

NEW LEGISLATION

April 23, 2012

Temp. No.	Introduced	Committee	Description
A-46	4/23/12	P&Z	An ordinance approving a Minor Plat application for a lot line adjustment affecting land at 402 West Steels Corners Road (parcel nos. 35-02399, 35-02400 and 35-06265), and declaring an emergency.
A-47	4/23/12	P&Z	An ordinance approving a Minor Plat application for a lot line adjustment affecting land at 1705/1719 Akron-Peninsula Road (parcel nos. 35-01565, 35-02491 and 35-02490), and declaring an emergency.
A-48	4/23/12	P&Z	An ordinance approving a conditional zoning certificate for the construction of an outdoor recreation facility at 4190 State Road (parcel no. 35-01621), in an MU-3 Mixed Use District, and declaring an emergency.
A-49	4/23/12	PI	An ordinance authorizing the Director of Public Service to enter into a modification of Contract No. 6548 with GGC Engineers, Inc., and declaring an emergency.

CALENDAR

April 23, 2012

The following legislation will be up for passage at the Council Meeting on April 23, 2012.

Temp. No.	Introduced	Committee	Description
A-39	4/9/12	P&Z	An ordinance authorizing the Director of Community Development to apply for and accept a grant from Summit County, through the Ohio and Erie Canalway Coalition, to support development of the Gorge Terrace Neighborhood Trail and Greenway Plan, and declaring an emergency.
A-40	4/9/12	Fin	An ordinance authorizing the Director of Public Safety to enter into a contract or contracts, according to law, for the purchase and installation of a breathing air compressor and fill station for the Fire Department, and declaring an emergency.
A-41	4/9/12	PA	An ordinance amending the Traffic Control File by providing for installation of various traffic control devices, and declaring an emergency.
A-42	4/9/12	PA	An ordinance authorizing the Director of Public Service to issue an encroachment permit to KPG Realty LLC for the purpose of installing and maintaining a business identification sign in the public right-of-way of State Road, and declaring an emergency.
A-43	4/9/12	PA	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the demolition of a building and removal of demolition debris at 818 Shannon Avenue and certifying the cost thereof to the

County Fiscal Officer for collection in the manner provided by law, and declaring an emergency.

A-44 4/9/12 CD

An ordinance approving the Community Development Block Grant Annual Action Plan for FY 2012, and declaring an emergency.

A-45 4/9/12 CD

A resolution granting Council's consent to an extension of time for the sale of certain real property to Portage Crossing, LLC, and declaring an emergency.

PENDING LEGISLATION

April 23, 2012

Temp. No.	Introduced	Committee	Description
A-39	4/9/12	P&Z	An ordinance authorizing the Director of Community Development to apply for and accept a grant from Summit County, through the Ohio and Erie Canalway Coalition, to support development of the Gorge Terrace Neighborhood Trail and Greenway Plan, and declaring an emergency.
A-40	4/9/12	Fin	An ordinance authorizing the Director of Public Safety to enter into a contract or contracts, according to law, for the purchase and installation of a breathing air compressor and fill station for the Fire Department, and declaring an emergency.
A-41	4/9/12	PA	An ordinance amending the Traffic Control File by providing for installation of various traffic control devices, and declaring an emergency.
A-42	4/9/12	PA	An ordinance authorizing the Director of Public Service to issue an encroachment permit to KPG Realty LLC for the purpose of installing and maintaining a business identification sign in the public right-of-way of State Road, and declaring an emergency.
A-43	4/9/12	PA	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the demolition of a building and removal of demolition debris at 818 Shannon Avenue and certifying the cost thereof to the County Fiscal Officer for collection in the manner provided by law, and declaring an emergency.
A-44	4/9/12	CD	An ordinance approving the Community Development Block Grant Annual Action

Plan for FY 2012, and declaring an emergency.

A-45 4/9/12 CD

A resolution granting Council's consent to an extension of time for the sale of certain real property to Portage Crossing, LLC, and declaring an emergency.

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5 CITY OF CUYAHOGA FALLS, OHIO

6
7 ORDINANCE NO. - 2012

8
9 AN ORDINANCE APPROVING A MINOR PLAT
10 APPLICATION FOR A LOT LINE ADJUSTMENT
11 AFFECTING LAND AT 402 WEST STEELS CORNERS
12 ROAD (PARCEL NOS. 35-02399, 35-02400 AND 35-
13 06265), AND DECLARING AN EMERGENCY.
14

15 WHEREAS, Art. VIII, §1.7 of the Charter of the City of Cuyahoga Falls requires
16 that all affirmative decisions made by the Planning Commission be submitted to
17 Council, and
18

19 WHEREAS, the Planning Commission has jurisdiction to review and reverse the
20 denial of a Minor Plat Application, pursuant to Section 1113.02(E) of the Codified
21 Ordinances, and
22

23 WHEREAS, on April 17, 2012 the Planning Commission approved a Minor Plat
24 for a lot line adjustment affecting land at 402 West Steels Corners Road (Parcel
25 Nos. 35-02399, 35-02400 and 35-06265), within the City of Cuyahoga Falls, Ohio,
26

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. This Council approves the Minor Plat Application for a lot line
31 adjustment affecting land at 402 West Steels Corners Road (Parcel Nos. 35-02399,
32 35-02400 and 35-06265), Cuyahoga Falls, Ohio as stipulated in the Codified
33 Ordinances of the City of Cuyahoga Falls, and as approved by the Planning
34 Commission as outlined in File P-7-12-MS.
35

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

41 Section 3. It is found and determined that all formal actions of this Council
42 concerning and relating to the adoption of this ordinance were adopted in an open
43 meeting of this Council, and that all deliberations of this Council and of any of its
44 committees that resulted in such formal action, were in meetings open to the
45 public, in compliance with all legal requirements, to the extent applicable,
46 including Chapter 107 of the Codified Ordinances.
47
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48 Section 4. This ordinance is hereby declared to be an emergency measure
49 necessary for the preservation of the public peace, health, safety, convenience and
50 welfare of the City of Cuyahoga Falls and the inhabitants thereof, for the reason
51 that it is immediately necessary to permit timely and appropriate development of
52 this property, and provided it receives the affirmative vote of two thirds of the
53 members elected or appointed to Council, it shall take effect and be in force
54 immediately upon its passage and approval by the Mayor; otherwise it shall take
55 effect and be in force at the earliest period allowed by law.

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58 Passed: _____
59 _____
60 President of Council

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62 Clerk of Council

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64 Approved: _____
65 _____
66 Mayor

67 4/23/12

68 O:\2012ords\P-07-12-MS Lot Consolidation (DeLuca).doc

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5 CITY OF CUYAHOGA FALLS, OHIO

6
7 ORDINANCE NO. - 2012

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9 AN ORDINANCE APPROVING A MINOR PLAT
10 APPLICATION FOR A LOT LINE ADJUSTMENT
11 AFFECTING LAND AT 1705/1719 AKRON-PENINSULA
12 ROAD (PARCEL NOS. 35-01565, 35-02491 AND 35-
13 02490), AND DECLARING AN EMERGENCY.
14

15 WHEREAS, Art. VIII, §1.7 of the Charter of the City of Cuyahoga Falls requires
16 that all affirmative decisions made by the Planning Commission be submitted to
17 Council, and
18

19 WHEREAS, the Planning Commission has jurisdiction to review and reverse the
20 denial of a Minor Plat Application, pursuant to Section 1113.02(E) of the Codified
21 Ordinances, and
22

23 WHEREAS, on April 17, 2012 the Planning Commission approved a Minor Plat
24 for a lot line adjustment affecting land at 1705/1719 Akron-Peninsula Road,
25 (Parcel Nos. 35-01565, 35-02491 and 35-02490), within the City of Cuyahoga
26 Falls, Ohio,
27

28 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga
29 Falls, County of Summit, and State of Ohio, that:
30

31 Section 1.This Council approves the Minor Plat Application for a lot line
32 adjustment affecting land at 1705/1719 Akron-Peninsula Road, (Parcel Nos. 35-
33 01565, 35-02491 and 35-02490), Cuyahoga Falls, Ohio, as stipulated in the
34 Codified Ordinances of the City of Cuyahoga Falls and as approved by the Planning
35 Commission as outlined in File P-6-12-MS.
36

37 Section 2.Any other ordinances or resolutions or portions of ordinances and
38 resolutions inconsistent herewith are hereby repealed, but any ordinances and
39 resolutions not inconsistent herewith and which have not previously been repealed
40 are hereby ratified and confirmed.
41

42 Section 3.It is found and determined that all formal actions of this Council
43 concerning and relating to the adoption of this ordinance were adopted in an open
44 meeting of this Council, and that all deliberations of this Council and of any of its
45 committees that resulted in such formal action, were in meetings open to the
46 public, in compliance with all legal requirements, to the extent applicable,
47 including Chapter 107 of the Codified Ordinances.
48
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49 Section 4. This ordinance is hereby declared to be an emergency measure
50 necessary for the preservation of the public peace, health, safety, convenience and
51 welfare of the City of Cuyahoga Falls and the inhabitants thereof, for the reason
52 that it is immediately necessary to permit timely and appropriate development of
53 this property, and provided it receives the affirmative vote of two thirds of the
54 members elected or appointed to Council, it shall take effect and be in force
55 immediately upon its passage and approval by the Mayor; otherwise it shall take
56 effect and be in force at the earliest period allowed by law.

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59 Passed: _____

President of Council

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Clerk of Council

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65 Approved: _____

Mayor

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68 4/23/12

69 O:\2012ords\P-06-12-S Lot Consolidation (Myers).doc

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5 CITY OF CUYAHOGA FALLS, OHIO

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7 ORDINANCE NO. - 2012

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9 AN ORDINANCE APPROVING A CONDITIONAL ZONING
10 CERTIFICATE FOR THE CONSTRUCTION OF AN
11 OUTDOOR RECREATION FACILITY AT 4190 STATE
12 ROAD (PARCEL NO. 35-01621), IN AN MU-3 MIXED
13 USE DISTRICT, AND DECLARING AN EMERGENCY.
14

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16 WHEREAS, Art. VIII, §1.7 of the Charter of the City of Cuyahoga Falls requires
17 that all affirmative decisions made by the Planning Commission be submitted to
18 Council, and

19
20 WHEREAS, the Planning Commission jurisdiction to grant a conditional zoning
21 certificate relative to certain uses in certain districts, subject to the approval of this
22 Council, pursuant to Section 1113.08 of the Codified Ordinances, and

23
24 WHEREAS, on April 17, 2012, the Planning Commission approved the issuance
25 of a conditional zoning certificate for the construction of an outdoor recreation
26 facility consisting of four outdoor volleyball courts at 4190 State Road (Parcel No.
27 35-01621), within the City of Cuyahoga Falls, Ohio,

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

31
32 Section 1. This Council approves the issuance of a conditional zoning certificate
33 for the construction of an outdoor recreation facility consisting of four outdoor
34 volleyball courts at 4190 State Road (Parcel No. 35-01621), Cuyahoga Falls, Ohio,
35 situated an MU-3 Mixed Use Center District, as stipulated in the Codified
36 Ordinances of the City of Cuyahoga Falls and as approved by the Planning
37 Commission as per the plans and stipulations contained in File P-3-12-CZ. This
38 approval is without prejudice to the City’s right of revocation.
39

40 Section 2. Any other ordinances or resolutions or portions of ordinances and
41 resolutions inconsistent herewith are hereby repealed, but any ordinances and
42 resolutions not inconsistent herewith and which have not previously been repealed
43 are hereby ratified and confirmed.
44

45 Section 3. 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 open
47 meeting of this Council, and that all deliberations of this Council and of any of its
48 committees that resulted in such formal action, were in meetings open to the
49 public, in compliance with all legal requirements, to the extent applicable,
50 including Chapter 107 of the Codified Ordinances.

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Section 4.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, for the reason that it is immediately necessary to permit timely and appropriate development of this property, 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

4/23/12
O:\2012ords\Conditional Use Permit P-3-12-CZ 4190 State.doc

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3 CITY OF CUYAHOGA FALLS, OHIO

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5 ORDINANCE NO. - 2012

6
7 AN ORDINANCE AUTHORIZING THE DIRECTOR OF
8 PUBLIC SERVICE TO ENTER INTO A
9 MODIFICATION OF CONTRACT NO. 6548 WITH GGC
10 ENGINEERS, INC., AND DECLARING AN
11 EMERGENCY.
12

13 WHEREAS, pursuant to the authority of Ordinance No. 35-2010, the City
14 entered into Contract No. 6548 with GGC Engineers, Inc. for the professional
15 services necessary to design public infrastructure improvements related to the
16 redevelopment of the former State Road Shopping Center, and
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18 WHEREAS, it is necessary to adjust the scope of work beyond what was
19 originally estimated, due to changes in the development plans for the property,
20 which changes will increase the total contract price by the amount stated in its
21 proposal dated _____.
22

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

26 Section 1. The Director of Public Service is hereby authorized to enter into a
27 modification of Contract No. 6548 with GGC Engineers, Inc. increasing the
28 scope of work to include additional public infrastructure design services by the
29 amount stated in its proposal dated _____. Said modification shall
30 be prepared in writing and signed by the Director of Public Service on behalf of
31 the City.
32

33 Section 2. The Director of Finance is hereby authorized and directed to pay
34 approved invoices for work based upon the Contract as modified, from the
35 Capital Projects Fund, line item Capital Outlay.
36

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

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
45 open meeting of this Council and that all deliberations of this Council and of
46 any of its committees that resulted in such formal action were in meetings open
47 to the public, in compliance with all legal requirements including Chapter 107
48 of the Codified Ordinances.
49

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

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59 Passed:_____

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President of Council

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Clerk of Council

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67 Approved:_____

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Mayor

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70 4/23/12

71 O:\2012ords\Modify Contract GGC for Portage Crossing.doc