

## NEW LEGISLATION

June 25, 2012

<b>Temp. No.</b>	<b>Introduced</b>	<b>Committee</b>	<b>Description</b>
A-68	6/25/12		An ordinance rescheduling the regular City Council and Council Committee meetings in July, 2012, and declaring an emergency.
A-69	6/25/12	PA	An ordinance amending Sections 111.03 and 111.05 of Title One, Part One of the Codified Ordinances, relating to the Rules of City Council, and declaring an emergency.
A-70	6/25/12	PA	A resolution urging the Summit County Council to reject the proposed vacation of Wetmore and Oak Hill Roads in Boston Township, and declaring an emergency.
A-71	6/25/12	CD	A resolution expressing Council's support for establishment of the Summit County Land Reutilization Corporation and Summit County's application for funding from the "Moving Ohio Forward" grant program, and declaring an emergency.
A-72	6/25/12	CD	A resolution approving the Director of Community Development's Commitment of local matching dollars toward an application for funding from the "Moving Ohio Forward" grant program, and declaring an emergency.

## CALENDAR

June 25, 2012

The following legislation will be up for passage at the Council Meeting on June 25, 2012.

<b>Temp. No.</b>	<b>Introduced</b>	<b>Committee</b>	<b>Description</b>
A-62	5/29/12	Fin	An ordinance authorizing the Mayor and the Director of Community Development to enter into a modification of Contract No. 6779 with Portage Crossing LLC, and declaring an emergency.
A-64	6/11/12	PI	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for construction of certain public improvements in State Road, Portage Trail, and Lillis Drive, making an appropriation therefor, and declaring an emergency.
A-65	6/11/12	PA	A resolution expressing the Council's support for the Summit County Food Charter as promulgated by the Summit Food Policy Coalition, and declaring an emergency.
A-67	6/18/12	PA	An ordinance approving an amendment to the Community Development Block Grant Annual Action Plan for Fiscal Year 2011, and declaring an emergency.

## PENDING LEGISLATION

June 25, 2012

<b>Temp. No.</b>	<b>Introduced</b>	<b>Committee</b>	<b>Description</b>
A-59 *	5/29/12	P&Z	An ordinance amending Section 1125.02 of Chapter 1125, Title 2, Part 11 of the Codified Ordinances of the City of Cuyahoga Falls (General Development Code), relating to stream corridor protection, and declaring an emergency.
A-62	5/29/12	Fin	An ordinance authorizing the Mayor and the Director of Community Development to enter into a modification of Contract No. 6779 with Portage Crossing LLC, and declaring an emergency.
A-64	6/11/12	PI	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for construction of certain public improvements in State Road, Portage Trail, and Lillis Drive, making an appropriation therefor, and declaring an emergency.
A-65	6/11/12	PA	A resolution expressing the Council's support for the Summit County Food Charter as promulgated by the Summit Food Policy Coalition, and declaring an emergency.
A-66	6/18/12	P&Z	An ordinance approving the site plan related to construction of a 45,725 square foot building at 70 Marc Drive (Parcel Nos. 35-03133 & 35-00153), and declaring an emergency.
A-67	6/18/12	PA	An ordinance approving an amendment to the Community Development Block Grant Annual Action Plan for Fiscal Year 2011, and declaring an emergency.

\* Public Hearing 7/23/12 (amended from 7/9/12)

2  
3 CITY OF CUYAHOGA FALLS, OHIO

4  
5 ORDINANCE NO. - 2012

6  
7 AN ORDINANCE RESCHEDULING THE REGULAR CITY  
8 COUNCIL AND COUNCIL COMMITTEE MEETINGS IN JULY,  
9 2012, AND DECLARING AN EMERGENCY.

10  
11  
12 BE IT ORDAINED by the Council of the City of Cuyahoga Falls, County of Summit, and State  
13 of Ohio, that:

14  
15 Section 1. Notwithstanding and as an exception to Section 111.03 of the Codified  
16 Ordinances, the following schedule for regular City Council and Council Committee meetings  
17 shall apply during July, 2012:

- 18
- 19 July 2: (no meetings)
- 20 July 9: Regular Committee Meetings
- 21 July 16: Regular City Council Meeting
- 22 July 23: Regular Committee Meetings
- 23 July 30: Regular City Council Meeting
- 24

25 Section 2. The Clerk of Council is instructed to give notice to the public of these schedule  
26 changes in accordance with Section 111.03(f) of the Codified Ordinances.

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

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

37  
38 Section 5. This ordinance is hereby declared to be an emergency measure necessary for the  
39 preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga  
40 Falls and the inhabitants thereof, and provided it receives the affirmative vote of two-thirds of the  
41 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  
43 period allowed by law.

44  
45  
46 Passed: \_\_\_\_\_

\_\_\_\_\_  
President of Council

47  
48  
49  
50 \_\_\_\_\_  
Clerk of Council

51  
52  
53  
54 Approved \_\_\_\_\_

\_\_\_\_\_  
Mayor

55  
56  
57 6/25/12

2  
3 CITY OF CUYAHOGA FALLS, OHIO

4  
5 ORDINANCE NO. - 2012

6  
7 AN ORDINANCE AMENDING SECTIONS 111.03 and  
8 111.05 OF TITLE ONE, PART ONE OF THE CODIFIED  
9 ORDINANCES, RELATING TO THE RULES OF CITY  
10 COUNCIL, AND DECLARING AN EMERGENCY.

11  
12  
13 BE IT ORDAINED by the Council of the City of Cuyahoga Falls, County of Summit,  
14 and State of Ohio, that:

15  
16 Section 1. Sections 111.03 and 111.05 of the Codified Ordinances of the City of  
17 Cuyahoga Falls are hereby amended to read in full as follows (new text underlined;  
18 deleted text in ~~strike~~through):

19  
20 111.03 MEETINGS.

21 (a) Council Meetings. The regular meetings of Council shall be held on the first,  
22 second, ~~third~~ and fourth Mondays of each month, except that Council shall not  
23 be in session during the month of August. At regular meetings held on the first  
24 and third Mondays of each month, the Order of Business for Regular Council  
25 Meetings shall be dispensed with when there is Standing Committee business.  
26 However, the Mayor, President of Council, or any three (3) members may require  
27 that the Order of Business for Regular Council Meetings be observed if any of  
28 them provide at least twenty-four (24) hours written notice of a request therefor  
29 to each member of Council, served personally or left at their usual place of  
30 residence. Notwithstanding the foregoing, at any meeting where the Order of  
31 Business has been dispensed with, upon a motion duly made and seconded  
32 followed by the affirmative vote of a majority of all members of Council  
33 requesting that the Order of Business be observed, the Presiding Officer shall  
34 conduct the meeting in accordance with the Order of Business as provided  
35 herein. All meetings of Council shall be held at the place periodically designated  
36 as Council Chambers at 6:30 p.m. When the first, second, ~~third,~~ or fourth  
37 Monday of any month falls on a day the Municipal offices are closed for a  
38 holiday, the regular meeting of Council shall be held on the next day that the  
39 Municipal offices are open for regular business. By the vote of two-thirds (2/3)  
40 of the members, Council may cancel, reschedule, or designate ~~any other~~ another  
41 place and time for the holding of any regular meeting or meetings. Notice to the  
42 public of such actions shall be provided pursuant to subsection (f) of this  
43 Section. Except as provided in Paragraph (e) below, all meetings of Council are  
44 declared to be public meetings open to the public at all times. All resolutions,  
45 rules, regulations and/or formal actions shall be considered by Council at  
46 meetings open to the public.

47  
48 (b) Council Committee Meetings. Council Committee Meetings are meetings of  
49 City Council wherein the business of the Standing Committees is conducted in  
50 the presence of the Council. ~~Regular Council Standing~~ Committee meetings may  
51 be held during any regular ~~or special~~ Council meetings held on the first and  
52 ~~third Mondays of each month,~~ or at ~~such~~ other times ~~as may be~~ when notice  
53 thereof is announced during a regular or special council meeting, or provided  
54 pursuant to subsections (d), (f), (g) and (h) of this Section. ~~provided, however,~~

55 ~~that it shall take a two thirds (2/3) vote of Council to recess into a Committee~~  
56 ~~meeting during a regular or special Council meeting.~~

57  
58 (c) Special Council Meetings. The Mayor, President of Council, or any three (3)  
59 members may call a special meeting of Council with at least twenty-four (24)  
60 hours written notice to each member of Council, served personally or left at their  
61 usual place of residence and at least twenty-four (24) hours written notice to the  
62 news media that have requested notice, except in the event of an emergency  
63 requiring immediate official action, in which case the individual(s) calling the  
64 meeting shall orally notify each member and the news media requesting notice  
65 immediately of the time, place, and purpose of the meeting. The notice of the  
66 special meeting required herein shall contain a statement of the business for the  
67 transaction of which such special meeting may be called. No business shall be  
68 transacted at any special meeting of Council except the particular business for  
69 which said meeting was called.  
70

71 (d) Special Committee Meetings. The Chairman or any two (2) members may  
72 call a special meeting of a Committee with at least twenty-four (24) hours written  
73 notice to each member, served personally or left at their usual place of residence  
74 and at least twenty-four (24) hours written notice to the news media that have  
75 requested notice, except in the event of an emergency requiring immediate  
76 official action, in which case the individual(s) calling the meeting shall orally  
77 notify each member and the news media requesting notice immediately of the  
78 time, place, and purpose of the meeting. The notice of the special meeting  
79 required herein shall contain a statement of the business for the transaction of  
80 which such special meeting may be called. No business shall be transacted at  
81 any special meeting of a Committee except the particular business for which  
82 said meeting was called.  
83

84 (e) Executive Sessions. The Council may hold an Executive Session, from which  
85 the public is excluded, for any of the following purposes:

86 (1) Personnel matters, including the appointment, employment, dismissal,  
87 discipline, promotion, demotion or compensation of one or more public  
88 employees or officials;

89 (2) Purchase, sale, or the development of real property where premature  
90 disclosure of information would give an unfair competitive or bargaining  
91 advantage to a person, or otherwise adversely affect the general public interest;

92 (3) Imminent or pending litigation;

93 (4) Preparing for, conducting, or reviewing negotiations or bargaining  
94 sessions with public employees concerning their compensation or other terms  
95 and conditions of their employment;

96 (5) Matters required to be kept confidential by Federal law or rules of State  
97 statutes;

98 (6) Specialized details of security arrangements where disclosure of the  
99 matters discussed might reveal information that could be used for the purpose  
100 of committing, or avoiding prosecution for, a violation of the law;

101 (7) The employment of, or discussions with, legal counsel or concerning  
102 confidential reports or proposals submitted by such counsel.

103 An Executive Session may be held upon the determination by a majority of a  
104 quorum of the Council, by a roll call vote, to hold such a session, setting forth  
105 the general purpose or purposes for which such session will be held. All formal  
106 action of Council, such as the enactment of legislation or the adoption of rules  
107 or recommendations, shall be taken in an open meeting. All Executive sessions,  
108 and the reasons therefore, shall be noticed in the minutes of Council.  
109

110 (f) Notice of Meetings. The Clerk shall post a copy of Section 111.03 and shall  
111 check periodically to ensure the Rule remains posted. The Clerk shall promptly  
112 post a statement of the time and place of any organizational meeting, special  
113 meeting, regular meeting scheduled at a time or place other than as provided  
114 herein, or any adjournment or recess of a regular or special meeting to another  
115 day. Notices of all meetings shall be posted on the City's website, as well as at  
116 City Hall and at the Natatorium Health & Wellness Center.  
117

118 (g) Requested Advance Notice of Meetings by the Public. The Clerk shall provide  
119 to any person, upon written request, reasonable advance notice, as provided in  
120 section 107.05 of the Codified Ordinances, of all meetings at which any specific  
121 type of public business is to be discussed. Requests for such advance  
122 notification of meetings shall specify: 1) the name, address and phone number of  
123 the person making the request; and 2) the method in which notices can be  
124 delivered, whether via email, mail or fax. Any such requests shall be effective for  
125 one year from the date of filing with the Clerk or until the Clerk receives written  
126 notice from such person canceling or modifying such request, whichever is  
127 earlier.  
128

129 (h) Meeting Information Made Available. Any person may visit or telephone the  
130 Law Department (330-971-8190) during the office's regular business hours to  
131 determine, based on information then available at that office: the time and place  
132 of regular meetings; the time, place and purposes of any then known special  
133 meetings; and whether the agenda of such future meeting(s) states that any  
134 specific type of public business, identified by such person, is to be discussed at  
135 such meeting.  
136

137 (i) Order of Business for Regular Council Meetings. At all regular meetings the  
138 business of Council shall be transacted in the following order and, except as  
139 provided in subsection (a) hereof, no deviation shall be made without the  
140 approval of a two-thirds (2/3) majority vote of Council.

141 (1) Roll Call.

142 (2) Invocation.

143 (3) Pledge of Allegiance to the Flag.

144 (4) Additions, Corrections or Deletions in Council Minutes of the Previous  
145 Meeting.

146 (5) Reading of Petitions, Claims, Communications and Reports of City  
147 Officials, As Presented.

148 (6) Introduction of New Ordinances and Resolutions.

149 (7) Public Hearings, As Scheduled.

150 (8) Reports of Special Council Committees, As Scheduled.

151 (9) Reports of Council's Standing Committees.

152 (10) Announce Schedule of Council Committee Meetings.

153 (11) Miscellaneous Business.

154 (12) Adjournment.

155 (Ord. 94-2010. Passed 9-13-10.)  
156

#### 157 111.05 LEGISLATION.

158 (a) Request for Legislation and Delivery to Council.

159 (1) Unless a request for the Regular Order of Business is made pursuant to  
160 Section 111.03(a), new legislation shall be accepted for introduction only at  
161 Council meetings regularly scheduled for the second or fourth Monday of any  
162 month, except August, or at a Special Meeting of Council. All material for  
163 legislation shall be in the hands of the Director of Law by noon on the  
164 Wednesday preceding such meetings. ~~a regularly scheduled meeting of Council.~~

165 The Director of Law or assistant shall review all proposed legislation prior to  
166 submission to the Clerk of Council for placement on the agenda to be in the  
167 manner prescribed by law.

168 (2) The Department of Law shall cause to have delivered to all Council  
169 members all legislation to be introduced at the regularly scheduled Council  
170 meetings by the Friday before the regularly scheduled Monday meetings. Council  
171 shall not consider any ordinance or resolution that has been in the hands of the  
172 Council members less than forty-eight (48) hours preceding a Council meeting.  
173 This rule may be suspended by a vote of two-thirds (2/3) of all Council  
174 members, provided, however, that the legislation to be considered must be read  
175 by the Clerk in its entirety.

176  
177 (b) Presenting Ordinances and Resolutions to Council. Proposed ordinances  
178 and resolutions shall be introduced in written or printed form. Each one shall  
179 contain only one subject, which shall be clearly stated in the title. The exception  
180 is a general appropriation ordinance, which may contain the various subjects  
181 and accounts for which money is to be appropriated.

182  
183 (c) Legislation Numbering, Sponsorship and Title. All ordinances and  
184 resolutions shall be known by their temporary number, sponsor and title.  
185 Ordinances and resolutions adopted by Council shall be numbered  
186 consecutively, beginning with the number one (1) each year and the number  
187 shall be followed by the year of passage.

188  
189 (d) Emergency Measures. When an emergency measure is presented to Council,  
190 the nature of the emergency shall be stated and defined. Ordinances  
191 appropriating money may be passed as emergency measures. Emergency  
192 ordinances and resolutions must receive a two-thirds (2/3) majority vote of all  
193 members of Council in order to retain emergency status.

194  
195 (e) Reading of Legislation. All ordinances and resolutions shall, before  
196 adoption, be read once by title only, any law of the State of Ohio to the contrary  
197 notwithstanding. Provided, however, that upon a motion duly made and  
198 seconded followed by the affirmative vote of a majority of all members of Council  
199 requesting that any ordinance or resolution be read in full prior to being  
200 submitted to a vote on adoption, the Clerk shall read said ordinance or  
201 resolution one time in full.

202  
203 (f) Legislation Assignment to Committee. On the day the ordinance or  
204 resolution is introduced, the measure shall be referred by the President to the  
205 appropriate Committee. Once the measure is referred to a Committee, the  
206 Committee shall report as soon as the Committee has had an opportunity to  
207 study the measure and make a recommendation, unless at that time a motion to  
208 table to the next regular meeting is supported by a majority of those members  
209 present and voting. (Ord. 94-2010. Passed 9-13-10.)

210  
211 Section 2. Existing Sections 111.03 and 111.05 of the Codified Ordinances, as  
212 enacted by Ord. No. 94-2010, passed September 13, 2010, are hereby repealed.

213  
214 Section 3. Any ordinances or resolutions or portions of ordinances and resolutions  
215 inconsistent herewith are hereby repealed, but any ordinances and resolutions not  
216 inconsistent herewith and which have not previously been repealed are hereby ratified  
217 and confirmed.

218



2  
3  
4 CITY OF CUYAHOGA FALLS, OHIO

5  
6 RESOLUTION NO. - 2012

7  
8  
9 A RESOLUTION URGING THE SUMMIT COUNTY  
10 COUNCIL TO REJECT THE PROPOSED VACATION OF  
11 WETMORE AND OAK HILL ROADS IN BOSTON  
12 TOWNSHIP, AND DECLARING AN EMERGENCY.  
13

14 WHEREAS, on March 28, 2012, the Trustees of Boston Township voted  
15 unanimously to request the vacation of Wetmore and Oak Hill Roads within Boston  
16 Township; and

17  
18 WHEREAS, currently pending before the Summit County Council are  
19 Resolution Nos. 228-2012 and 229-2012 which, if adopted, would authorize the  
20 vacation of Wetmore and Oak Hill Roads, respectively, in Boston Township; and  
21

22 WHEREAS, Wetmore and Oak Hill Roads are important transportation routes  
23 that cross the boundary between Cuyahoga Falls and Boston Township; and  
24

25 WHEREAS, Both Wetmore and Oak Hill Roads are used as school  
26 transportation routes; and  
27

28 WHEREAS, both Wetmore and Oak Hill are used by the Cuyahoga Falls Fire  
29 Dept. to access portions of Cuyahoga Falls via transit through Boston Township,  
30 and as routes for mutual aid response; and  
31

32 WHEREAS, upon vacation of Wetmore Road, the owner of almost all abutting  
33 property, the National Park Service, has indicated that it would be unable to  
34 maintain the road for general public use, and would close the road to general  
35 traffic except park facility access needs; and  
36

37 WHEREAS, the National Park Service opposes vacation of Oak Hill Road, but  
38 has indicated that if a vacation were to be approved nonetheless, the Park Service  
39 would almost certainly be unable to maintain the road for general public use, and  
40 would be forced to close the road; and  
41

42 WHEREAS, closure of Wetmore Road in Boston Township would require the  
43 Cuyahoga Falls Fire Department to redirect response routes to other roads that will  
44 diminish emergency response times to portions of Cuyahoga Falls; and  
45

46 WHEREAS, because the City of Cuyahoga Falls will continue to maintain  
47 Wetmore Road in its jurisdiction, there will need to be constructed a turn-around  
48 pad for plows and maintenance vehicles somewhere near the closure point; and  
49

50 WHEREAS, the portion of Oak Hill Road within Cuyahoga Falls is populated  
51 with numerous homes that, if the road were to be closed, would be cut off from the  
52 Cuyahoga Falls Fire Department's most direct access route; and  
53

54 WHEREAS, the nearest fire hydrant to the area of Oak Hill Road in Cuyahoga  
55 Falls, at Everett and Riverview Roads, would be separated from Oak Hill Road by  
56 the road closure that would ensue from this proposed vacation; and  
57

58 WHEREAS, on June 7, 2012 the Summit County Engineer submitted staff  
59 reports concerning the proposed road vacations in which the Engineer  
60 acknowledged the opposition of the National Park Service, the City of Cuyahoga  
61 Falls, and other parties, to the proposed road vacations; and  
62

63 WHEREAS, in its staff reports, the Summit County Engineer recommends that  
64 the City of Cuyahoga Falls annex the roadway portions of Wetmore and Oak Hill  
65 Roads in order to allow the City to keep the roads open and provide (presumably at  
66 its own expense) the maintenance and improvements necessary to keep these  
67 roads open and in a state of good repair; and  
68

69 WHEREAS, in its staff reports, the Summit County Engineer estimates that the  
70 cost to provide necessary repairs and improvements to the Boston Township  
71 portions of Wetmore and Oak Hill Roads is \$560,000 and \$1,300,000, respectively;  
72 and  
73

74 WHEREAS, in its staff reports, the Summit County Engineer states that if the  
75 City of Cuyahoga Falls is unwilling to annex the roadway portions of Wetmore and  
76 Oak Hill Roads in Boston Township, then the Engineer would support vacation of  
77 both of these roads,  
78

79 NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cuyahoga  
80 Falls, County of Summit and State of Ohio, that:  
81

82 Section 1. This Council urges the Summit County Council to reject  
83 Resolution Nos. 228-2012 and 229-2012, and to further reject any subsequent  
84 request to vacate Wetmore and Oak Hill Roads in Boston Township, unless and  
85 until the Summit County Council is satisfied that all parties, including Boston  
86 Township, City of Cuyahoga Falls, Summit County, National Park Service, and  
87 Metro Parks Serving Summit County, have exhausted all avenues of cooperation  
88 that might lead to a plan, acceptable to all parties, that would provide for the  
89 continued existence and maintenance of these important public ways.  
90

91 Section 2. The Clerk of Council is authorized and directed to send a certified  
92 copy of this Resolution to Russell M. Pry, County Executive; Alan Brubaker, P.E.,  
93 P.S., County Engineer; Nick Kostandaras, Council Member District 1; John  
94 Schmidt, Council Member District 2; Gloria Rodgers, Council Member District 3;  
95 Frank Comunale, Council Member District 4; Tamela Lee, Council Member District  
96 5; Jerry Feeman, Council Member District 6; Tim Crawford, Council Member  
97 District 7; Paula Prentice, Council Member District 8; Bill Roemer, Council Member

98 At Large; Sandra Kurt, Council Member At-Large; Ilene Shapiro, Council Member  
99 At-Large.

100  
101 Section 3. It is found and determined that all formal actions of this Council  
102 concerning and relating to the adoption of this resolution were adopted in an open  
103 meeting of this Council and that all deliberations of this Council and of any of its  
104 committees that resulted in such formal action were in meetings open to the  
105 public, in compliance with all legal requirements, to the extent applicable,  
106 including Chapter 107 of the Codified Ordinances.

107  
108 Section 4. This resolution is hereby declared to be an emergency measure  
109 necessary for the preservation of the public peace, health, safety, convenience and  
110 welfare of the City of Cuyahoga Falls and the inhabitants thereof, and provided it  
111 received the affirmative vote of two-thirds of the members elected or appointed to  
112 Council, it shall take effect and be in force immediately upon its passage and  
113 approval by the Mayor; otherwise it shall take effect and be in force at the earliest  
114 period allowed by law.

115  
116  
117 Passed: \_\_\_\_\_  
118 \_\_\_\_\_  
119 President of Council

120  
121 \_\_\_\_\_  
122 Clerk of Council

123  
124  
125 Approved: \_\_\_\_\_  
126 \_\_\_\_\_  
127 Mayor

128 6/25/12  
129 O:\2012ords\Boston Twp. road vacations reso

2  
3  
4 CITY OF CUYAHOGA FALLS, OHIO

5  
6 RESOLUTION NO. - 2012

7  
8  
9 A RESOLUTION EXPRESSING COUNCIL’S SUPPORT FOR  
10 ESTABLISHMENT OF THE SUMMIT COUNTY LAND  
11 REUTILIZATION CORPORATION AND SUMMIT COUNTY’S  
12 APPLICATION FOR FUNDING FROM THE “MOVING OHIO  
13 FORWARD” GRANT PROGRAM, AND DECLARING AN  
14 EMERGENCY.  
15

16 WHEREAS, in 2010, the Ohio General Assembly enacted legislation authorizing any  
17 county with a population of over 60,000 persons to create a County Land Reutilization  
18 Corporation (“CLRC”); and  
19

20 WHEREAS, the purpose of a CLRC is to acquire, renovate, rehab, demolish and  
21 otherwise acquire real property that is abandoned, vacant or blighted and to put the same  
22 back into productive use and tax status; and  
23

24 WHEREAS, CLRCs were created to address, in part, the recent foreclose crisis, real  
25 estate market crisis and declining property values, all of which are exacerbated by the  
26 presence of abandoned, vacant and blighted properties in a community; and  
27

28 WHEREAS, Summit County has recently enacted legislation creating the Summit  
29 County Land Reutilization Corporation (“Summit CLRC”) in order to perform the above-  
30 mentioned functions within Summit County, and is currently working on additional  
31 legislation to finalize the creation of the Summit CLRC; and  
32

33 WHEREAS, the Summit CLRC will be primarily funded through a portion of  
34 delinquent real property tax payments and accompanying penalty and interest; and  
35

36 WHEREAS, the Ohio Attorney General has established the “Moving Ohio Forward”  
37 Grant Program, and has allocated \$3,780,560 of funds in that program to Summit County  
38 communities to use for demolition of abandoned, vacant and blighted residential  
39 structures; and  
40

41 WHEREAS, Summit County intends to apply for the full \$3,780,560 of Moving Ohio  
42 Forward Grant Program Funds; and  
43

44 WHEREAS, Summit County has stated that both the Moving Ohio Grant Program  
45 Funds and matching funds to be raised by the Summit CLRC will be distributed to all  
46 Summit County communities, including the Cuyahoga Falls, to address the abandoned,  
47 vacant and blighted properties within each Summit County community; and  
48

49 WHEREAS, this Council hereby finds and determines that the presence of  
50 abandoned, vacant and blighted properties in our community has serious negative effects  
51 on the property values of residents that faithfully pay their property taxes and maintain  
52 their homes; and  
53

54 WHEREAS, this Council hereby finds and determines that the presence of  
55 abandoned, vacant and blighted properties in our community has serious negative effects  
56 on the real property tax base that supports the operations of this City; and  
57

58 WHEREAS, this Council desires to express its support for both the creation of the  
59 Summit CLRC and Summit County's application for \$3,780,560 in Moving Ohio Forward  
60 Grant Program funds,  
61

62 NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cuyahoga Falls,  
63 County of Summit and State of Ohio, that:  
64

65 Section 1. This Council hereby expresses its support for Summit County's  
66 actions to create the Summit CLRC and to provide it with the powers and funding to  
67 acquire, renovate, rehab, demolish and otherwise acquire real property that is abandoned,  
68 vacant or blighted and to put the same back into productive use and tax status.  
69 Furthermore, this Council hereby supports the application of Summit County for  
70 \$3,780,560 in Moving Ohio Forward Grant Program funds that will be submitted to the  
71 Ohio Attorney General's Office no later than June 30, 2012.  
72

73 Section 2. It is found and determined that all formal actions of this Council  
74 concerning and relating to the adoption of this resolution were adopted in an open meeting  
75 of this Council and that all deliberations of this Council and of any of its committees that  
76 resulted in such formal action were in meetings open to the public, in compliance with all  
77 legal requirements, to the extent applicable, including Chapter 107 of the Codified  
78 Ordinances.  
79

80 Section 3. This resolution is hereby declared to be an emergency measure  
81 necessary for the preservation of the public peace, health, safety, convenience and welfare  
82 of the City of Cuyahoga Falls and the inhabitants thereof, and provided it received the  
83 affirmative vote of two-thirds of the members elected or appointed to Council, it shall take  
84 effect and be in force immediately upon its passage and approval by the Mayor; otherwise it  
85 shall take effect and be in force at the earliest period allowed by law.  
86  
87

88 Passed: \_\_\_\_\_  
89 \_\_\_\_\_  
90 President of Council  
91

92 \_\_\_\_\_  
93 Clerk of Council  
94

95  
96 Approved: \_\_\_\_\_  
97 \_\_\_\_\_  
98 Mayor  
99

6/25/12

2  
3  
4 CITY OF CUYAHOGA FALLS, OHIO

5  
6 RESOLUTION NO. - 2012

7  
8  
9 A RESOLUTION APPROVING THE DIRECTOR OF  
10 COMMUNITY DEVELOPMENT'S COMMITMENT OF  
11 LOCAL MATCHING DOLLARS TOWARD AN  
12 APPLICATION FOR FUNDING FROM THE "MOVING  
13 OHIO FORWARD" GRANT PROGRAM, AND  
14 DECLARING AN EMERGENCY.  
15

16 WHEREAS, the Ohio Attorney General has received settlement funds  
17 through litigation against certain financial institutions; and  
18

19 WHEREAS, the Ohio Attorney General has used a portion of those  
20 settlement funds to create the "Moving Ohio Forward" Grant Program to assist  
21 communities with demolishing abandoned, vacant and blighted residential  
22 properties; and  
23

24 WHEREAS, the Moving Ohio Forward Grant Program is intended to help  
25 stabilize the real estate market and declining property values by removing  
26 abandoned, vacant and blighted residential structures from our community; and  
27

28 WHEREAS, under the Moving Ohio Forward Grant Program, the sum of  
29 \$3,780,560 has been allocated for use by communities in Summit County; and  
30

31 WHEREAS, of the \$3,780,560 allocated to Summit County, \$3,280,560  
32 requires a 1-to-1 match from local funds; and  
33

34 WHEREAS, Summit County intends to apply for the full \$3,780,560 in  
35 funds that have been allocated for Summit County and further intends to create  
36 the Summit County Land Reutilization Corporation, which will raise approximately  
37 \$2,000,000 in local match funds during the period of July 1, 2012 to December 31,  
38 2013, the initial period of the grant; and  
39

40 WHEREAS, Summit County has requested that local Summit County  
41 communities provide additional match monies in order to fully secure the 1-to-1  
42 match necessary for the award of the balance of the allocation; and  
43

44 WHEREAS, Summit County has advised local Summit County communities,  
45 that any local match funds contributed by a specific community will receive a  
46 corresponding match of Moving Ohio Forward Grant Program funds that will be  
47 earmarked specifically for that community; and  
48

49 WHEREAS, this Council hereby finds and determines that it is necessary  
50 and in the best interest of the residents of Cuyahoga Falls to authorize a  
51 commitment of local match dollars in the amount of \$10,000 toward the Moving  
52 Ohio Forward Grant Program,  
53

54 NOW, THEREFORE, BE IT RESOLVED by the Council of the City of  
55 Cuyahoga Falls, County of Summit and State of Ohio, that:  
56

57 Section 1. This Council hereby approves of the Director of Community  
58 Development's commitment of local matching dollars in the amount of \$10,000  
59 toward an application for funding from the Moving Ohio Forward Grant Program.  
60 Furthermore, this Council hereby authorizes the Director of Community  
61 Developmet to execute a commitment letter to be sent to Summit County, pledging  
62 said commitment of funds.  
63

64 Section 2. It is found and determined that all formal actions of this  
65 Council concerning and relating to the adoption of this resolution were adopted in  
66 an open meeting of this Council and that all deliberations of this Council and of  
67 any of its committees that resulted in such formal action were in meetings open to  
68 the public, in compliance with all legal requirements, to the extent applicable,  
69 including Chapter 107 of the Codified Ordinances.  
70

71 Section 3. This resolution is hereby declared to be an emergency measure  
72 necessary for the preservation of the public peace, health, safety, convenience and  
73 welfare of the City of Cuyahoga Falls and the inhabitants thereof, and provided it  
74 received the affirmative vote of two-thirds of the members elected or appointed to  
75 Council, it shall take effect and be in force immediately upon its passage and  
76 approval by the Mayor; otherwise it shall take effect and be in force at the earliest  
77 period allowed by law.  
78

79  
80 Passed: \_\_\_\_\_  
81 \_\_\_\_\_  
82 President of Council  
83

84 \_\_\_\_\_  
85 Clerk of Council  
86

87  
88 Approved: \_\_\_\_\_  
89 \_\_\_\_\_  
90 Mayor  
91

91 6/25/12

92 O:\2012ords\Moving Ohio Forward local match reso

2  
3  
4 CITY OF CUYAHOGA FALLS, OHIO

5  
6 ORDINANCE NO. - 2012

7  
8 AN ORDINANCE AUTHORIZING THE DIRECTOR OF  
9 PUBLIC SERVICE TO ENTER INTO A CONTRACT OR  
10 CONTRACTS, ACCORDING TO LAW, FOR  
11 CONSTRUCTION OF CERTAIN PUBLIC  
12 IMPROVEMENTS IN STATE ROAD, PORTAGE TRAIL,  
13 AND LILLIS DRIVE, MAKING AN APPROPRIATION  
14 THEREFOR, AND DECLARING AN EMERGENCY.  
15

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

18  
19 Section 1. The Director of Public Service is hereby authorized to enter into a  
20 contract or contracts, according to law, for the construction of certain public  
21 improvements in State Road between Graham Road and Schiller Avenue, Portage  
22 Trail between Norma Street and 25<sup>th</sup> Street, and Lillis Drive, including construction  
23 of roadways, curbs and sidewalks, sanitary and storm sewers and sewer laterals,  
24 water mains and service connections, traffic control devices, streetlighting,  
25 landscaping and all necessary appurtenances associated with such improvements.  
26

27 Section 2. The Director of Finance is hereby authorized and directed to make  
28 payment for same from the Capital Projects Fund, line item Capital Outlay.  
29

30 Section 3. The Director of Finance is hereby authorized to increase  
31 appropriations in the Capital Projects Fund, line item Capital Outlay, in the  
32 amount of \$1,866,333.  
33

34 Section 4. Any other ordinances or resolutions or portions of ordinances and  
35 resolutions inconsistent herewith are hereby repealed, but any ordinances and  
36 resolutions not inconsistent herewith and which have not previously been repealed  
37 are hereby ratified and confirmed.  
38

39 Section 5. It is found and determined that all formal actions of this Council  
40 concerning and relating to the adoption of this ordinance were adopted in an open  
41 meeting of this Council, and that all deliberations of this Council and of any of its  
42 committees that resulted in such formal action, were in meetings open to the  
43 public, in compliance with all legal requirements, to the extent applicable,  
44 including Chapter 107 of the Codified Ordinances.  
45

46 Section 6. This ordinance is hereby declared to be an emergency measure  
47 necessary for the preservation of the public peace, health, safety, convenience and  
48 welfare of the City of Cuyahoga Falls and the inhabitants thereof, for the reason  
49 that it is immediately necessary to permit timely and appropriate development of

50 this property, and provided it receives the affirmative vote of two thirds of the  
51 members elected or appointed to Council, it shall take effect and be in force  
52 immediately upon its passage and approval by the Mayor; otherwise it shall take  
53 effect and be in force at the earliest period allowed by law.

54

55

56 Passed: \_\_\_\_\_

57

\_\_\_\_\_  
President of Council

58

59

60

61

\_\_\_\_\_  
Clerk of Council

62

63

64 Approved: \_\_\_\_\_

65

\_\_\_\_\_  
Mayor

66

67 6/11/12

68 O:\2012ords\Portage Crossing Public Improvements v2.doc

1 A-66 (Sub 6/25/12)

Presented by the Administration  
Upon Recommendation of the Planning Commission

2  
3  
4  
5  
6 CITY OF CUYAHOGA FALLS, OHIO

7  
8 ORDINANCE NO. - 2012

9  
10 AN ORDINANCE APPROVING THE SITE PLAN RELATED  
11 TO CONSTRUCTION OF A 45,725 SQUARE FOOT  
12 BUILDING AT 70 MARC DRIVE (PARCEL NOS. 35-  
13 03133 & 35-00153), AND DECLARING AN  
14 EMERGENCY.  
15

16  
17 WHEREAS, Art. VIII, §1.7 of the Charter of the City of Cuyahoga Falls requires  
18 that all affirmative decisions made by the Planning Commission be submitted to  
19 Council, and  
20

21 WHEREAS, site plan review by the Planning Commission is required for the  
22 construction of all new buildings in excess of 8,000 SF in the City of Cuyahoga  
23 Falls, Ohio, and  
24

25 WHEREAS, on June 19, 2012, the Planning Commission approved the site plan  
26 for the construction of a 45,725 square foot building for CFO Realty, LLC and  
27 Technicote, Inc. at 70 Marc Drive (Parcel Nos. 35-03133 and 35-00153), within the  
28 City of Cuyahoga Falls, Ohio,  
29

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

33 Section 1. This Council approves the site plan related to construction of a  
34 45,725 square foot industrial building for CFO Realty, LLC and Technicote, Inc. at  
35 70 Marc Drive, Cuyahoga Falls, Ohio, in accordance with Cuyahoga Falls General  
36 Development Code regulations as set forth in the Codified Ordinances of the City of  
37 Cuyahoga Falls and as approved by the Planning Commission as per the plans and  
38 final stipulations contained in File P-14-12-SP, and as further depicted on the plan  
39 and elevation drawings attached hereto as Exhibits A-1 and A-2.  
40

41 Section 2. Any other ordinances or resolutions or portions of ordinances and  
42 resolutions inconsistent herewith are hereby repealed, but any ordinances and  
43 resolutions not inconsistent herewith and which have not previously been repealed  
44 are hereby ratified and confirmed.  
45

46 Section 3. It is found and determined that all formal actions of this Council  
47 concerning and relating to the adoption of this ordinance were adopted in an open  
48 meeting of this Council, and that all deliberations of this Council and of any of its  
49 committees that resulted in such formal action, were in meetings open to the

50 public, in compliance with all legal requirements, to the extent applicable,  
51 including Chapter 107 of the Codified Ordinances.

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

61  
62  
63 Passed: \_\_\_\_\_  
64 \_\_\_\_\_  
65 President of Council

66  
67 \_\_\_\_\_  
68 Clerk of Council

69  
70  
71 Approved: \_\_\_\_\_  
72 \_\_\_\_\_  
73 Mayor

74  
75 6/18/12

76 O:\2012ords\P-14-12-SP Technicote 70 Site Plan v2.doc

