

NEW LEGISLATION

February 13, 2012

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

Temp. No.	Introduced	Committee	Description
A-9	2/13/12	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the installation of a new roof at Fire Station 4, located at 3089 Northampton Road, and declaring an emergency.
A-10	2/13/12	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for replacement of an 8" water main with a 12" water main in Front Street between Broad Boulevard and Sackett Avenue, and declaring an emergency.
A-11	2/13/12	Fin	An ordinance levying special assessments for the repair or replacement of sidewalks and drive approaches in the Sidewalk and Drive Approach Repair and Replacement District, for the year 2011, and declaring an emergency.
A-12	2/13/12	Fin	An ordinance authorizing the Director of Public Safety to enter into a contract without competitive bidding with Vance Outdoors, Inc. dba Vance's Shooters Supplies for the trade-in and purchase of rifles for use in the Police Department, and declaring an emergency.
A-13	2/13/12	Fin	An ordinance authorizing the Director of Public Safety to enter into a contract or contracts without competitive bidding with Motorola, Inc. for the maintenance of the Public Safety Regional Dispatch System Equipment, and declaring an emergency.
A-14	2/13/12	PI	An ordinance authorizing the Director of

Public Service to enter into a contract or contracts, according to law, for the resurfacing and/or repair of various streets in the City of Cuyahoga Falls, and declaring an emergency.

A-15 2/13/12 PI

A resolution creating for the year 2012 the Sidewalk and Drive Approach Repair or Replacement Assessment District consisting of such streets, alleys, or public roadways that are within the corporate limits of the City of Cuyahoga Falls, declaring the necessity of repairing or replacing the sidewalks and drive approaches abutting on such streets, alleys or public roadways within said corporate limits and providing the method for levying special assessments thereupon, and declaring an emergency.

A-16 2/13/12 PI

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the replacement or repair of concrete sidewalks, drive approaches and curbs at various locations in the City of Cuyahoga Falls, and declaring an emergency.

A-17 2/13/12 PI

An ordinance authorizing and directing the appropriation of certain interests in real property abutting the intersection of State Road at Bath Road, necessary for the improvement of State Road, and declaring an emergency.

A-18 2/13/12 PA

A resolution authorizing the Director of Public Service to apply for and accept a grant from the Summit/Akron Solid Waste Management Authority, and declaring an emergency.

A-19 2/13/12 PA

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

A-20

2/13/12

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An ordinance authorizing the Mayor to enter into a modification of Contract No. 6712 with Superior Environmental Corporation, and declaring an emergency.

CALENDAR

February 13, 2012

The following legislation will be up for passage at the Council Meeting on February 13, 2012.

Temp. No.	Introduced	Committee	Description
A-5	1/23/12	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the purchase of certain materials, supplies, and equipment for use by the Electric Division during 2012, and declaring an emergency.
A-6	1/23/12	Fin	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.
A-7	1/23/12	Fin	An ordinance amending Sections 921.01, 921.02 921.03 and 921.06 of Title Five, Part Nine of the Codified Ordinances, relating to utility accounts and customer deposits, and declaring an emergency.
A-8	1/23/12	PA	A resolution expressing support for and urging passage of Issue 10, the Woodridge Local School District tax levy, at the primary election to be held on March 6, 2012, and declaring an emergency.

PENDING LEGISLATION

February 13, 2012

Temp. No.	Introduced	Committee	Description
A-5	1/23/12	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the purchase of certain materials, supplies, and equipment for use by the Electric Division during 2012, and declaring an emergency.
A-6	1/23/12	Fin	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.
A-7	1/23/12	Fin	An ordinance amending Sections 921.01, 921.02 921.03 and 921.06 of Title Five, Part Nine of the Codified Ordinances, relating to utility accounts and customer deposits, and declaring an emergency.
A-8	1/23/12	PA	A resolution expressing support for and urging passage of Issue 10, the Woodridge Local School District tax levy, at the primary election to be held on March 6, 2012, and declaring an emergency.

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4 CITY OF CUYAHOGA FALLS, OHIO

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6 ORDINANCE NO. - 2012

7
8 AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC
9 SERVICE TO ENTER INTO A CONTRACT OR CONTRACTS,
10 ACCORDING TO LAW, FOR THE INSTALLATION OF A NEW
11 ROOF AT FIRE STATION 4, LOCATED AT 3089
12 NORTHAMPTON ROAD, AND DECLARING AN EMERGENCY.
13

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 contract or
19 contracts, according to law, for the installation of a new roof at Fire Station 4, located at
20 3089 Northampton Road in the City of Cuyahoga Falls.
21

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

25 Section 3. Any other ordinances or resolutions or portions of ordinances and
26 resolutions inconsistent herewith are hereby repealed, but any ordinances and resolutions
27 not inconsistent herewith and which have not previously been repealed are hereby ratified
28 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, to the extent applicable, including 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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45 Passed: _____

President of Council

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49 Clerk of Council

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51 Approved: _____

Mayor

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53 2/13/12

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4 CITY OF CUYAHOGA FALLS, OHIO

5 ORDINANCE NO. - 2012

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9 AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC
10 SERVICE TO ENTER INTO A CONTRACT OR CONTRACTS,
11 ACCORDING TO LAW, FOR REPLACEMENT OF AN 8" WATER
12 MAIN WITH A 12" WATER MAIN IN FRONT STREET BETWEEN
13 BROAD BOULEVARD AND SACKETT AVENUE, AND DECLARING
14 AN EMERGENCY.
15

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 replacement of an 8" water main with a 12" water main in Front
22 Street between Broad Boulevard and Sackett Avenue.
23

24 Section 2. The Director of Finance is hereby authorized and directed to make payment for same
25 from the Water Fund, line item Capital Outlay.
26

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

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

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

President of Council

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Clerk of Council

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54 Approved: _____

Mayor

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57 2/13/12

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3 CITY OF CUYAHOGA FALLS, OHIO

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5 ORDINANCE NO. - 2012

6
7 AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR
8 THE REPAIR OR REPLACEMENT OF SIDEWALKS AND
9 DRIVE APPROACHES IN THE SIDEWALK AND DRIVE
10 APPROACH REPAIR AND REPLACEMENT DISTRICT, FOR
11 THE YEAR 2011, AND DECLARING AN EMERGENCY.

12
13 WHEREAS, Resolution No. 3-2011, adopted by the Council of the City of Cuyahoga
14 Falls on February 28, 2011, created the Sidewalk and Drive Approach Repair and
15 Replacement District for the year 2011, and determined the necessity of adjusting or
16 replacing certain sidewalks and drive approaches within the district; and

17
18 WHEREAS, such sidewalks and drive approaches within the district have been
19 repaired or replaced;

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

23
24 Section 1. The portion of the total cost and expense of repairing or replacing
25 sidewalks and driveway approaches located within the Sidewalk and Drive Approach
26 Repair and Replacement District for the year 2011 to be paid for by special assessments
27 is hereby established at the rate of \$12.00 per linear foot for replacement and \$5.00 per
28 square foot for driveway approaches. That portion of the total cost of the improvement
29 to be paid for by special assessments is hereby levied and assessed upon the lots and
30 lands provided for in the schedule of special assessments now on file with the Clerk of
31 Council in Council File No. _____, which special assessments are in proportion to the
32 special benefits and are not in excess of any statutory limitation and which are hereby
33 adopted and confirmed.

34
35 Section 2. The assessment against each lot or parcel of land shall be payable in
36 cash within thirty (30) days from the levy thereof in the office of the Finance Director
37 with the further provision that all assessments thereof remaining unpaid at the
38 expiration of said thirty days shall be certified by the Clerk of Council to the County
39 Fiscal Officer to be placed on the tax duplicate and collected in two (2) semi-annual
40 installments.

41
42 Section 3. A certified copy of this ordinance shall be provided to the County Fiscal
43 Officer by the Clerk of Council within twenty (20) days after its passage.

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

49
50 Section 5. It is found and determined that all formal actions of this Council
51 concerning and relating to the adoption of this ordinance were adopted in an open
52 meeting of this Council and that all deliberations of this Council and of any of its
53 Committees that resulted in such formal action were in meetings open to the public in
54 compliance with all legal requirements including Chapter 107 of the Codified
55 Ordinances.

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Section 6. This ordinance 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 at the earliest period allowed by law.

Passed: _____
President of Council

Clerk of Council

Approved: _____
Mayor

2/13/11
O:\2012ords\2011 Sidewalk Assessment.doc

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4 CITY OF CUYAHOGA FALLS

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6 ORDINANCE NO. - 2012

7
8 AN ORDINANCE AUTHORIZING THE DIRECTOR OF
9 PUBLIC SAFETY TO ENTER INTO A CONTRACT
10 WITHOUT COMPETITIVE BIDDING WITH VANCE
11 OUTDOORS, INC. dba VANCE’S SHOOTERS SUPPLIES
12 FOR THE TRADE-IN AND PURCHASE OF RIFLES FOR
13 USE IN THE POLICE DEPARTMENT, AND DECLARING
14 AN EMERGENCY.

15
16 WHEREAS, the City owns used rifles formerly used in law enforcement that
17 are no longer needed for any municipal purpose, but have trade-in value in excess
18 of \$1,000; and

19
20 WHEREAS, Section 2 of the City Charter, adopted pursuant to Art. XVIII,
21 Section 3 of the Ohio Constitution, authorizes this Council to make exception to
22 competitive bidding and property disposition procedures set forth in the Revised
23 Code,

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

27
28 Section 1. Notwithstanding and as an exception to Section 721.15 of the
29 Ohio Revised Code, the Director of Public Safety is hereby authorized to enter into
30 a contract without competitive bidding with Vance Outdoors, Inc. dba Vance’s
31 Shooters Supplies (“Seller”) for the trade-in of 37 rifles identified on the list
32 attached hereto as Exhibit “A,” which rifles are hereby declared no longer needed
33 for any municipal purpose, and for the purchase of new rifles and accessories, on
34 the basis of and in accordance with the Seller’s proposal dated February 6, 2012.

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

41
42 Section 3. It is found and determined that all formal actions of this
43 Council concerning and relating to the adoption of this ordinance were adopted in
44 an open meeting of this Council and that all deliberations of this Council and of
45 any of its committees that resulted in such formal action were in meetings open
46 to the public, in compliance with all legal requirements including Section 121.22
47 of the Ohio Revised Code.

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

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59 Passed: _____

President of Council

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Clerk of Council

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67 Approved: _____

Mayor

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69 2/13/12

70 O:\2012ords\2012 Rifle Ord.doc

Exhibit A**C.F.P.D. 2011 DEPARTMENT WEAPONS**

RIFLE	Serial Number
1. REMINGTON 7615	B8524626
2. REMINGTON 7615	B8531504
3. REMINGTON 7615	B8531593
4. REMINGTON 7615	B8532136
5. REMINGTON 7615	B8532408
6. REMINGTON 7615	B8532564
7. REMINGTON 7615	B8532634
8. REMINGTON 7615	B8532661
9. REMINGTON 7615	B8535096
10. REMINGTON 7615	B8535098
11. REMINGTON 7615	B8535099
12. REMINGTON 7615	B8535108
13. REMINGTON 7615	B8535116
14. REMINGTON 7615	B8535138
15. REMINGTON 7615	B8535139
16. REMINGTON 7615	B8535143
17. REMINGTON 7615	B8535287
18. REMINGTON 7615	B8535288
19. REMINGTON 7615	B8535293
20. REMINGTON 7615	B8535306
21. REMINGTON 7615	B8535312
22. REMINGTON 7615	B8535319
23. REMINGTON 7615	B8535346
24. REMINGTON 7615	B8535348
25. REMINGTON 7615	B8535730
26. REMINGTON 7615	B8538227
27. REMINGTON 7615	B8538232
1. H&K MP-5	62-336185
2. H&K MP-5	62-336673
3. H&K MP-5SD	63-102273
4. H&K MP-5K PDW	64-33069
5. H&K G36K	84-1227
6. H&K G36K	84-1228
7. H&K G36K	84-1229
8. H&K G36K	84-1230
9. H&K MP-5 SD A3	S98134
10. Benelli S-90	M1S90

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4 CITY OF CUYAHOGA FALLS, OHIO

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6 ORDINANCE NO. - 2012

7
8 AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC
9 SAFETY TO ENTER INTO A CONTRACT OR CONTRACTS WITHOUT
10 COMPETITIVE BIDDING WITH MOTOROLA, INC. FOR THE
11 MAINTENANCE OF THE PUBLIC SAFETY REGIONAL DISPATCH
12 SYSTEM EQUIPMENT, AND DECLARING AN EMERGENCY.
13

14 WHEREAS, Motorola, Inc. is the sole source purveyor of maintenance and repair services for
15 Motorola radio equipment;

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

19
20 Section 1. The Director of Public Safety is hereby authorized to enter into a contract or
21 contracts without competitive bidding with Motorola, Inc., on the basis of its proposal dated March 1,
22 2012, for the maintenance and repair of the City’s Motorola-manufactured Public Safety Regional
23 Dispatch System equipment.
24

25 Section 2. The Director of Finance is hereby authorized and directed to make payment for same
26 from General Fund, Communications Department, line item Other Operations.
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 passage of this ordinance were taken in an open meeting of this Council and that all
35 deliberations of this Council and of any committees that resulted in those formal actions were in
36 meetings open to the public, in compliance with all legal requirements including Chapter 107 of the
37 Codified Ordinances.
38

39 Section 5. This ordinance 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 receives 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: _____

President of Council

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Clerk of Council

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55 Approved _____

Mayor

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4 CITY OF CUYAHOGA FALLS, OHIO

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6 ORDINANCE NO. - 2012

7
8 AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC
9 SERVICE TO ENTER INTO A CONTRACT OR CONTRACTS,
10 ACCORDING TO LAW, FOR THE RESURFACING AND/OR
11 REPAIR OF VARIOUS STREETS IN THE CITY OF
12 CUYAHOGA FALLS, AND DECLARING AN EMERGENCY.

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

16
17 Section 1. The Director of Public Service is hereby authorized to enter into a contract or
18 contracts, according to law, for the resurfacing and/or repair of various streets in the City
19 as set forth in Exhibit 'A' attached hereto.

20
21 Section 2. The Director of Finance is hereby authorized and directed to make payment
22 for same from the Capital Projects Fund, line item Capital Outlay.

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

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

34
35 Section 5. This ordinance is hereby declared to be an emergency measure necessary for
36 the preservation of the public peace, health, safety, convenience and welfare of the City of
37 Cuyahoga Falls and the inhabitants thereof, for the reason that it is immediately necessary
38 to permit timely and appropriate development of this property, and provided it receives the
39 affirmative vote of two thirds of the members elected or appointed to Council, it shall take
40 effect and be in force immediately upon its passage and approval by the Mayor; otherwise it
41 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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53 2/13/12

EXHIBIT "A"
2012 Street List

Resurfacing

<u>STREET</u>	FROM	TO
Valley Road	Portage Trail	State Rd.
Bailey Road	Kennedy Blvd.	Northmoreland Blvd.
8 th Street	Lincoln Ave.	Silverlake Ave.
Paddison Avenue	Hunter Pkwy.	Kube St.
Timothy Avenue	Kube St.	Hunter Pkwy.
High Street	Broadway East	Portage Trail
Kube Street	Timothy Ave.	Paddison Ave.
Anderson Road	Munroe Falls Ave.	Myrtle Ave.
Albertson Parkway	Portage Trail	End
3 rd Street	Stow Ave.	Broad Blvd.
4 th Street	Stow Ave.	Broad Blvd.
16 th Street	Phelps Ave.	Valley Rd.
Sackett Avenue	4 th St.	2 nd St.
Sackett Avenue	4 th St.	21 st St.
2 nd Street	Sackett Ave.	Water main break area
Bailey Road	3 rd St.	Graham Rd.
Akron-Peninsula Rd.	1972 A-P Rd.	2064 A-P Rd.
Hanover Street	Bailey Rd.	Broadway East
Northampton Road	Theiss Rd.	Bath Rd.
Quick Road	State Rd.	Corp Line

Grinding Only

<u>STREET</u>	FROM	TO
12 th Street	Broad Blvd	13 th St.
14 th Street	Silverlake Ave.	Graham Rd.
Washington Avenue	Oakwood Dr.	6 th St.
Schubert Street	School Ave.	Munroe Falls Ave.
School Avenue	Cook St.	Bailey Rd.
Alley W of State Road	Falls Ave.	Marcia Blvd.
Alley W of State Road	Shaw Ave.	Phelps Ave.

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4 CITY OF CUYAHOGA FALLS, OHIO

5
6 RESOLUTION NO. - 2012

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9 A RESOLUTION CREATING FOR THE YEAR 2012 THE
10 SIDEWALK AND DRIVE APPROACH REPAIR OR
11 REPLACEMENT ASSESSMENT DISTRICT CONSISTING OF
12 SUCH STREETS, ALLEYS, OR PUBLIC ROADWAYS THAT
13 ARE WITHIN THE CORPORATE LIMITS OF THE CITY OF
14 CUYAHOGA FALLS, DECLARING THE NECESSITY OF
15 REPAIRING OR REPLACING THE SIDEWALKS AND DRIVE
16 APPROACHES ABUTTING ON SUCH STREETS, ALLEYS OR
17 PUBLIC ROADWAYS WITHIN SAID CORPORATE LIMITS
18 AND PROVIDING THE METHOD FOR LEVYING SPECIAL
19 ASSESSMENTS THEREUPON, AND DECLARING AN
20 EMERGENCY.

21
22 WHEREAS, it is the opinion of this Council that certain sidewalks and drive approaches
23 abutting on the streets, alleys or public roadways within the City of Cuyahoga Falls are in
24 disrepair,

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

28
29 Section 1. The Sidewalk and Drive Approach Repair or Replacement Assessment
30 District is hereby created for the year 2012 consisting of those streets, alleys or public
31 roadways as are within the corporate limits of the City of Cuyahoga Falls.

32
33 Section 2. It is hereby declared that the repair or replacement of sidewalks and drive
34 approaches abutting on necessary streets, alleys and public roadways within the Sidewalk
35 and Drive Approach Repair or Replacement District is necessary and will be of general
36 benefit within the City and of special benefit to property owners abutting said sidewalks
37 and drive approaches.

38
39 Section 3. Property abutting the necessary streets, alleys and public roadways
40 receiving sidewalk repair or replacement within the District may be assessed by the linear
41 foot of abutting sidewalk at the rate of one-half of the total cost of installing or adjusting a
42 linear foot of sidewalk, with the remainder of such cost to be paid by the City. Property
43 abutting the necessary streets, alleys and public roadways receiving drive approach repair
44 or replacement within the District may be assessed by the square foot of drive approach at
45 the rate of one-half of the total cost of installing or adjusting a square foot of drive
46 approach, with the remainder of such cost to be paid by the City.

47
48 Section 4. The assessment to be levied may be paid in full within thirty (30) days
49 from the levy thereof in the office of the City Director of Finance, and all assessments
50 thereof remaining unpaid at the expiration of said thirty (30) days shall be certified by the
51 Clerk of Council to the County Fiscal Officer to be placed by her on the tax duplicate and
52 collected in two (2) semi-annual installments.
53

54 Section 5. Notice to the owners thereof shall be given by publishing the resolution
55 establishing a sidewalk and drive approach repair or replacement district and setting forth
56 the portion of the cost to be assessed, once each week for two weeks in a newspaper
57 published and of general circulation to the City.
58

59 Section 6. If an owner objects to an assessment, he shall file his objections in writing
60 with the Clerk of Council within ten (10) days after the last publication of the resolution as
61 provided in Section 915.03 of the Codified Ordinances of the City of Cuyahoga Falls,
62 thereupon, Council shall consider such objections and if they are found to be well taken,
63 may remit such portion of the assessment against the property of the objecting owner as is
64 deemed just or may determine by resolution that a portion or portions of the work
65 described in the ordinance adopted pursuant to Sections 915.01 or 915.02 shall not be
66 done. Any deficiency arising from such remitter may be made up from any fund of the City
67 available for the public improvement of streets or by contributions from the owners desiring
68 that the work be done.
69

70 Section 7. After the expiration of the time within which objections may be filed under
71 Section 915.04 of the codified Ordinances of the City of Cuyahoga Falls and the disposition
72 of objections, the Director of Public Service may proceed with the work mentioned in
73 Sections 915.01 and 915.02 of the Codified Ordinances of the City of Cuyahoga Falls or if
74 proceeding by contract, the legislative authority shall authorize the Service Director to
75 advertise and take bids for the awarding of the necessary contracts subject to any
76 determination by the Council that a portion or portions of such work shall not be done
77 pursuant to Section 915.04 of the Codified Ordinances of the City of Cuyahoga Falls.
78

79 Section 8. It is found and determined that all formal actions of this Council
80 concerning and relating to the adoption of this resolution were adopted in an open meeting
81 of this Council and that all deliberations of this Council and of any of its Committees that
82 resulted in such formal action were in meetings open to the public in compliance with all
83 legal requirements including, to the extent applicable, Chapter 107 of the Codified
84 Ordinances.
85

86 Section 9. This resolution is hereby declared to be an emergency measure necessary
87 for the preservation of the public peace, health, safety, convenience and welfare of the City
88 of Cuyahoga Falls and the inhabitants thereof, and provided it receives the affirmative vote
89 of two thirds of the members elected or appointed to Council, it shall take effect and be in
90 force at the earliest period allowed by law.
91
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93

94 Passed: _____
95 _____
96 President of Council
97

98 _____
99 Clerk of Council
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102 Approved: _____
103 _____
104 Mayor
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106 2/13/12

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3 CITY OF CUYAHOGA FALLS, OHIO

4
5 ORDINANCE NO. - 2012

6
7 AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC
8 SERVICE TO ENTER INTO A CONTRACT OR CONTRACTS,
9 ACCORDING TO LAW, FOR THE REPLACEMENT OR REPAIR OF
10 CONCRETE SIDEWALKS, DRIVE APPROACHES AND CURBS AT
11 VARIOUS LOCATIONS IN THE CITY OF CUYAHOGA FALLS, AND
12 DECLARING AN EMERGENCY.
13

14 WHEREAS, pursuant to Resolution No. __-2012, a sidewalk and drive approach repair or
15 replacement assessment district was created within the City of Cuyahoga Falls for the purpose of
16 replacing or repairing sidewalks and drive approaches throughout the City,
17

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

21 Section 1. The Director of Public Service is hereby authorized to enter into a contract or
22 contracts, according to law, for replacement or repair of concrete sidewalks, drive approaches and
23 curbs at various locations in the City of Cuyahoga Falls.
24

25 Section 2. The Director of Finance is hereby authorized and directed to make payment for same
26 from the Capital Projects Fund.
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 ordinance 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 including, to the extent
37 applicable, Chapter 107 of the Codified Ordinances.
38

39 Section 5. This ordinance 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 receives 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
44 period allowed by law.
45
46

47 Passed: _____

President of Council

Clerk of Council

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53 Approved: _____

Mayor

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55
56 2/13/12

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4 CITY OF CUYAHOGA FALLS, OHIO

5
6 ORDINANCE NO. - 2010

7
8 AN ORDINANCE AUTHORIZING AND DIRECTING THE
9 APPROPRIATION OF CERTAIN INTERESTS IN REAL
10 PROPERTY ABUTTING THE INTERSECTION OF STATE
11 ROAD AT BATH ROAD, NECESSARY FOR THE
12 IMPROVEMENT OF STATE ROAD, AND DECLARING AN
13 EMERGENCY.
14

15 WHEREAS, on January 23, 2012, this Council adopted Resolution No. 4-2012,
16 declaring the intention of the City to appropriate certain interests in real property
17 necessary for the improvement of State Road between Graham Road and Steels Corners
18 Road, and caused notice thereof to be served on the owners thereof as required by law, and
19

20 WHEREAS, despite diligent efforts, the City and property owners have been unable to
21 agree to the terms by which the necessary land will be transferred to the City, and
22

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

26 Section 1. This Council authorizes and directs the appropriation of certain interests in
27 real property necessary for the improvement of State Road at the intersection of Bath Road
28 as more fully described in the exhibits numbered A(013-T) and A(014-WD), which are on
29 file with the Clerk of Council in Council File No. _____ and incorporated as if fully
30 rewritten herein.
31

32 Section 2. The Director of Law is hereby authorized to file any necessary civil actions in
33 the Summit County Probate Court, or any other court of competent jurisdiction, to provide
34 for the appropriation of the real property interests mentioned in Section 1 hereof by
35 eminent domain and the assessment of the compensation to be paid for the interests
36 hereby appropriated.
37

38 Section 3. The Director of Finance is hereby authorized to deposit with the Court the
39 amount of the appraised value of each of the real property interests mentioned in Section 1
40 hereof, as set forth on Exhibit "C" hereto, which is on file with the Clerk of Council and
41 incorporated as if fully rewritten herein, to permit the immediate appropriation of the
42 property. The Director of Finance is hereby authorized to make payment for the same out
43 of the Capital Projects Fund, line item Capital Outlay.
44

45 Section 4. Any other ordinances and resolutions or portions of ordinances and
46 resolutions inconsistent herewith are hereby repealed, but any ordinances and resolutions
47 or portions of ordinances and resolutions not inconsistent herewith and which have not
48 previously been repealed are hereby ratified and confirmed.
49

50 Section 5. It is found and determined that all formal actions of this Council concerning
51 and relating to the adoption of this resolution were adopted in an open meeting of this
52 Council and that all deliberations of this Council and of any of its committees that resulted
53 in such formal action were in meetings open to the public, in compliance with all legal
54 requirements, to the extent applicable, including Chapter 107 of the Codified Ordinances.

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Section 6. 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

2/13/12
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3 CITY OF CUYAHOGA FALLS, OHIO

4
5 RESOLUTION NO. - 2012

6
7 A RESOLUTION AUTHORIZING THE DIRECTOR OF
8 PUBLIC SERVICE TO APPLY FOR AND ACCEPT A
9 GRANT FROM THE SUMMIT/AKRON SOLID WASTE
10 MANAGEMENT AUTHORITY, AND DECLARING AN
11 EMERGENCY.

12
13 WHEREAS, the City of Cuyahoga Falls desires to implement and support
14 new and existing community recycling programs that assist the Summit/Akron
15 Solid Waste Management Authority (“Authority”) in meeting the goals and
16 objectives of the State of Ohio’s Solid Waste Management Plan and the
17 Authority’s approved Plan; and

18
19 WHEREAS, the Authority has developed the Community Recycling Access
20 Grant (the “Grant”) to support projects which would sustain and increase
21 recycling activities within Summit County; and

22
23 WHEREAS, the City of Cuyahoga Falls is eligible to apply to the Authority for
24 the Grant which will further the mutual goals of the City and the Authority in
25 sustaining and increasing recycling activities within Summit County;

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

29
30 Section 1.The Director of Public Service is hereby authorized to apply for
31 and accept the Community Recycling Access Grant from the Summit/Akron
32 Solid Waste Management Authority, on behalf of the City of Cuyahoga Falls, for
33 the purposes set forth in the grant application and grant agreement.

34
35 Section 2.The Clerk is hereby directed to send the Authority a copy of this
36 resolution to the attention of Jenny Markovich, Program Coordinator, The
37 Summit/Akron Solid Waste Management Authority, 12 East Exchange Street,
38 Third Floor, Akron, Ohio 44308.

39
40 Section 3.It is found and determined that all formal actions of this Council
41 concerning and relating to the passage of this resolution were taken in an open
42 meeting of this Council and that all deliberations of this Council and of any
43 committees that resulted in those formal actions were in meetings open to the
44 public, in compliance with all legal requirements including Chapter 107 of the
45 Codified Ordinances.

46
47 Section 4.This resolution is hereby declared to be an emergency measure
48 necessary for the preservation of the public peace, health, safety, convenience
49 and welfare of the City of Cuyahoga Falls and the inhabitants thereof, and
50 provided it receives the affirmative vote of two-thirds of the members elected or

51 appointed to Council, it shall take effect and be in force immediately upon its
52 passage and approval by the Mayor; otherwise it shall take effect and be in force
53 at the earliest period allowed by law.

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56 Passed: _____

President of Council

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Clerk of Council

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64 Approved: _____

Mayor

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68 2/13/12

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5 CITY OF CUYAHOGA FALLS, OHIO

6
7 ORDINANCE NO. - 2012

8
9 AN ORDINANCE AMENDING THE TRAFFIC
10 CONTROL FILE BY PROVIDING FOR INSTALLATION
11 OF VARIOUS TRAFFIC CONTROL DEVICES, AND
12 DECLARING AN EMERGENCY.
13

14 WHEREAS, site-specific traffic control regulations of the City are established
15 and maintained in the "Traffic Control File," a document established and
16 maintained by the Chief of Police pursuant to Chapter 305 of the Codified
17 Ordinances, and
18

19 WHEREAS, Section 305.02 of said Chapter requires that amendments to the
20 Traffic Control File be made only through legislation passed by City Council,
21

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

25 Section 1. Upon the recommendation of the Traffic Committee, the Traffic
26 Control File is hereby amended as follows:
27

- 28 (1) Automatic 4-way traffic signal at the intersection of Second Street and
29 Chestnut Blvd. shall be removed and replaced with 2-way stop signs
30 controlling east and west bound traffic on Chestnut Boulevard. No
31 controls on north and south bound traffic on Second Street.
32

33 Section 2. The Chief of Police is hereby authorized and directed to note in
34 the Traffic Control File the proper legends.
35

36 Section 3. The Mayor is hereby authorized and directed to cause the
37 installation or removal of the proper signage reflecting the above amendments.
38

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

45 Section 5. It is found and determined that all formal actions of this Council
46 concerning and relating to the adoption of this ordinance were adopted in an
47 open meeting of this Council and that all deliberations of this Council and of
48 any of its committees that resulted in such formal action were in meetings open
49 to the public, in compliance with all legal requirements including Chapter 107
50 of the Codified Ordinances.

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Section 6. This ordinance 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

2/13/12
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3 CITY OF CUYAHOGA FALLS, OHIO

4
5 ORDINANCE NO. - 2012

6
7 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER
8 INTO A MODIFICATION OF CONTRACT NO. 6712 WITH
9 SUPERIOR ENVIRONMENTAL CORPORATION, AND
10 DECLARING AN EMERGENCY.

11
12 WHEREAS, pursuant to the authority of Ordinance No. 90-2011, the City entered
13 into Contract No. 6712 with Superior Environmental Corp. for the for the professional
14 services necessary to conduct a Phase II Environmental Assessment and ancillary
15 environmental services in connection with certain real property (Parcels ##02-18449,
16 02-19506 and 02-18447), as necessary for preparation and submission of a grant
17 application to the Clean Ohio Revitalization Fund; and

18
19 WHEREAS, it is necessary to adjust the scope of work beyond what was originally
20 estimated, including additional project management, field services, supplies,
21 equipment, drilling, laboratory testing and disposal, due to unforeseen site conditions,
22 in order to complete the work, which changes will increase the estimated total contract
23 price by an amount not exceeding \$29,773.62,

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

27
28 Section 1. The Mayor is hereby authorized to enter into a modification of Contract
29 No. 6712 with Superior Environmental Corporation, increasing the scope of work to
30 include additional project management, field services, supplies, equipment, drilling,
31 laboratory testing and disposal, in an amount not exceeding \$29,773.62 over the
32 original estimated contract price. Said modification shall be prepared in writing and
33 signed by the Mayor on behalf of the City.

34
35 Section 2. The Director of Finance is hereby authorized and directed to pay invoices
36 for work based upon the Contract as modified, from the CDBG Fund, Line Item Other
37 Operations.

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: _____
6 _____
7 President of Council

8 _____
9 Clerk of Council

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11 Approved: _____
12 _____
13 Mayor

14
15 2/13/12

16 O:\2012ords\Superior Env. Contract Mod.