

NEW LEGISLATION

April 9, 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.

CALENDAR

April 9, 2012

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

PENDING LEGISLATION

April 9, 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.

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5 CITY OF CUYAHOGA FALLS, OHIO

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7 ORDINANCE NO. - 2012

8
9 AN ORDINANCE AUTHORIZING THE DIRECTOR OF
10 COMMUNITY DEVELOPMENT TO APPLY FOR AND
11 ACCEPT A GRANT FROM SUMMIT COUNTY, THROUGH
12 THE OHIO AND ERIE CANALWAY COALITION, TO
13 SUPPORT DEVELOPMENT OF THE GORGE TERRACE
14 NEIGHBORHOOD TRAIL AND GREENWAY PLAN, AND
15 DECLARING AN EMERGENCY.

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

20
21 WHEREAS, on April 3, 2012 the Planning Commission approved making
22 application to the Ohio and Erie Canalway Coalition for the award of funding by
23 the Summit County Community Grant Projects program, for development of the
24 Gorge Terrace Neighborhood Trail & Greenway Plan, based on the visioning
25 document attached hereto as Exhibit "A,"

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:

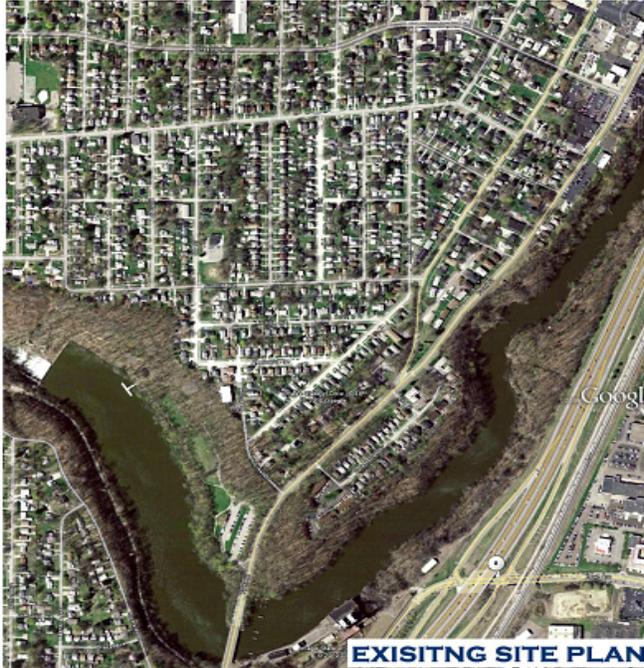
29
30 Section 1.The Director of Community Development is authorized to apply for
31 and accept a grant from Summit County, through the Ohio and Erie Canalway
32 Coalition, for financial support for the development of the Gorge Terrace
33 Neighborhood Trail & Greenway Plan, as reviewed and recommended by the
34 Planning Commission, and as more fully described in the visioning document
35 attached hereto as Exhibit "A," and in the grant application now on file with the
36 Clerk of Council in Council File No. _____.

37
38 Section 2.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.

42
43 Section 3.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.
49

CUYAHOGA FALLS, OH

GORGE TERRACE



VISIONS

1. CREATION OF A PEDESTRIAN FRIENDLY AREA, PARTICULARLY 2ND AND FRONT ST.
2. ENHANCEMENT AND OF RIVER AREA.
3. EXPANSION OF CHESTNUT CROSSINGS AREA.
4. CREATE LINKS THROUGHOUT COMMUNITY.



Figure 1

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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 SAFETY TO ENTER INTO A CONTRACT OR
9 CONTRACTS, ACCORDING TO LAW, FOR THE
10 PURCHASE AND INSTALLATION OF A BREATHING AIR
11 COMPRESSOR AND FILL STATION FOR THE FIRE
12 DEPARTMENT, AND DECLARING AN EMERGENCY.

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

16
17 Section 1. The Director of Public Safety is hereby authorized to enter into a contract
18 or contracts, according to law, for the purchase and installation of a breathing air
19 compressor and fill station.

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

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

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

35
36 Section 5. This ordinance is hereby declared to be an emergency measure necessary
37 for the preservation of the public peace, health, safety, convenience and welfare of the
38 City of Cuyahoga Falls and the inhabitants thereof, and provided it receives the
39 affirmative vote of two-thirds of the members elected or appointed to Council, it shall
40 take effect and be in force immediately upon its passage and approval by the Mayor;
41 otherwise it 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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52 Approved: _____

Mayor

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54 4/9/12

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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 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) Parking shall be prohibited on both sides of Hunter Parkway between
29 138 Hunter Pkwy. and 3350 Hunter Pkwy. (exclusive of those
30 addresses).
31

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

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

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

44 Section 5. 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
46 open meeting of this Council and that all deliberations of this Council and of
47 any of its committees that resulted in such formal action were in meetings open
48 to the public, in compliance with all legal requirements including Chapter 107
49 of the Codified Ordinances.
50

51 Section 6. This ordinance is hereby declared to be an emergency measure
52 necessary for the preservation of the public peace, health, safety, convenience
53 and welfare of the City of Cuyahoga Falls and the inhabitants thereof and
54 provided it receives the affirmative vote of two-thirds of the members elected or
55 appointed to Council, it shall take effect and be in force immediately upon its
56 passage and approval by the Mayor; otherwise it shall take effect and be in force
57 at the earliest period allowed by law.

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60 Passed: _____

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President of Council

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Clerk of Council

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68 Approved: _____

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Mayor

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71 4/9/12

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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 PUBLIC
8 SERVICE TO ISSUE AN ENCROACHMENT PERMIT TO KPG
9 REALTY LLC FOR THE PURPOSE OF INSTALLING AND
10 MAINTAINING A BUSINESS IDENTIFICATION SIGN IN THE
11 PUBLIC RIGHT-OF-WAY OF STATE ROAD, AND DECLARING
12 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 issue an encroachment
18 permit, revocable at the will of Council, to KPG Realty, LLC, for the purpose of installing and
19 maintaining a business identification sign in the public right-of-way of State Road adjacent
20 to the permittee’s property at 4193 State Road (Parcel No. 35-00711). The permit shall be
21 substantially in the form now on file with the Clerk in Council File No. ____ and shall
22 contain such terms and conditions as are necessary in the opinion of the Director of Law to
23 protect the public interest.

24
25 Section 2. Any other ordinances and resolutions or portions of ordinances and
26 resolutions inconsistent herewith are hereby repealed, but any ordinances and resolutions
27 or portions of ordinances and resolutions not inconsistent herewith and which have not
28 previously been repealed are hereby ratified and confirmed.

29
30 Section 3. 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 including Chapter 107 of the Codified Ordinances.

35
36 Section 4. 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 provided it receives the affirmative vote of two-thirds of the members
39 elected or appointed to Council, it shall take effect and be in force immediately upon its
40 passage and approval by the Mayor; otherwise it shall take effect and be in force at the
41 earliest period allowed by law.

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44 Passed: _____

President of Council

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49 Clerk of Council

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52 Approved: _____

Mayor

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54 4/9/12

55 O:\2012ords\KPG Realty encroachment permit

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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 DEMOLITION OF A
11 BUILDING AND REMOVAL OF DEMOLITION DEBRIS AT
12 818 SHANNON AVENUE, AND CERTIFYING THE COST
13 THEREOF TO THE COUNTY FISCAL OFFICER FOR
14 COLLECTION IN THE MANNER PROVIDED BY LAW, AND
15 DECLARING AN EMERGENCY.

16
17 WHEREAS, the Building Official has declared the building identified in Section 1 below
18 to be dangerous buildings within the meaning of Chapter 1335 of the Codified Ordinances;
19 and

20
21 WHEREAS, the Building Official has provided a notice to all owners and interested
22 parties concerned with the buildings identified in Section 1 below, instructing such owners
23 and interested parties as to the repairs required to make the buildings safe, ordering the
24 owners to repair or demolish the buildings accordingly, and informing the owners and
25 interested parties of their right of appeal under Section 1335.05 of said Chapter, and

26
27 WHEREAS, no appeals of the Building Official’s orders have been received, and

28
29 WHEREAS, no remediation of the conditions found by the Building Official have been
30 attempted or accomplished by any of the owners or interested parties,

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

34
35 Section 1. This Council hereby finds and determines that the following described
36 structure (single family dwelling) is insecure, unsafe, and structurally defective within the
37 meaning of Ohio Revised Code §715.26, and is a dangerous building within the meaning of
38 Section 1335.01 of the Codified Ordinances:

39
40 818 Shannon Avenue (Parcel No. 02-10314)

41
42 Section 2. The Director of Public Service is authorized to enter into a contract or
43 contracts, according to law, for the demolition of the dangerous building listed in Section 1
44 above, and the removal of debris therefrom.

45
46 Section 3. The Finance Director is authorized to make payment for same from the
47 CDBG Fund, Line Item Other Operations.

48
49 Section 4. In accordance with Ohio Revised Code §715.26, the Finance Director is
50 hereby directed to certify the costs of demolition and debris removal to the Clerk of Council
51 who shall then certify the same to the Summit County Fiscal Officer for placement thereof
52 on the tax duplicate together with interest and penalties provided by law.

54 Section 5. Any other ordinance and resolutions or portions of ordinances and
55 resolutions inconsistent herewith are hereby repealed, but any ordinances and resolutions
56 or portions of ordinances and resolutions not inconsistent herewith and which have not
57 previously been repealed are hereby ratified and confirmed.
58

59 Section 6. It is found and determined that all formal actions of this Council concerning
60 and relating to the adoption of this ordinance were adopted in an open meeting of this
61 Council and that all deliberations of this Council and of any of its committees that resulted
62 in such formal action were in meetings open to the public, in compliance with all legal
63 requirements including, to the extent applicable, including Chapter 107 of the Codified
64 Ordinances.
65

66 Section 7. This ordinance is hereby declared to be an emergency measure necessary for
67 the preservation of the public peace, health, safety, convenience and welfare of the City of
68 Cuyahoga Falls and the inhabitants thereof, and provided it receives the affirmative vote of
69 two thirds of the members elected or appointed to Council, it shall take effect and be in
70 force immediately upon its passage and approval by the Mayor; otherwise it shall take effect
71 and be in force at the earliest period allowed by law.
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74 Passed: _____
75 _____
76 President of Council
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78 _____
79 Clerk of Council
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82 Approved: _____
83 _____
84 Mayor

85 4/9/12
86 O:\2012ords\818 Shannon demo ordinance.doc

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4 CITY OF CUYAHOGA FALLS, OHIO

5
6 ORDINANCE NO. - 2012

7
8 AN ORDINANCE APPROVING THE COMMUNITY DEVELOPMENT
9 BLOCK GRANT ANNUAL ACTION PLAN FOR FISCAL YEAR 2012,
10 AND DECLARING AN EMERGENCY.
11

12
13 WHEREAS, Subpart C of Part 91, Title 24 of the Code of Federal Regulations requires that the
14 City submit, as a part of the annual submission of its consolidated plan, an action plan that includes
15 a certification that the consolidated plan is authorized under state and local law and that the City
16 possesses the legal authority to carry out the programs for which it is seeking funding,
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 2012 Community Development Block Grant Annual Action Plan, and the
22 programs contained in the City’s consolidated plan, are hereby approved, and the Community
23 Development Department is authorized to carry out the programs contained in these documents.
24

25 Section 2. Any other ordinances or resolutions or portions of ordinances and resolutions
26 inconsistent herewith are hereby repealed, but any ordinances and resolutions not inconsistent
27 herewith and which have not previously been repealed are hereby ratified and confirmed.
28

29 Section 3. It is found and determined that all formal actions of this Council concerning and
30 relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that
31 all deliberations of this Council and of any of its committees that resulted in such formal action, were
32 in meetings open to the public, in compliance with all legal requirements, to the extent applicable,
33 including Chapter 107 of the Codified Ordinances.
34

35 Section 4. This ordinance is hereby declared to be an emergency measure necessary for the
36 preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga
37 Falls and the inhabitants thereof, for the reason that it is immediately necessary to permit timely and
38 appropriate development of this property, and provided it receives the affirmative vote of two thirds of
39 the members elected or appointed to Council, it shall take effect and be in force immediately upon its
40 passage and approval by the Mayor; otherwise it shall take effect and be in force at the earliest period
41 allowed by law.
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44 Passed: _____
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46 President of Council

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49 Clerk of Council

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52 Approved: _____
53 _____
54 Mayor

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56 4/9/12

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4 CITY OF CUYAHOGA FALLS, OHIO

5
6 RESOLUTION NO. -2012

7
8 A RESOLUTION GRANTING COUNCIL'S CONSENT TO AN
9 EXTENSION OF TIME FOR THE SALE OF CERTAIN REAL
10 PROPERTY TO PORTAGE CROSSING, LLC, AND DECLARING AN
11 EMERGENCY.

12
13 WHEREAS, to eliminate blighted and deteriorated conditions, the City acquired certain real
14 property, consisting of Parcel Nos. 02-16740, 02-11652, 02-11653, 02-16739, 02-16738, and 02-
15 16737, and known as the State Road Shopping Center (the "Property") and demolished certain
16 structures thereon; and

17
18 WHEREAS, pursuant to the authority of Ord. No. 11-2010, and for the purpose of preventing
19 the recurrence of those conditions of blight and deterioration, to provide for the productive
20 development and reuse of the Property and for the purpose of creation of jobs and employment
21 opportunities, the City entered into a Contract for the Sale of Land for Private Redevelopment,
22 dated March 11, 2010 (the "Agreement"), for the sale of the Property to Portage Crossing, LLC (the
23 "Redeveloper"); and

24
25 WHEREAS, the City and the Redeveloper have agreed, subject to approval of this Council, to
26 extend the date, as set forth in Section 1 of the Agreement, for closing the sale of the first phase
27 of the Property to the Redeveloper;

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

31
32 Section 1. This Council hereby consents to and approves the extension of the date for closing
33 the sale of the Phase 1 Property under Section 1 of the Agreement to July 31, 2012, and
34 authorizes, ratifies and confirms the written extension of that closing date by the Mayor and
35 Director of Community Development to July 31, 2012.

36
37 Section 2. It is found and determined that all formal actions of this Council concerning and
38 relating to the passage of this ordinance were taken in an open meeting of this Council and that
39 all deliberations of this Council and of any of its committees that resulted in those formal actions
40 were in meetings open to the public, in compliance with the law.

41
42 Section 3. This resolution is hereby declared to be an emergency measure necessary for the
43 immediate preservation for the public peace, health and safety of the City, and for the further
44 reason that it is necessary to extend the date of closing so that the Property may be sold and
45 redeveloped in order to prevent the recurrence of conditions of deterioration and blight and to
46 create jobs and employment opportunities, wherefore, this resolution shall be in full force and
47 effect immediately upon its passage and approval by the Mayor.

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50 Passed: _____

President of Council

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Clerk of Council

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58 Approved: _____

Mayor

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60 4/9/12