

NEW LEGISLATION

January 9, 2012

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

Temp. No.	Introduced	Committee	Description
A-1	1/9/12	PI	A resolution declaring the necessity of and intention to appropriate certain interests in real property necessary for the improvement of State Road between Graham Road and Steels Corners Road, and declaring an emergency.
A-2	1/9/12	PI	An ordinance authorizing the Director of Public Service to enter into a contract and/or contracts without competitive bidding with Kenmore Construction Co., Inc. for emergency repairs to the road embankment supporting Akron-Peninsula Road north of Ira Road, and declaring an emergency.
A-3	1/9/12	PA	An ordinance amending Section 1 of Ord. No. 103-2011 to approve and adopt the final council ward descriptions and ward map associated with the redistricting of City Council wards as determined therein, and declaring an emergency.
A-4	1/9/12	PA	An ordinance authorizing the Director of Public Safety to enter into an agreement with the City of Tallmadge, Ohio for the provision of prisoner confinement services, and declaring an emergency.

CALENDAR

January 9, 2012

The following legislation will be up for passage at the Council Meeting on January 9, 2012.

Temp. No.	Introduced	Committee	Description
B-133	12/27/11	P & Z	A resolution approving the brownfield redevelopment plan submitted for the proposed Schwebel Flex Industrial and Technology Center, and declaring an emergency.
B-134	12/27/11	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the purchase of annual requirements of certain materials and supplies for use by the Water and Sewer Division during 2012, and declaring an emergency.
B-135	12/27/11	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the purchase of annual requirements of certain materials and supplies for use by the Streets Division during 2012, and declaring an emergency.
B-136	12/27/11	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the purchase of annual requirements of certain materials and supplies for use by the Sanitation Division during 2012, and declaring an emergency.
B-137	12/27/11	Fin	An ordinance amending Ordinance No. 99-2011, relating to the purchase of self-contained

breathing apparatus sets, and declaring an emergency.

B-138	12/27/11	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the purchase of annual requirements of certain materials, supplies and services for use by the Garage Division during 2012, and declaring an emergency.
B-139 Sub	12/27/11	Fin	An ordinance authorizing the Directors of Safety and Public Service to enter into a contract or contracts, according to law, for the purchase or lease of various vehicles for use by the City, and declaring an emergency.
B-140	12/27/11	PA	An ordinance amending the Traffic Control File by providing for installation of various traffic control devices, and declaring an emergency.
B-141	12/27/11	PA	An ordinance authorizing the Director of Public Safety to enter into a mutual aid agreement with certain local law enforcement agencies for the operation of the Summit County Metro "SWAT" Team, and declaring an emergency.
B-142	12/27/11	PA	An ordinance authorizing the Park and Recreation Board to enter into an amendment of Contract No. 5863 with Summa Health Systems Cuyahoga Falls General Hospital nka Summa Western Reserve Hospital, LLC, and declaring an emergency.
B-143	12/27/11	CD	A resolution authorizing the Director of Community Development to apply for and accept a grant from the Clean

Ohio Revitalization Fund in support of the proposed Schwebel Flex Industrial and Technology Center, and declaring an emergency.

B-144 12/27/11 CD

A resolution expressing this Council's intent to require the establishment of renovation and construction performance goals based on "LEED" standards in the redevelopment of the Schwebel Baking Company site, and declaring an emergency.

PENDING LEGISLATION

January 9, 2012

Temp. No.	Introduced	Committee	Description
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-133	12/27/11	P & Z	A resolution approving the brownfield redevelopment plan submitted for the proposed Schwebel Flex Industrial and Technology Center, and declaring an emergency.
B-134	12/27/11	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the purchase of annual requirements of certain materials and supplies for use by the Water and Sewer Division during 2012, and declaring an emergency.
B-135	12/27/11	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts,

according to law, for the purchase of annual requirements of certain materials and supplies for use by the Streets Division during 2012, and declaring an emergency.

B-136 12/27/11 Fin

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the purchase of annual requirements of certain materials and supplies for use by the Sanitation Division during 2012, and declaring an emergency.

B-137 12/27/11 Fin

An ordinance amending Ordinance No. 99-2011, relating to the purchase of self-contained breathing apparatus sets, and declaring an emergency.

B-138 12/27/11 Fin

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the purchase of annual requirements of certain materials, supplies and services for use by the Garage Division during 2012, and declaring an emergency.

B-139 Sub 12/27/11 Fin

An ordinance authorizing the Directors of Safety and Public Service to enter into a contract or contracts, according to law, for the purchase or lease of various vehicles for use by the City, and declaring an emergency.

B-140 12/27/11 PA

An ordinance amending the Traffic Control File by providing for installation of various traffic control devices, and declaring an emergency.

B-141 12/27/11 PA

An ordinance authorizing the Director of Public Safety to enter into a mutual aid agreement with

certain local law enforcement agencies for the operation of the Summit County Metro "SWAT" Team, and declaring an emergency.

B-142 12/27/11 PA

An ordinance authorizing the Park and Recreation Board to enter into an amendment of Contract No. 5863 with Summa Health Systems Cuyahoga Falls General Hospital nka Summa Western Reserve Hospital, LLC, and declaring an emergency.

B-143 12/27/11 CD

A resolution authorizing the Director of Community Development to apply for and accept a grant from the Clean Ohio Revitalization Fund in support of the proposed Schwebel Flex Industrial and Technology Center, and declaring an emergency.

B-144 12/27/11 CD

A resolution expressing this Council's intent to require the establishment of renovation and construction performance goals based on "LEED" standards in the redevelopment of the Schwebel Baking Company site, and declaring an emergency.

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4 CITY OF CUYAHOGA FALLS, OHIO

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6 RESOLUTION NO. - 2012

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9 A RESOLUTION DECLARING THE NECESSITY OF AND
10 INTENTION TO APPROPRIATE CERTAIN INTERESTS IN
11 REAL PROPERTY NECESSARY FOR THE
12 IMPROVEMENT OF STATE ROAD BETWEEN GRAHAM
13 ROAD AND STEELS CORNERS ROAD, AND
14 DECLARING AN EMERGENCY.
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16 WHEREAS, the City wishes to repair, improve and widen State Road between
17 Graham Road and Steels Corners Road, a road which shall be open to the public
18 without charge, and
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20 WHEREAS, this Council finds and determines that the acquisition of fee simple
21 title and temporary construction easements is a proper public use associated with
22 the improvement, as contemplated in Art. I, §19 of the Ohio Constitution,
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24 NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cuyahoga
25 Falls, County of Summit and State of Ohio, that:
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27 Section 1. This Council considers it necessary and hereby declares its intention
28 to appropriate, for public purposes, certain temporary and permanent interests in
29 real property necessary for the improvement of State Road between Graham Road
30 and Steels Corners Road, namely, the property described in the Exhibits numbered
31 A(013-T) and A(014-WD), which are on file with the Clerk of Council in Council File
32 No. _____ and incorporated as if fully rewritten herein.
33

34 Section 2. This Council finds and determines that the acquisition of the
35 interests in real property as necessary to establish the mentioned public
36 improvement is a proper public use as contemplated in Art. I, §19 of the Ohio
37 Constitution.
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39 Section 3. The Mayor is hereby authorized to cause written notice of the
40 adoption of this resolution to be given to the owners, persons in possession, or
41 others having an interest of record in one or more of the properties described in the
42 Exhibits hereto. The notice shall be served and returned according to law.
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44 Section 4. It is found and determined that all formal actions of this Council
45 concerning and relating to the adoption of this resolution 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
48 public, in compliance with all legal requirements, to the extent applicable,
49 including Chapter 107 of the Codified Ordinances.

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Section 5. 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 received 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

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4 CITY OF CUYAHOGA FALLS, OHIO

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6 ORDINANCE NO. - 2012

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9 AN ORDINANCE AUTHORIZING THE DIRECTOR OF
10 PUBLIC SERVICE TO ENTER INTO A CONTRACT
11 AND/OR CONTRACTS WITHOUT COMPETITIVE
12 BIDDING WITH KENMORE CONSTRUCTION CO., INC.
13 FOR EMERGENCY REPAIRS TO THE ROAD
14 EMBANKMENT SUPPORTING AKRON-PENINSULA
15 ROAD NORTH OF IRA ROAD, AND DECLARING AN
16 EMERGENCY.

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18 WHEREAS, the Cuyahoga River has caused the erosion of the roadway
19 embankment supporting Akron-Peninsula Road north of Ira Road, requiring
20 immediate repair, and

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22 WHEREAS, there exists a real and present emergency in connection with the
23 erosion of the roadway embankment supporting Akron-Peninsula Road north of
24 Ira Road, such that normal competitive bidding for the repair contract cannot
25 be accomplished without unreasonable risk to public safety,

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

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30 Section 1. The Director of Public Service is hereby authorized to enter into a
31 contract and/or contracts without competitive bidding with Kenmore Construction
32 Co., Inc. for emergency repair to the roadway embankment supporting Akron-
33 Peninsula Road north of Ira Road.

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35 Section 2. The Director of Finance is authorized to make payment for same
36 from the Storm Water Utility Fund, line item Capital.

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

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

ORDINANCE NO. - 2012

AN ORDINANCE AMENDING SECTION 1 OF ORD. NO. 103-2011 TO APPROVE AND ADOPT THE FINAL COUNCIL WARD DESCRIPTIONS AND WARD MAP ASSOCIATED WITH THE REDISTRICTING OF CITY COUNCIL WARDS AS DETERMINED THEREIN, AND DECLARING AN EMERGENCY.

WHEREAS, in Ord. No. 103-2011, passed December 5, 2011, this Council approved ward descriptions and a ward map upon completion of the redistricting of wards undertaken as a result of the 2010 federal decennial census, and

WHEREAS, based upon the Council’s action in Ord. No. 103-2011, formal legal descriptions of the approved ward boundaries and an official map based upon the same have been prepared by the City’s Engineering Division,

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

Section 1. The formal legal descriptions of the City’s eight wards and the official ward map, as prepared by the Engineering Division in response to Ord. No. 103-2011, are hereby approved and adopted.

Section 2. Section 1 of Ord. No. 103-2011, passed December 5, 2011, is hereby amended to read in its entirety as follows:

Pursuant to Article IV, Sections 2 and 7 of the City Charter, the City is hereby subdivided into eight wards as described by metes and bounds in conformance with Art. IV, §7 of the City Charter, as shown on the eight individual ward descriptions dated January 3, 2012 and on the map entitled “Cuyahoga Falls City Council Wards,” dated January 3, 2012, all of the same being placed on file with the Clerk of Council in Council File No. 103-2011.

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

Section 4. It is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance 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.

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

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Passed: _____

President of Council

Clerk of Council

Approved _____

Mayor

1/9/12
O:\2012ords\amend Ord. 103-2011

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3 CITY OF CUYAHOGA FALLS, OHIO

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5 ORDINANCE NO. - 2012

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7 AN ORDINANCE AUTHORIZING THE DIRECTOR OF
8 PUBLIC SAFETY TO ENTER INTO AN AGREEMENT WITH
9 THE CITY OF TALLMADGE, OHIO FOR THE PROVISION
10 OF PRISONER CONFINEMENT SERVICES, AND
11 DECLARING AN EMERGENCY.
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14 BE IT ORDAINED by the Council of the City of Cuyahoga Falls, County of Summit
15 and State of Ohio, that:

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17 Section 1. The Director of Public Safety is hereby authorized to enter into an agree-
18 ment with the City of Tallmadge, Ohio for the provision of prisoner confinement services
19 substantially in the form of agreement placed on file with the Clerk of Council in Coun-
20 cil File No. _____.

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22 Section 2. Any other ordinances and resolutions or portions of ordinances and reso-
23 lutions inconsistent herewith are hereby repealed but any ordinances and resolutions
24 or portions of ordinances and resolutions not inconsistent herewith and which have not
25 previously been repealed are hereby ratified and confirmed.
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28 Section 3. It is found and determined that all formal actions of this Council con-
29 cerning and relating to the adoption of this ordinance were adopted in an open meeting
30 of this Council and that all deliberations of this Council and of any of its committees
31 that resulted in such formal action were in meetings open to the public, in compliance
32 with all legal requirements including Chapter 107 of the Codified Ordinances.

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34 Section 4. 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 affirma-
37 tive vote of two-thirds of the members elected or appointed to Council, it shall take
38 effect and be in force immediately upon its passage and approval by the Mayor; other-
39 wise it shall take effect and be in force at the earliest period allowed by law.
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41 Passed: _____

President of Council

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46 Clerk of Council

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49 Approved: _____

Mayor

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