

NEW LEGISLATION

March 26, 2012

Temp. No.	Introduced	Committee	Description
A-36	3/26/12	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-37	3/26/12	PA	An ordinance approving the issuance of bonds by Franklin County, Ohio in relation to certain hospital facilities located within the City of Cuyahoga Falls, pursuant to Section 147 of the Internal Revenue Code of 1986, as amended, and declaring an emergency.
A-38	3/26/12	PA	An ordinance changing the name of Hampton Bluff Drive to Nestico Drive, and declaring an emergency.

CALENDAR

March 26, 2012

The following legislation will be up for passage at the Council Meeting on March 26, 2012.

Temp. No.	Introduced	Committee	Description
A-27	3/12/12	Fin	An ordinance authorizing the Park and Recreation Board to enter into a contract without competitive bidding with Landscape Structures, Inc. for the purchase of playground equipment for installation at Quirk Cultural Center, and declaring an emergency.
A-28	3/12/12	PI	An ordinance authorizing the Director of Public Service to enter into a contract without competitive bidding with Akron Building and Outdoor Maintenance, Inc. dba RiverReach Construction for the professional and construction services necessary to design and execute the demolition and removal of two dams in the Cuyahoga River, and for associated stream bank restoration, and declaring an emergency.
A-29 Sub A	3/12/12	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-29 Sub B	3/12/12	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-30	3/12/12	PA	An ordinance amending various sections of the Codified Ordinances to conform to state law, approving the 2011 replacement pages to the Codified Ordinances of the City of Cuyahoga Falls, and declaring an emergency.
A-31	3/12/12	CD	An ordinance authorizing the Director of Community Development to enter into a contract with Wohlwend Engineering Group, Ltd. for the professional design engineering services necessary to prepare public roadway, utility and other public infrastructure plans and regulatory documents associated with the proposed "Nikki's Walk" development (Parcel Nos. 37-00484 and 37-00485), and declaring an emergency.
A-32	3/12/12	CD	An ordinance authorizing the Mayor to enter into a contract without competitive bidding with Suite 200 Group, LLC for the sale of certain real property not needed for any municipal purpose, and declaring an emergency.
A-33 Sub	3/12/12	CD	An ordinance authorizing the Director of Community Development to enter into a Community Reinvestment Area Tax Exemption Agreement with Albrecht, Inc. and declaring an emergency.
A-34	3/12/12	PI	An ordinance authorizing the Director of Public Service to purchase certain real property located at 4033 State Road, a portion of Parcel No. 35-02093, necessary for the improvement of State Road, and declaring an emergency.

A-35

3/12/12

PI

An ordinance authorizing the Director of Public Service to purchase certain real property located at 4005 State Road, a portion of Parcel No. 35-00705, necessary for the improvement of State Road, and declaring an emergency.

PENDING LEGISLATION

March 26, 2012

Temp. No.	Introduced	Committee	Description
A-27	3/12/12	Fin	An ordinance authorizing the Park and Recreation Board to enter into a contract without competitive bidding with Landscape Structures, Inc. for the purchase of playground equipment for installation at Quirk Cultural Center, and declaring an emergency.
A-28	3/12/12	PI	An ordinance authorizing the Director of Public Service to enter into a contract without competitive bidding with Akron Building and Outdoor Maintenance, Inc. dba RiverReach Construction for the professional and construction services necessary to design and execute the demolition and removal of two dams in the Cuyahoga River, and for associated stream bank restoration, and declaring an emergency.
A-29 Sub A	3/12/12	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-29 Sub B	3/12/12	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-30	3/12/12	PA	An ordinance amending various sections of the Codified Ordinances to conform to state law, approving the 2011 replacement pages to the Codified Ordinances of the City of Cuyahoga Falls, and declaring an emergency.

A-31	3/12/12	CD	An ordinance authorizing the Director of Community Development to enter into a contract with Wohlwend Engineering Group, Ltd. for the professional design engineering services necessary to prepare public roadway, utility and other public infrastructure plans and regulatory documents associated with the proposed "Nikki's Walk" development (Parcel Nos. 37-00484 and 37-00485), and declaring an emergency.
A-32	3/12/12	CD	An ordinance authorizing the Mayor to enter into a contract without competitive bidding with Suite 200 Group, LLC for the sale of certain real property not needed for any municipal purpose, and declaring an emergency.
A-33 Sub	3/12/12	CD	An ordinance authorizing the Director of Community Development to enter into a Community Reinvestment Area Tax Exemption Agreement with Albrecht, Inc. and declaring an emergency.
A-34	3/12/12	PI	An ordinance authorizing the Director of Public Service to purchase certain real property located at 4033 State Road, a portion of Parcel No. 35-02093, necessary for the improvement of State Road, and declaring an emergency.
A-35	3/12/12	PI	An ordinance authorizing the Director of Public Service to purchase certain real property located at 4005 State Road, a portion of Parcel No. 35-00705, necessary for the improvement of State Road, and declaring an emergency.

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4 CITY OF CUYAHOGA FALLS, OHIO

5
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 DECLARING
14 AN EMERGENCY.

15
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

19
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,

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

26
27 Section 1. This Council considers it necessary and hereby declares its
28 intention to appropriate, for public purposes, certain temporary and permanent
29 interests in real property necessary for the improvement of State Road between
30 Graham Road and Steels Corners Road, namely, the property described in the
31 Exhibit A(016 WD & T), which is on file with the Clerk of Council in Council File No.
32 _____ 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.

38
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.

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 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 public,

48 in compliance with all legal requirements, to the extent applicable, including Chapter
49 107 of the Codified Ordinances.

50

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

58

59

60 Passed: _____
61 _____
62 President of Council

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65 _____
66 Clerk of Council

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69 Approved: _____
70 _____
71 Mayor

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71 3/26/12

72 O:\2012ords\appropriation reso3-State Road

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3 CITY OF CUYAHOGA FALLS

4
5 ORDINANCE NO. -2012

6
7 AN ORDINANCE APPROVING THE ISSUANCE OF
8 BONDS BY FRANKLIN COUNTY, OHIO IN RELATION
9 TO CERTAIN HOSPITAL FACILITIES LOCATED
10 WITHIN THE CITY OF CUYAHOGA FALLS,
11 PURSUANT TO SECTION 147 OF THE INTERNAL
12 REVENUE CODE OF 1986, AS AMENDED, AND
13 DECLARING AN EMERGENCY.

14
15 WHEREAS, the City of Cuyahoga Falls, Ohio (the "City") has entered into
16 a Public Hospital Agencies Agreement (the "Hospital Agencies Agreement"),
17 dated June 1, 2005, providing authorization for the issuance by the County of
18 Franklin, Ohio ("Franklin County"), acting by and through the County Hospital
19 Commission of Franklin County, of bonds of Franklin County, from time to time,
20 to finance and refinance the acquisition, construction, installation, and
21 equipping of Hospital Facilities (as defined in Section 1401.01(E) of the Ohio
22 Revised Code) for the benefit of Portage Trail Care Center (d/b/a Traditions at
23 Bath Road), an Ohio nonprofit corporation (the "Borrower"), which Hospital
24 Agencies Agreement remains in effect; and

25
26 WHEREAS, Franklin County has determined to issue its Adjustable Rate
27 Demand Health Care Facilities Revenue Bonds (Traditions Healthcare Obligated
28 Group), Series 2012 (the "Bonds"), such Bonds to be issued in the maximum
29 aggregate principal amount of \$20,000,000, of which approximately \$1,100,000
30 of the proceeds of the Bonds will be made available to the Borrower to (i) finance
31 and refinance the acquisition, construction, installation, and equipping of
32 hospital facilities owned by the Borrower and located at 300 East Bath Road, in
33 the City of Cuyahoga Falls, Summit County, Ohio (the "Bath Road Project"),
34 including the relocation of 22 licensed long-term care beds from an unrelated
35 facility to the Borrower's facility, (ii) reimburse the Borrower for costs associated
36 with the Bath Road Project, (iii) pay capitalized interest relating to a portion of
37 the Bonds, and (iv) pay certain costs of issuance of the Bonds; and

38
39 WHEREAS, following publication on March 25, 2012 in the Falls News
40 Press, which is a newspaper of general circulation in the City, there was held on
41 April 9, 2012 a public hearing with respect to the Project in accordance with
42 Section 147 of the Internal Revenue Code of 1986, as amended (the "Code");
43 and

44
45 WHEREAS, in accordance with Section 147 of the Code, this City
46 Council, as the "applicable elected representative" for purposes of such Section,
47 has determined to approve the issuance of the Bonds.

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

50
51 Section 1. This City Council, as the "applicable elected representative" of
52 the City hereby approves the issuance of the Bonds in the maximum aggregate
53 amount of \$20,000,000, on behalf of the Borrower and affiliates of the Borrower
54 for the purposes set forth in this Ordinance.

55
56 Section 2. All resolutions and ordinances, or parts thereof, in conflict
57 with the provisions of this Ordinance are, to the extent of such conflict, hereby
58 repealed. If any section, paragraph or provision of this Ordinance shall be held
59 to be invalid or unenforceable for any reason, the invalidity or unenforceability
60 of such section, paragraph or provision shall not affect any of the remaining
61 provisions of this Ordinance.

62
63 Section 3. It is found and determined that all formal actions of this City
64 Council concerning and relating to the adoption of this Ordinance were adopted
65 in an open meeting of this City Council, and that all deliberations of this City
66 Council that resulted in those formal actions, were in meetings open to the
67 public, in compliance with all legal requirements, including Section 121.22, Ohio
68 Revised Code.

69
70 Section 4. This Ordinance is declared to be an emergency measure
71 necessary for the immediate preservation of the public peace, health and safety
72 of the City, and for the further reason that this Ordinance is required to be
73 immediately effective in order to issue and sell the Bonds, which is necessary to
74 finance the Bath Road Project and permit the Bath Road Project to commence
75 during favorable weather conditions, which will further promote the public
76 purpose stated in Section 140.01 of the Ohio Revised Code; wherefore this
77 Ordinance shall be in full force and effect immediately upon its passage and
78 approval by the Mayor.

79
80 Passed: _____, 2012

President of Council

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85 _____
Clerk of Council

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88 Approved: _____, 2012

Mayor

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CERTIFICATE

The undersigned Clerk of the City Council for the City of Cuyahoga Falls, Ohio (the "City Council"), hereby certifies that the foregoing is a true and correct copy of an ordinance duly passed by the City Council at its regular meeting held on April 9, 2012.

Clerk of Council,
City of Cuyahoga Falls, Ohio

3/26/12

O:\2012ords\Traditions at Bath Road - approval.DOC

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4 CITY OF CUYAHOGA FALLS, OHIO

5
6 ORDINANCE NO. - 2012

7
8 AN ORDINANCE CHANGING THE NAME OF HAMPTON
9 BLUFF DRIVE TO NESTICO DRIVE, AND DECLARING
10 AN EMERGENCY.

11
12 WHEREAS, the City has received a petition from one or more persons owning one
13 or more lots in the immediate vicinity of Hampton Bluff Drive to change the name of
14 Hampton Bluff Drive to Nestico Drive,

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

18
19 Section 1. Based upon the petition submitted, this Council hereby finds and
20 determines that there is good cause to change the name of Hampton Bluff Drive to
21 Nestico Drive, that such name change will not be detrimental to the general interest,
22 and that the name change should be made.

23
24 Section 2. Hampton Bluff Drive is hereby renamed Nestico Drive from its
25 beginning at Zorn Drive to its southeasterly terminus. The City Engineer is hereby
26 authorized and directed to reflect this change on all maps promulgated by the City.

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

32
33 Section 4. It is found and determined that all formal actions of this Council
34 concerning and relating to the adoption of this resolution were adopted in an open
35 meeting of this Council and that all deliberations of this Council and of any of its
36 committees that resulted in such formal action were in meetings open to the public,
37 in compliance with all legal requirements, to the extent applicable, including Chapter
38 107 of the Codified Ordinances.

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

49

50

51 Passed: _____

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President of Council

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Clerk of Council

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59 Approved: _____

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Mayor

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62 3/26/12

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