

## NEW LEGISLATION

May 23, 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-56	5/23/11	Fin	A resolution authorizing the Director of Public Service to apply for and accept financial assistance in the form of a grant or loan from the Ohio Public Works Commission for the State Road Widening Project (PID #81605), and declaring an emergency.
B-57	5/23/11	Fin	A resolution authorizing the Director of Public Service to apply for and accept financial assistance in the form of a grant or loan from the Ohio Public Works Commission for replacement of a 16" water main in Graham Road, and declaring an emergency.
B-58	5/23/11	Fin	A resolution authorizing the Director of Public Service to apply for and accept financial assistance in the form of a grant or loan from the Ohio Public Works Commission for replacement of an 8" water main in Front Street, and declaring an emergency.
B-59	5/23/11	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the purchase of a digger-derrick truck, and declaring an emergency.
B-60	5/23/11	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for city-wide tree removal, trimming, and stump grinding, and declaring an emergency.
B-61	5/23/11	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 garage located at 2035 Old Town Loop and known as the "blue" parking deck, and declaring an emergency.

## CALENDAR

May 23, 2011

The following legislation will be up for passage at the Council Meeting on May 23, 2011.

<b>Temp. No.</b>	<b>Introduced</b>	<b>Committee</b>	<b>Description</b>
B-49	5/9/11	Fin	An ordinance authorizing the Director of Public Service to enter into a power sales contract known as the AMP Fremont Energy Center Power Sales Contract, with American Municipal Power, Inc., and declaring an emergency.
B-50	5/9/11	Fin	An ordinance authorizing the Director of Public Service to enter into a power scheduling agreement to be known as the Northern Pool Participant Schedule, with American Municipal Power, Inc., and declaring an emergency.
B-51	5/9/11	PI	An ordinance authorizing the Director of Public Service to enter into a contract or contracts without competitive bidding with Bowman Appraisal Services, Inc., for the professional services necessary to conduct appraisals of real property to be acquired for the State Road Widening Project (PID #81605), and declaring an emergency.
B-52	5/9/11	PA	A resolution expressing Council's support for the development of a drinking water source protection plan, and declaring an emergency.
B-55	5/9/11	PA	An ordinance amending the Traffic Control File by providing for installation of various traffic control devices, and declaring an emergency.

## PENDING LEGISLATION

May 23, 2011

<b>Temp. No.</b>	<b>Introduced</b>	<b>Committee</b>	<b>Description</b>
B-49	5/9/11	Fin	An ordinance authorizing the Director of Public Service to enter into a power sales contract known as the AMP Fremont Energy Center Power Sales Contract, with American Municipal Power, Inc., and declaring an emergency.
B-50	5/9/11	Fin	An ordinance authorizing the Director of Public Service to enter into a power scheduling agreement to be known as the Northern Pool Participant Schedule, with American Municipal Power, Inc., and declaring an emergency.
B-51	5/9/11	PI	An ordinance authorizing the Director of Public Service to enter into a contract or contracts without competitive bidding with Bowman Appraisal Services, Inc., for the professional services necessary to conduct appraisals of real property to be acquired for the State Road Widening Project (PID #81605), and declaring an emergency.
B-52	5/9/11	PA	A resolution expressing Council's support for the development of a drinking water source protection plan, and declaring an emergency.
B-53	5/9/11	PA	An ordinance enacting new Section 1366.06 of Title 7, Part 13 of the Codified Ordinances, relating to outdoor composting, and declaring an emergency.
B-54	5/9/11	PA	An ordinance amending Section 505.18 of Part 5 of the Codified Ordinances, relating to feeding of birds, and declaring an emergency.
B-55	5/9/11	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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4 CITY OF CUYAHOGA FALLS, OHIO

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6 RESOLUTION NO. - 2011

7  
8 A RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC  
9 SERVICE TO APPLY FOR AND ACCEPT FINANCIAL  
10 ASSISTANCE IN THE FORM OF A GRANT OR LOAN FROM  
11 THE OHIO PUBLIC WORKS COMMISSION FOR THE STATE  
12 ROAD WIDENING PROJECT (PID #81605), AND DECLARING  
13 AN EMERGENCY.  
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15  
16 WHEREAS, the Ohio Public Works Commission (“OPWC”), through its State Capital  
17 Improvement Program and Local Transportation Improvement Program, provides financial  
18 assistance to political subdivisions for capital improvements to public infrastructure; and  
19

20 WHEREAS, the City of Cuyahoga Falls has identified the need, plans for, and proposes  
21 a capital improvement to public infrastructure, to wit: the State Road Widening Project,  
22 consisting of the widening of State Road from Graham Road to Steels Corners Road,  
23 including reconstruction of through and center turn lanes to current ODOT standards,  
24 dedicated bicycle lanes in each direction, pavement construction, concrete curbs,  
25 sidewalks, driveway approach reconstruction, storm drainage, ditch reconstruction, water  
26 line replacement, retaining walls as required, landscape restoration and upgraded signals;  
27 and  
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29 WHEREAS, the infrastructure improvement hereinabove described is considered to be a  
30 priority need for the community and is a qualified project under the OPWC programs,  
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32 NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cuyahoga Falls,  
33 County of Summit and State of Ohio, that:  
34

35 Section 1. The Director of Public Service is hereby authorized to apply for and accept  
36 financial assistance in the form of a grant or loan from the Ohio Public Works Commission  
37 for the purpose of supporting the capital improvement consisting of the State Road  
38 Widening Project, as described above, by means of the State Capital Improvement Program  
39 (SCIP) and/or Local Transportation Improvement Program (LTIP) administered by the Ohio  
40 Public Works Commission.  
41

42 Section 2. The Director of Public Service is hereby authorized to enter into agreements  
43 as may be necessary to apply for and accept the financial assistance mentioned herein.  
44

45 Section 3. The Clerk is hereby directed to prepare and transmit a certified copy of this  
46 Resolution to the Ohio Public Works Commission.  
47

48 Section 4. It is found and determined that all formal actions of this Council concerning  
49 and relating to the adoption of this resolution were adopted in an open meeting of this  
50 Council, and that all deliberations of this Council and of any of its committees that resulted  
51 in such formal action, were in meetings open to the public, in compliance with all legal  
52 requirements, to the extent applicable, including Chapter 107 of the Codified Ordinances.  
53

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

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

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President of Council

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Clerk of Council

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

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Mayor

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75 O:\2011ords\apply and accept-OPWC/State Road

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4 CITY OF CUYAHOGA FALLS, OHIO

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6 RESOLUTION NO. - 2011

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8 A RESOLUTION AUTHORIZING THE DIRECTOR OF  
9 PUBLIC SERVICE TO APPLY FOR AND ACCEPT  
10 FINANCIAL ASSISTANCE IN THE FORM OF A GRANT OR  
11 LOAN FROM THE OHIO PUBLIC WORKS COMMISSION  
12 FOR REPLACEMENT OF A 16" WATER MAIN IN GRAHAM  
13 ROAD, AND DECLARING AN EMERGENCY.  
14

15 WHEREAS, the Ohio Public Works Commission ("OPWC"), through its State Capital  
16 Improvement Program and Local Transportation Improvement Program, provides  
17 financial assistance to political subdivisions for capital improvements to public  
18 infrastructure; and  
19

20 WHEREAS, the City of Cuyahoga Falls has identified the need, plans for, and  
21 proposes a capital improvement to public infrastructure, to wit: replacement of a 16"  
22 water main, including all necessary appurtenances, in Graham Road between Bath  
23 Road and Graham Road Circle; and  
24

25 WHEREAS, the infrastructure improvement hereinabove described is considered to  
26 be a priority need for the community and is a qualified project under the OPWC  
27 programs,  
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29 NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cuyahoga Falls,  
30 County of Summit and State of Ohio, that:  
31

32 Section 1. The Director of Public Service is hereby authorized to apply for and  
33 accept financial assistance in the form of a grant or loan from the Ohio Public Works  
34 Commission for the purpose of supporting the capital improvement consisting of  
35 replacement of a 16" water main, including all necessary appurtenances, in Graham  
36 Road between Bath Road and Graham Road Circle, by means of the State Capital  
37 Improvement Program (SCIP) and/or Local Transportation Improvement Program  
38 (LTIP) administered by the Ohio Public Works Commission.  
39

40 Section 2. The Director of Public Service is hereby authorized to enter into  
41 agreements as may be necessary to apply for and accept the financial assistance  
42 mentioned herein.  
43

44 Section 3. The Clerk is hereby directed to prepare and transmit a certified copy of  
45 this Resolution to the Ohio Public Works Commission.  
46

47 Section 4. It is found and determined that all formal actions of this Council  
48 concerning and relating to the adoption of this resolution were adopted in an open  
49 meeting of this Council and that all deliberations of this Council and of any of its  
50 committees that resulted in such formal action were in meetings open to the public, in

51 compliance with all legal requirements, to the extent applicable, including Chapter 107  
52 of the Codified Ordinances.

53  
54 Section 5. This resolution is hereby declared to be an emergency measure  
55 necessary for the preservation of the public peace, health, safety, convenience and  
56 welfare of the City of Cuyahoga Falls and the inhabitants thereof, and provided it  
57 received the affirmative vote of two-thirds of the members elected or appointed to  
58 Council, it shall take effect and be in force immediately upon its passage and approval  
59 by the Mayor; otherwise it shall take effect and be in force at the earliest period  
60 allowed by law.

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63 Passed: \_\_\_\_\_  
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65 President of Council

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68 Clerk of Council

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71 Approved: \_\_\_\_\_  
72 \_\_\_\_\_  
73 Mayor

74 5/23/11  
75 O:\2011ords\apply and accept-OPWC-Graham Road WM  
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4 CITY OF CUYAHOGA FALLS, OHIO

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7 RESOLUTION NO. - 2011

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10 A RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC  
11 SERVICE TO APPLY FOR AND ACCEPT FINANCIAL  
12 ASSISTANCE IN THE FORM OF A GRANT OR LOAN FROM  
13 THE OHIO PUBLIC WORKS COMMISSION FOR  
14 REPLACEMENT OF AN 8” WATER MAIN IN FRONT STREET,  
15 AND DECLARING AN EMERGENCY.  
16

17  
18 WHEREAS, the Ohio Public Works Commission (“OPWC”), through its State Capital  
19 Improvement Program and Local Transportation Improvement Program, provides financial  
20 assistance to political subdivisions for capital improvements to public infrastructure; and  
21

22 WHEREAS, the City of Cuyahoga Falls has identified the need, plans for, and proposes a  
23 capital improvement to public infrastructure, to wit: replacement of an 8” water main with  
24 a 12” water main, including all necessary appurtenances, in Front Street between Broad  
25 Blvd. and Sackett Avenue; and  
26

27 WHEREAS, the infrastructure improvement hereinabove described is considered to be a  
28 priority need for the community and is a qualified project under the OPWC programs,  
29

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

33 Section 1. The Director of Public Service is hereby authorized to apply for and accept  
34 financial assistance in the form of a grant or loan from the Ohio Public Works Commission  
35 for the purpose of supporting the capital improvement consisting of replacement of an 8”  
36 water main with a 12” water main, including all necessary appurtenances, in Front Street  
37 between Broad Blvd. and Sackett Avenue, by means of the State Capital Improvement  
38 Program (SCIP) and/or Local Transportation Improvement Program (LTIP) administered by  
39 the Ohio Public Works Commission.  
40

41 Section 2. The Director of Public Service is hereby authorized to enter into agreements  
42 as may be necessary to apply for and accept the financial assistance mentioned herein.  
43

44 Section 3. The Clerk is hereby directed to prepare and transmit a certified copy of this  
45 Resolution to the Ohio Public Works Commission.  
46

47 Section 4. It is found and determined that all formal actions of this Council concerning  
48 and relating to the adoption of this resolution were adopted in an open meeting of this  
49 Council and that all deliberations of this Council and of any of its committees that resulted  
50 in such formal action were in meetings open to the public, in compliance with all legal  
51 requirements, to the extent applicable, including Chapter 107 of the Codified Ordinances.  
52

53 Section 5. This resolution is hereby declared to be an emergency measure necessary for  
54 the preservation of the public peace, health, safety, convenience and welfare of the City of

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

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

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President of Council

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Clerk of Council

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

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Mayor

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O:\2011ords\apply and accept-OPWC-Front Street WM

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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 A CONTRACT OR  
9 CONTRACTS, ACCORDING TO LAW, FOR THE  
10 PURCHASE OF A DIGGER-DERRICK TRUCK, AND  
11 DECLARING AN 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. The Director Public Service is hereby authorized to enter into a contract  
17 or contracts, according to law, for the purchase of a digger-derrick truck for use by the  
18 Electric Department.

19  
20 Section 2. The Director of Finance is hereby directed to make payment for same out  
21 of the Electric Fund, line item Capital.

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

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

33  
34 Section 5. This ordinance is hereby declared to be an emergency measure necessary  
35 for the preservation of the public peace, health, safety, convenience and welfare of the  
36 City of Cuyahoga Falls and the inhabitants thereof, and provided it receives the  
37 affirmative vote of two-thirds of the members elected or appointed to Council, it shall  
38 take effect and be in force immediately upon its passage and approval by the Mayor;  
39 otherwise it shall take effect and be in force at the earliest period allowed by law.

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

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President of Council

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Clerk of Council

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50 Approved \_\_\_\_\_

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Mayor

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55 O:\2011ords\Digger-Derrick truck-purchase

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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 CITY-WIDE TREE REMOVAL,  
10 TRIMMING, AND STUMP GRINDING, AND DECLARING AN  
11 EMERGENCY.

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

15  
16 Section 1. The Director of Public Service is hereby authorized to enter into a contact or  
17 contracts for tree removal, trimming and stump grinding services (for all needs other than utility  
18 line clearance), according to law, for a period of two years, with an option for up to three one-year  
19 extensions.

20  
21 Section 2. The Finance Director is hereby authorized and directed to make payment for same  
22 from funds properly appropriated therefor.

23  
24 Section 3. Any other ordinances and resolutions or portions of ordinances and resolutions  
25 inconsistent herewith are hereby repealed, but any ordinances and resolutions or portions of  
26 ordinances and resolutions not inconsistent herewith and which have not previously been  
27 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  
31 that all deliberations of this Council and of any of its committees that resulted in such formal  
32 action were in meetings open to the public, in compliance with all legal requirements including  
33 Section 121.22 of the Ohio Revised Code.

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

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

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President of Council

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Clerk of Council

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

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Mayor

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3 CITY OF CUYAHOGA FALLS, OHIO

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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 CONCRETE AND MASONRY REPAIRS  
11 TO THE CITY-OWNED PARKING GARAGE LOCATED AT 2035 OLD  
12 TOWN LOOP AND KNOWN AS THE "BLUE" PARKING DECK, AND  
13 DECLARING AN EMERGENCY.  
14

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

18  
19 Section 1. The Director of Public Service is hereby authorized to enter into a contract or  
20 contracts, according to law, for concrete and masonry repairs to the City-owned parking garage  
21 located at 2035 Old Town Loop and known as the "Blue" Parking Deck.  
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23 Section 2. The Director of Finance is hereby authorized and directed to make payment for same  
24 from the Capital Projects Fund, line item Capital.  
25

26 Section 3. Any other ordinances or resolutions or portions of ordinances and resolutions  
27 inconsistent herewith are hereby repealed, but any ordinances and resolutions not inconsistent  
28 herewith and 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 and  
31 relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that  
32 all deliberations of this Council and of any of its committees that resulted in such formal action, were  
33 in meetings open to the public, in compliance with all legal requirements, to the extent applicable,  
34 including 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, for the reason that it is immediately necessary to permit timely and  
39 appropriate development of this property, and provided it receives the affirmative vote of two thirds of  
40 the 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 period  
42 allowed by law.  
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45 Passed: \_\_\_\_\_  
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47 President of Council

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50 Clerk of Council

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53 Approved: \_\_\_\_\_  
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55 Mayor