

## NEW LEGISLATION

April 22, 2013

<b>Temp. No.</b>	<b>Introduced</b>	<b>Committee</b>	<b>Description</b>
B-25	4/22/13	Fin	An ordinance authorizing payment of the Moral Claim of Violet Leathers and the Estate of Noel Leathers as approved by the Claims Commission, and declaring an emergency.
B-26	4/22/13	Fin	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.
B-27	4/22/13	PI	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the reconstruction of concrete pavement at various locations in the City, and declaring an emergency.

## CALENDAR

April 22, 2013

The following legislation will be up for passage at the Council Meeting on April 22, 2013.

<b>Temp. No.</b>	<b>Introduced</b>	<b>Committee</b>	<b>Description</b>
B-19	4/8/13	P&Z	An ordinance approving the site plan related to construction of a 15,000 square foot storage building at 2580 Bailey Road (Parcel Nos. 02-16859, 02-16854, 02-07809, 02-07808, 02-07810, 02-16855 and 02-02893), and declaring an emergency.
B-20	4/8/13	Fin	A resolution urging Congress to support and maintain the tax-exempt status of municipal bonds under the Internal Revenue Code, and declaring an emergency.
B-21	4/8/13	Fin	An ordinance amending Ordinance No. 89-2012 to assign a newly classified position to an appropriate established pay grade, and declaring an emergency.
B-22	4/8/13	PA	An ordinance amending the Traffic Control File by providing for installation of various traffic control devices, and declaring an emergency.
B-23	4/8/13	PA	An ordinance authorizing the Director of Public Safety to enter into a contract without competitive bidding with Drive Team, Inc. for the sale of a fire truck no longer needed for any municipal purpose, and declaring an emergency.
B-24	4/8/13	CD	An ordinance authorizing the Director of Community Development to apply for and accept a grant from the Ohio Department of Natural Resources to conduct an urban tree canopy assessment, making an appropriation therefor, and declaring an emergency.

## PENDING LEGISLATION

April 22, 2013

<b>Temp. No.</b>	<b>Introduced</b>	<b>Committee</b>	<b>Description</b>
A-113	11/12/12	Fin	An ordinance authorizing an amendment to the amended and restated contract for sale of land for private redevelopment with Portage Crossing, LLC (Contract No. 6779), and declaring an emergency.
A-117	11/26/12	Fin	An ordinance authorizing the Director of Finance to make salary supplement payments to eligible full-time employees of the City in Fiscal Year 2013, and declaring an emergency.
A-118	11/26/12	Fin	An ordinance authorizing the Mayor to enter into a second amendment of Contract No. 6613 with the International Association of Firefighters, Local 494, and declaring an emergency.
A-119	11/26/12	Fin	An ordinance authorizing the Mayor to enter into an amendment of Contract No. 6709 with the American Federation of State, County and Municipal Employees, Local 2662 (AFSCME), and declaring an emergency.
A-120	11/26/12	Fin	An ordinance authorizing the Mayor to enter into a second amendment of Contract No. 6640 with the Fraternal Order of Police, Ohio Labor Council, Inc., and declaring an emergency.
A-121	11/26/12	Fin	An ordinance authorizing the Mayor to enter into a second amendment of Contract No. 6619 with the Ohio Patrolmen's Benevolent Association, and declaring an emergency.
A-122	11/26/12	Fin	An ordinance authorizing the Mayor to enter into a second amendment of Contract No. 6616 with the Ohio Patrolmen's Benevolent Association, and declaring an emergency.

B-19	4/8/13	P&Z	An ordinance approving the site plan related to construction of a 15,000 square foot storage building at 2580 Bailey Road (Parcel Nos. 02-16859, 02-16854, 02-07809, 02-07808, 02-07810, 02-16855 and 02-02893), and declaring an emergency.
B-20	4/8/13	Fin	A resolution urging Congress to support and maintain the tax-exempt status of municipal bonds under the Internal Revenue Code, and declaring an emergency.
B-21	4/8/13	Fin	An ordinance amending Ordinance No. 89-2012 to assign a newly classified position to an appropriate established pay grade, and declaring an emergency.
B-22	4/8/13	PA	An ordinance amending the Traffic Control File by providing for installation of various traffic control devices, and declaring an emergency.
B-23	4/8/13	PA	An ordinance authorizing the Director of Public Safety to enter into a contract without competitive bidding with Drive Team, Inc. for the sale of a fire truck no longer needed for any municipal purpose, and declaring an emergency.
B-24	4/8/13	CD	An ordinance authorizing the Director of Community Development to apply for and accept a grant from the Ohio Department of Natural Resources to conduct an urban tree canopy assessment, making an appropriation therefor, and declaring an emergency.

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5 CITY OF CUYAHOGA FALLS, OHIO

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7 ORDINANCE NO. - 2013

8  
9 AN ORDINANCE AUTHORIZING PAYMENT OF THE  
10 MORAL CLAIM OF VIOLET LEATHERS AND THE ESTATE  
11 OF NOEL LEATHERS AS APPROVED BY THE CLAIMS  
12 COMMISSION, 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 Finance is hereby authorized to pay the moral claim of  
18 Violet Leathers and the Estate of Noel Leathers in the amount of \$1,104.00 as approved  
19 by the Claims Commission on April 8, 2013.

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

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  
37 necessary for the preservation of the public peace, health, safety, convenience and  
38 welfare of the City of Cuyahoga Falls and the inhabitants thereof, and provided it  
39 receives the affirmative vote of two-thirds of the members elected or appointed to  
40 Council, it shall take effect and be in force immediately upon its passage and approval  
41 by the Mayor; otherwise it shall take effect and be in force at the earliest period allowed  
42 by law.

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45 Passed: \_\_\_\_\_

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President of Council

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Clerk of Council

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53 Approved: \_\_\_\_\_

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Mayor

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56 4/22/13

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3 CITY OF CUYAHOGA FALLS

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5 ORDINANCE NO. -2013

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8 AN ORDINANCE APPROVING THE ISSUANCE OF  
9 BONDS BY FRANKLIN COUNTY, OHIO IN RELATION TO  
10 CERTAIN HOSPITAL FACILITIES LOCATED WITHIN THE  
11 CITY OF CUYAHOGA FALLS, PURSUANT TO SECTION  
12 147 OF THE INTERNAL REVENUE CODE OF 1986, AS  
13 AMENDED, AND DECLARING AN EMERGENCY.  
14

15 WHEREAS, the City of Cuyahoga Falls, Ohio (the "City") has entered into a  
16 Public Hospital Agencies Agreement (the "Hospital Agencies Agreement"), dated June  
17 1, 2005, providing authorization for the issuance by the County of Franklin, Ohio  
18 ("Franklin County"), acting by and through the County Hospital Commission of  
19 Franklin County, of bonds of Franklin County, from time to time, to finance and  
20 refinance the acquisition, construction, installation, and equipping of Hospital  
21 Facilities (as defined in Section 140.01(E) of the Ohio Revised Code) for the benefit of  
22 Portage Trail Care Center (d/b/a Traditions at Bath Road), an Ohio nonprofit  
23 corporation (the "Borrower"), which Hospital Agencies Agreement remains in effect;  
24 and  
25

26 WHEREAS, Franklin County has determined to issues its Adjustable Rate  
27 Demand Health Care Facilities Revenue Bonds (Traditions Healthcare Obligated  
28 Group), Series 2013 (the "Bonds"), such Bonds to be issued in the maximum aggregate  
29 principal amount not to exceed \$5,000,000, of which approximately \$900,000 of the  
30 proceeds of the Bonds will be made available to the Borrower to (i) finance and  
31 refinance the acquisition, construction, installation, and equipping of hospital facilities  
32 owned by the Borrower and located at 300 East Bath Road, in the City of Cuyahoga  
33 Falls, Summit County, Ohio (the "Bath Road Project"), including the general  
34 renovation and upgrade of the facility, (ii) reimburse the Borrower for costs associated  
35 with the Bath Road Project, and (iii) pay certain costs of issuance of the Bonds; and  
36

37 WHEREAS, following publication on April 26, 2013 in the Falls News Press,  
38 which is a newspaper of general circulation in the City, there was held on May 13,  
39 2013 a public hearing with respect to the Project in accordance with Section 147 of  
40 the Internal Revenue Code of 1986, as amended (the "Code"); and  
41

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

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

49 Section 1. This City Council, as the "applicable elected representative" of the  
50 City hereby approves the issuance of the Bonds in the maximum aggregate amount

51 not to exceed \$5,000,000, on behalf of the Borrower and affiliates of the Borrower for  
52 the purposes set forth in this Ordinance.

53  
54 Section 2. All resolutions and ordinances, or parts thereof, in conflict with  
55 the provisions of this Ordinance are, to the extent of such conflict, hereby repealed. If  
56 any section, paragraph or provision of this Ordinance shall be held to be invalid or  
57 unenforceable for any reason, the invalidity or unenforceability of such section,  
58 paragraph or provision shall not affect any of the remaining provisions of this  
59 Ordinance.

60  
61 Section 3. It is found and determined that all formal actions of this City  
62 Council concerning and relating to the adoption of this Ordinance were adopted in an  
63 open meeting of this City Council, and that all deliberations of this City Council that  
64 resulted in those formal actions, were in meetings open to the public, in compliance  
65 with all legal requirements, including Section 121.22, Ohio Revised Code.

66  
67 Section 4. This Ordinance is declared to be an emergency measure necessary  
68 for the immediate preservation of the public peace, health and safety of the City, and  
69 for the further reason that this Ordinance is required to be immediately effective in  
70 order to issue and sell the Bonds, which is necessary to finance the Bath Road Project,  
71 which will further promote the public purpose stated in Section 140.01 of the Ohio  
72 Revised Code; wherefore this Ordinance shall be in full force and effect immediately  
73 upon its passage and approval by the Mayor.

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76 Passed: \_\_\_\_\_  
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78 President of Council

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80 Clerk of Council

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82 Approved: \_\_\_\_\_  
83 \_\_\_\_\_  
84 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 May \_\_, 2013.

\_\_\_\_\_  
Clerk of Council,  
City of Cuyahoga Falls, Ohio

May \_\_\_\_, 2013

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5 CITY OF CUYAHOGA FALLS, OHIO

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7 ORDINANCE NO. - 2013

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10 AN ORDINANCE AUTHORIZING THE DIRECTOR OF  
11 PUBLIC SERVICE TO ENTER INTO A CONTRACT OR  
12 CONTRACTS, ACCORDING TO LAW, FOR THE  
13 RECONSTRUCTION OF CONCRETE PAVEMENT AT  
14 VARIOUS LOCATIONS IN THE CITY, AND DECLARING  
15 AN EMERGENCY.

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

20  
21 Section 1. The Director of Public Service is hereby authorized to enter into a  
22 contract or contracts, according to law, for the reconstruction of concrete  
23 pavement within the right-of-way at the following locations:

- 24  
25 a) Cavalier Trail  
26 b) Cochran Road  
27

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

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

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

42  
43 Section 5. This ordinance is hereby declared to be an emergency measure  
44 necessary for the preservation of the public peace, health, safety, convenience and  
45 welfare of the City of Cuyahoga Falls and the inhabitants thereof, for the reason  
46 that it is immediately necessary to permit timely and appropriate development of  
47 this property, and provided it receives the affirmative vote of two thirds of the  
48 members elected or appointed to Council, it shall take effect and be in force

49 immediately upon its passage and approval by the Mayor; otherwise it shall take  
50 effect and be in force at the earliest period allowed by law.

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53 Passed: \_\_\_\_\_

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President of Council

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Clerk of Council

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61 Approved: \_\_\_\_\_

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Mayor

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