreement between AMP and the City under which the City will
39 purchase from AMP and resell to participating customers such energy from renewable
40 energy sources as is indicated by the rate of customer participation, and otherwise
41 participate in the EcoSmart Choice Program, substantially in the form as is set forth in
42 the Participating Member Agreement.

43
44 Section 2. It is found and determined that all formal actions of the Council
45 concerning and relating to the adoption of this Ordinance were adopted in an open
46 meeting of this Council, and that all deliberations of this Council and any of its
47 committees that resulted in such formal action, were in meetings open to the public, in
48 compliance with all legal requirements including Chapter 107 of the Codified
49 Ordinances.

50
51 Section 3. This ordinance is hereby declared to be an emergency measure necessary
52 for the preservation of the public peace, health, safety, convenience and welfare of the
53 City of Cuyahoga Falls and the inhabitants thereof and provided it receives the
54 affirmative vote of two-thirds of the members elected or appointed to Council, it shall

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

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59 Passed: _____

President of Council

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Clerk of Council

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65 Approved: _____

Mayor

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3 CITY OF CUYAHOGA FALLS, OHIO

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5 ORDINANCE NO. - 2011

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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, FOR THE CONSTRUCTION OF CHART
10 ROAD FROM NORTHAMPTON ROAD TO A POINT
11 APPROXIMATELY 600 FEET WEST OF KEYSER PARKWAY,
12 INCLUDING ROADSIDE DITCHES, CATCH BASINS, WATERLINES
13 AND STORM SEWERS WHERE REQUIRED, AND ROADWAY
14 ASPHALT, TOGETHER WITH NECESSARY APPURTENANCES, AND
15 DECLARING AN EMERGENCY.

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

19
20 Section 1. The Director of Public Service is hereby authorized to enter into a contract or
21 contracts, according to law, for the construction of Chart Road from Northampton Road to a point
22 approximately 600 feet west of Keyser Parkway, including roadside ditches, catch basins, waterlines
23 and storm sewers where required, and roadway asphalt, together with necessary appurtenances.

24
25 Section 2. The Finance Director is hereby authorized to make payment for same from the
26 Capital Projects Fund, Line Item Capital Outlay.

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

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

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

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47 Passed: _____
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49 President of Council

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52 Clerk of Council

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55 Approved: _____
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57 Mayor

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4 CITY OF CUYAHOGA FALLS, OHIO

5 ORDINANCE NO. - 2011

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8 AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC
9 SERVICE TO ENTER INTO A CONTRACT OR CONTRACTS,
10 ACCORDING TO LAW, FOR THE ANNUAL RESURFACING AND/OR
11 REPAIR OF VARIOUS STREETS AS DESCRIBED IN EXHIBIT 'A'
12 ATTACHED HERETO, IN THE CITY OF CUYAHOGA FALLS AND
13 DECLARING AN EMERGENCY.
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 resurfacing and/or repair of various streets as described in
20 Exhibit 'A' attached hereto, in the City of Cuyahoga Falls.
21

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

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

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 that
31 all deliberations of this Council and of any of its committees that resulted in such formal action, were
32 in meetings open to the public, in compliance with all legal requirements, to the extent applicable,
33 including Chapter 107 of the Codified Ordinances.
34

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 Falls and the inhabitants thereof, for the reason that it is immediately necessary to permit timely and
38 appropriate development of this property, and provided it receives the affirmative vote of two thirds of
39 the members elected or appointed to Council, it shall take effect and be in force immediately upon its
40 passage and approval by the Mayor; otherwise it shall take effect and be in force at the earliest period
41 allowed by law.
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44 Passed: _____

President of Council

Clerk of Council

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52 Approved: _____

Mayor

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3 CITY OF CUYAHOGA FALLS, OHIO

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5 ORDINANCE NO. - 2011

6
7 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A
8 CONTRACT WITH TESTA BUILDERS, INC. FOR THE
9 PROFESSIONAL SERVICES NECESSARY TO OPERATE THE
10 DEVELOPMENT/CONSTRUCTION MANAGEMENT PORTION OF
11 THE NEIGHBORHOOD STABILIZATION PROGRAM, AND
12 DECLARING AN EMERGENCY.

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

16
17 Section 1. The Mayor is hereby authorized to enter into a contract or contracts with Testa
18 Builders, Inc., on the basis of its proposal dated February 4, 2011, for the professional services
19 necessary to operate the development/construction management portion of the Neighborhood
20 Stabilization Program.

21
22 Section 2. The Director of Finance is hereby authorized and directed to make payment for
23 same from the Community Development Block Grant Fund, Line Item Other Operations.

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

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

35
36 Section 5. This ordinance is hereby declared to be an emergency measure necessary for the
37 preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga
38 Falls and the inhabitants thereof and provided, it receives the affirmative vote of two-thirds of the
39 members elected or appointed to Council, it shall take effect and be in force immediately upon its
40 passage and approval by the Mayor; otherwise it shall take effect and be in force at the earliest
41 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

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52 Approved: _____
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54 Mayor