

NEW LEGISLATION

April 25, 2011

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

Temp. No.	Introduced	Committee	Description
B-46	4/25/11	Fin	An ordinance authorizing payment of the Moral Claim of Kim and Paul Donato as approved by the Claims Commission, and declaring an emergency.
B-47	4/25/11	PI	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, without competitive bidding, with DLZ Ohio, Inc., for the professional services necessary to revise and update the 2007 Separate Sanitary Sewer Overflow Study, and declaring an emergency.
B-48	4/25/11	CD	An ordinance authorizing the Mayor to enter into a modification of Contract No. 6406 with Pandey Environmental, LLC, and declaring an emergency.

CALENDAR

April 25, 2011

The following legislation will be up for passage at the Council Meeting on April 25, 2011.

Temp. No.	Introduced	Committee	Description
B-36	3/28/11	PI	A resolution declaring the necessity of and intention to appropriate certain interests in real property necessary to establish a pedestrian walkway between Dominic Drive and North Hidden Valley Drive, and declaring an emergency.
B-38 Sub	3/28/11	PA	An ordinance amending Sections 516.01, 516.02, 516.03 and 516.04 of Chapter 516, Part Five of the Codified Ordinances, enacting new Sections 516.05 and 516.06 thereof, relating to minors' curfew, and declaring an emergency.
B-41	4/11/11	Fin	An ordinance enacting new Section 933.122 of Title 5, Part 9 of the Codified Ordinances, relating to rates for renewable energy, and declaring an emergency.
B-42	4/11/11	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the purchase of a trailer-mounted valve maintenance and vacuum system, and declaring an emergency.
B-44	4/11/11	PA	A resolution expressing support for Issue 16, an operating tax levy for the benefit of the Cuyahoga Falls Library, and declaring an emergency.
B-45	4/11/11	CD	An ordinance approving the FY 2011 Community Development Block Grant Annual Action Plan, and declaring an emergency.

PENDING LEGISLATION

April 25, 2011

Temp. No.	Introduced	Committee	Description
B-36	3/28/11	PI	A resolution declaring the necessity of and intention to appropriate certain interests in real property necessary to establish a pedestrian walkway between Dominic Drive and North Hidden Valley Drive, and declaring an emergency.
B-38 Sub	3/28/11	PA	An ordinance amending Sections 516.01, 516.02, 516.03 and 516.04 of Chapter 516, Part Five of the Codified Ordinances, enacting new Sections 516.05 and 516.06 thereof, relating to minors' curfew, and declaring an emergency.
B-41	4/11/11	Fin	An ordinance enacting new Section 933.122 of Title 5, Part 9 of the Codified Ordinances, relating to rates for renewable energy, and declaring an emergency.
B-42	4/11/11	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the purchase of a trailer-mounted valve maintenance and vacuum system, and declaring an emergency.
B-44	4/11/11	PA	A resolution expressing support for Issue 16, an operating tax levy for the benefit of the Cuyahoga Falls Library, and declaring an emergency.
B-45	4/11/11	CD	An ordinance approving the FY 2011 Community Development Block Grant Annual Action Plan, 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 AUTHORIZING PAYMENT OF THE MORAL
10 CLAIM OF KIM AND PAUL DONATO AS APPROVED BY THE
11 CLAIMS COMMISSION, AND DECLARING AN 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 Director of Finance is hereby authorized to pay the moral claim of Kim and
17 Paul Donato in the amount of \$712.50 as approved by the Claims Commission on April 11, 2011.
18

19 Section 2. The Director of Finance is hereby authorized and directed to make payment for
20 same from the Electric Department Fund, line item Other Operations.
21

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

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

33 Section 5. This ordinance is hereby declared to be an emergency measure necessary for
34 the preservation of the public peace, health, safety, convenience and welfare of the City of
35 Cuyahoga Falls and the inhabitants thereof, and provided it receives the affirmative vote of
36 two-thirds of the members elected or appointed to Council, it shall take effect and be in force
37 immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in
38 force at the earliest period allowed by law.
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41 Passed: _____
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43 President of Council
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45 _____
46 Clerk of Council
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49 Approved: _____
50 _____
51 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 WITHOUT COMPETITIVE BIDDING, WITH DLZ OHIO, INC.,
10 FOR THE PROFESSIONAL SERVICES NECESSARY TO
11 REVISE AND UPDATE THE 2007 SEPARATE SANITARY
12 SEWER OVERFLOW STUDY, AND DECLARING AN
13 EMERGENCY.

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

17
18 Section 1. The Director of Public Service is hereby authorized to enter into a contact or
19 contracts, without competitive bidding, with DLZ Ohio, Inc., for the professional services necessary
20 to revise and update the 2007 Separate Sanitary Sewer Overflow Study.

21
22 Section 2. The Director of Finance is hereby authorized and directed to make payment
23 for same from the Capital Projects Fund.

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

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

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

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44 Passed: _____

President of Council

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Clerk of Council

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50 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 MAYOR TO ENTER
8 INTO A MODIFICATION OF CONTRACT NO. 6406 WITH
9 PANDEY ENVIRONMENTAL, LLC, AND DECLARING AN
10 EMERGENCY.

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13 WHEREAS, under the authority of Ordinance No. 90-2008, the City entered into an
14 agreement for professional services necessary to provide environmental assessment,
15 remediation and oversight of certain real property known as the former State Road
16 Shopping Center (Parcel Nos. 0216737, 0216738, 0216739 and 0216740), pursuant to
17 a grant from the State of Ohio, Clean Ohio Revitalization Fund; and

18
19 WHEREAS, it is necessary to adjust the professional service fees beyond what was
20 originally estimated, and to authorize performance of additional professional work made
21 necessary by unforeseen site conditions, in order to complete the remediation work,

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

25
26 Section 1. The Mayor is hereby authorized to enter into a modification of Contract
27 No. 6406 with Pandey Environmental, LLC, authorizing additional professional services
28 in order to complete environmental site work. The fees to be paid for the additional
29 professional services shall be as necessary in the opinion of the Mayor but not to exceed
30 an amount \$99,200 over the original estimated fees for professional services set forth in
31 the contract. Said modification shall be prepared in writing and signed by the Mayor, on
32 behalf of the City, and the Consultant.

33
34 Section 2. The Director of Finance is hereby authorized and directed to pay invoices
35 for work based upon the Contract as modified, in an amount not to exceed \$99,200 over
36 the original estimated fees for professional services set forth in the contract, from the
37 Capital Projects Fund.

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

43
44 Section 4. It is 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
46 meeting of this Council and that all deliberations of this Council and of 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 5. 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

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

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5 Passed:_____

President of Council

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Clerk of Council

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13 Approved:_____

Mayor

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16 4/25/11

17 O:2011ords/Pandey Environmental – contract mod.