

NEW LEGISLATION

October 9, 2017

Temp. No.	Introduced	Committee	Description
B-75	10/9/17	Fin	An ordinance authorizing the Director of Finance to enter into a contract or contracts, without competitive bidding, with Wichert Insurance Services, Inc. for the professional services necessary to manage the City's risk management and insurance program and for the purchase of public entity insurance coverages, and declaring an emergency.
B-76	10/9/17	Fin	A resolution accepting the amounts and rates of taxation as certified by the Summit County Budget Commission, authorizing the necessary tax levies, certifying such authorization to the County Fiscal Officer, and declaring an emergency.
B-77	10/9/17	Fin	An ordinance authorizing the Parks and Recreation Board to enter into a contract or contracts for the purchase of play equipment to be installed at Woodridge Primary and Intermediate Schools, and declaring an emergency.
B-78	10/9/17	Fin	An ordinance authorizing the Director of Public Safety to enter into a contract or contracts, without competitive bidding, with The Fire House, for the purchase of turnout gear for use by the Fire Department, and declaring an emergency.
B-79	10/9/17	Fin	An ordinance authorizing the Director of Finance to enter into a contract or contracts without competitive bidding with the Metropolitan Regional Service Council dba Northeast Ohio Network for Educational Technology ("NEOnet") for the purchase of IP telephony and voicemail

services for a period not to exceed five years, and declaring an emergency.

B-80	10/9/17	Fin	An ordinance providing for the issuance and sale of Notes in the maximum principal amount of \$1,800,000, in anticipation of the issuance of Bonds, for the purpose of paying the costs of constructing waterlines in Graham Road, together with all appurtenances thereto, and declaring an emergency.
B-81	10/9/17	PA	An ordinance amending the Traffic Control File by providing for installation of various traffic control devices, and declaring an emergency.
B-82	10/9/17	PA	A resolution expressing support for and urging passage of Issue 29, the Cuyahoga Falls City School District levy, at the general election to be held on November 7, 2017, and declaring an emergency.
B-83	10/9/17	PA	A resolution expressing support for and urging passage of Issue 35, Woodridge Local School District tax levy, at the general election to be held on November 7, 2017, and declaring an emergency.
B-84	10/9/17	PA	A resolution supporting County Issue 3, which will approve a 4.5 mill renewal levy for County of Summit Developmental Disabilities ("Summit DD") for a six-year period from 2019 to 2024, and respectfully urging all Summit County voters to vote in favor of Issue 3 at the November 7, 2017 general election, and declaring an emergency.

CALENDAR

October 9, 2017

The following legislation will be up for passage at the Council Meeting on October 9, 2017.

Temp. No.	Introduced	Committee	Description
B-70	9/25/17	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, for the sale of Cuyahoga Falls Bulk Electric System (BES) 138KV assets to American Transmission Systems Inc. (ATSI), a First Energy Subsidiary, and declaring an emergency.
B-71 Sub	9/25/17	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, without competitive bidding, with OMEGA JV1 for the “as is” purchase of all JV1 assets on City property and to terminate the OMEGA JV1 lease agreement, and declaring an emergency.
B-72	9/25/17	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts for the purchase of two automated packer trucks for use by the Sanitation Division, and declaring an emergency.
B-73 Sub	9/25/17	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for professional services necessary for engineering, bidding and management of the JV1 upgrade project, and declaring an emergency.
B-74	9/25/17	PA	An ordinance amending Section 303.07 of the Codified Ordinances, relating to impounding of vehicles in the City of Cuyahoga Falls, and declaring an emergency.

PENDING LEGISLATION

October 9, 2017

Temp. No.	Introduced	Committee	Description
B-66	9/11/17	PA	An ordinance authorizing the Mayor to enter into a lease agreement or agreements with Riverside Community Urban Redevelopment Corporation, and declaring an emergency.
B-70	9/25/17	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, for the sale of Cuyahoga Falls Bulk Electric System (BES) 138KV assets to American Transmission Systems Inc. (ATSI), a First Energy Subsidiary, and declaring an emergency.
B-71 Sub	9/25/17	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, without competitive bidding, with OMEGA JV1 for the "as is" purchase of all JV1 assets on City property and to terminate the OMEGA JV1 lease agreement, and declaring an emergency.
B-72	9/25/17	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts for the purchase of two automated packer trucks for use by the Sanitation Division, and declaring an emergency.
B-73 Sub	9/25/17	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for professional services necessary for engineering, bidding and management of the JV1 upgrade project, and declaring an emergency.
B-74	9/25/17	PA	An ordinance amending Section 303.07 of the Codified Ordinances, relating to impounding of vehicles in the City of Cuyahoga Falls, and declaring an emergency.

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5 CITY OF CUYAHOGA FALLS, OHIO

6
7 ORDINANCE NO. - 2017

8
9 AN ORDINANCE AUTHORIZING THE DIRECTOR OF
10 FINANCE TO ENTER INTO A CONTRACT OR
11 CONTRACTS, WITHOUT COMPETITIVE BIDDING, WITH
12 WICHERT INSURANCE SERVICES, INC. FOR THE
13 PROFESSIONAL SERVICES NECESSARY TO MANAGE
14 THE CITY'S RISK MANAGEMENT AND INSURANCE
15 PROGRAM AND FOR THE PURCHASE OF PUBLIC
16 ENTITY INSURANCE COVERAGES, AND DECLARING
17 AN EMERGENCY.
18
19

20 BE IT ORDAINED by the Council of the City of Cuyahoga Falls, County of Summit
21 and State of Ohio, that:
22

23 Section 1. The Director of Finance is hereby authorized to enter into a contract or
24 contracts, without competitive bidding, with Wichert Insurance Services, Inc., on the
25 basis of its proposal dated October 5, 2017, for the professional services necessary to
26 manage the City's risk management and insurance program, including purchase of
27 comprehensive public entity insurance coverages, for a period of one year.
28

29 Section 2. The Director of Finance is hereby authorized and directed to make
30 payment for same from funds properly appropriated to the various departments of
31 the City for these purposes, according to an apportionment of costs as between the
32 departments.
33

34 Section 3. 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 4. 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 public,
43 in compliance with all legal requirements, to the extent applicable, including Chapter
44 107 of the Codified Ordinances.
45

46 Section 5. 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 that

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

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56 Passed: _____
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58 President of Council

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61 Clerk of Council

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64 Approved: _____
65 _____
66 Mayor

67 10/9/17

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3 CITY OF CUYAHOGA FALLS, OHIO

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5 RESOLUTION NO. - 2017

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7 A RESOLUTION ACCEPTING THE AMOUNTS AND RATES OF
8 TAXATION AS CERTIFIED BY THE SUMMIT COUNTY
9 BUDGET COMMISSION, AUTHORIZING THE NECESSARY
10 TAX LEVIES, CERTIFYING SUCH AUTHORIZATION TO THE
11 COUNTY FISCAL OFFICER, AND DECLARING AN
12 EMERGENCY.

13
14 WHEREAS, the City, in accordance with the provisions of law, has previously filed
15 Alternative Tax Budget Information with the Summit County Fiscal Officer for the fiscal year
16 beginning January 1, 2018; and

17
18 WHEREAS, on September 7, 2017, the Budget Commission of Summit County certified
19 its action thereon to the City, together with an estimate by the County Fiscal Officer of the
20 rate of each tax necessary to be levied by the City and what part thereof is without and what
21 part thereof is within the Charter tax limitation,

22
23 NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cuyahoga Falls,
24 County of Summit and State of Ohio, that:

25
26 Section 1. The amounts and rates of taxation as determined by the Budget Commission
27 in its certification, attached hereto as Exhibit "A", are hereby accepted.

28
29 Section 2. There shall be and hereby is levied on the tax duplicate of the said City the
30 rate of each tax necessary to be levied within and without the Charter limitation as follows:

Purpose	Amount to be Derived from Levies Inside Charter Limit	Amount Approved by Budget Commission outside Charter Limit	County Fiscal Officer's Estimate of Tax Rate to be Levied	
			Inside Charter Limit	Outside Charter Limit
General Fund	\$10,034,456		10.40	
Police Pension	289,455		.30	
Fire Pension	289,455		.30	

31
32
33 Section 3. The Clerk of Council is authorized and directed to forward a certified copy of
34 this resolution to the County Fiscal Officer.

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

40
41 Section 5. It is found and determined that all formal actions of this Council concerning
42 and relating to the adoption of this resolution were adopted in an open meeting of this
43 Council and that all deliberations of this Council and of any of its committees that resulted

44 in such formal action were in meetings open to the public, in compliance with all legal
45 requirements including Chapter 107 of the Codified Ordinances.

46
47 Section 6. This resolution is hereby declared to be an emergency measure necessary for
48 the preservation of the public peace, health, safety, convenience and welfare of the City of
49 Cuyahoga Falls and the inhabitants thereof and provided it receives the affirmative vote of
50 two-thirds of the members elected or appointed to Council, it shall take effect and be in force
51 immediately upon its passage and approval by the Mayor; otherwise it shall take effect and
52 be in force at the earliest period allowed by law.

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56 Passed: _____

President of Council

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Clerk of Council

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64 Approved: _____

Mayor

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SUMMIT COUNTY BUDGET COMMISSION CERTIFICATION OF TAX LEVY
(ORC Sections 5705.34 & 5705.35)

POLITICAL ENTITY: **CUYAHOGA FALLS CITY**
ESTIMATE

Tax Year 2017/Collection Year 2018

THE VALUATIONS AND TAX RATES REFLECT TAX YEAR 2016 COLLECTION YEAR 2017

LEVIES INSIDE and OUTSIDE 10 MILL LIMITATION, INCLUSIVE OF DEBT LEVIES

Date: September 7, 2017

- 1. RESIAG REAL VALUE 710,687,960
- 2. OTHER REAL VALUE 244,652,170
- 3. TOTAL RESIAG & OTHER REAL VALUE 955,340,130
- 4. PUBLIC UTILITY PERSONAL VALUE 9,666,340
- 5. TOTAL REAL & PUBLIC UTILITY VALUE 965,006,470

THIS ESTIMATE REFLECTS LESS THE PENDING EXEMPTION ASSESSED VALUATION
RESIAG PENDING EXEMPTION 0
OTHER PENDING EXEMPTION 154,930

FUND TYPE CLT FUND #	PURPOSE	Authorized by the Voters on Ballot M/D/YA/YR	Number of Years Levy to Run	Tax Year		Maximum Rate to be Levied	REDUCTION FACTOR		EFFECTIVE RATE TO BE LEVIED		TOTAL REAL & PUBLIC UTILITY PENDING EXEMPTION VALUE			TOTAL	ROLL BACK	
				Begins/Ends	Collection Year		RESIAG OTHER	RESIAG OTHER	RESIAG	OTHER	PUBLIC UTILITY					
GENERAL 01 00	Charter Inside					10.40			10.400000 10.400000			\$7,391,155	\$2,542,771	\$100,530	\$10,034,456	Y
POLICE PENSION 32 00	Charter Inside					0.30			0.300000 0.300000			\$213,206	\$73,349	\$2,900	\$289,455	Y
FIRE PENSION 33 00	Charter Inside					0.30			0.300000 0.300000			\$213,206	\$73,349	\$2,900	\$289,455	Y
TOTALS						11.00			11.000000 11.000000			\$7,817,567	\$2,689,469	\$106,330	\$10,613,366	

NOTE: The ROLLBACK column added to this certificate represents the recently passed state budget, beginning with tax year 2013 the ten and two and one-half percent rollbacks will no longer apply to new levies that are enacted after the August 2013 election. These non-qualified levies include additional levies, the increase portion of renewal with increase levies, and the full effective millage of replacement levies. Levies that will continue to qualify for application of the rollbacks are levies approved at or before the August 2013 election, inside and charter millage as they appear on the 2013 tax list, renewals of qualified levies, and the substitute of qualified school emergency levies under Revised Code section 5705.199. In this column the 'Y' indicates the levy qualifies for the 10% and 2 1/2% rollback. The 'N' indicates the levy does not qualify for the 10% and 2 1/2% rollback.

5 CITY OF CUYAHOGA FALLS, OHIO

7 ORDINANCE NO. - 2017

9 AN ORDINANCE AUTHORIZING THE PARKS AND RECREATION
10 BOARD TO ENTER INTO A CONTRACT OR CONTRACTS FOR
11 THE PURCHASE OF PLAY EQUIPMENT TO BE INSTALLED AT
12 WOODRIDGE PRIMARY AND INTERMEDIATE SCHOOLS, AND
13 DECLARING AN EMERGENCY.

16 Whereas, the City of Cuyahoga Falls has agreements between the Cuyahoga Falls City
17 School District and the Woodridge Local School District to develop and maintain public land for
18 school children and the public as a whole; and

20 Whereas, in August of 2018, Woodridge Local School District will be vacating their current
21 elementary school properties and opening a new state-of-the-art elementary school on a new
22 campus within the City of Cuyahoga Falls; and

24 Whereas, the City of Cuyahoga Falls has a mutual desire to supply and maintain safe and
25 quality playgrounds on the new Woodridge Local School District campus; and

27 Whereas, playgrounds provide opportunity for the betterment of school children’s health
28 and development, they also provide the same fortuity to the community as a whole.

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

33 Section 1. The Parks and Recreation Board is hereby authorized to enter into a contract or
34 contracts for the purchase of play equipment to be installed at Woodridge Primary and
35 Intermediate Schools through the TCPN bid or any other source having a price equal to or
36 lower than that provided by the TCPN bid. Any requirement for competitive bidding is hereby
37 suspended.

39 Section 2. The Director of Finance is hereby authorized and directed to make payment for
40 same from Recreation Levy Fund, line item Capital Outlay.

42 Section 3. Any other ordinances and resolutions or portions of ordinances and resolutions
43 inconsistent herewith are hereby repealed, but any ordinances and resolutions or portions of
44 ordinances and resolutions not inconsistent herewith and which have not previously been
45 repealed are hereby ratified and confirmed.

47 Section 4. It is found and determined that all formal actions of this Council concerning and
48 relating to the adoption of this ordinance were adopted in an open meeting of this Council and
49 that all deliberations of this Council and of any of its committees that resulted in such formal
50 action were in meetings open to the public, in compliance with all legal requirements including
51 Chapter 107 of the Codified Ordinances.

53 Section 5. This ordinance is hereby declared to be an emergency measure necessary for the
54 preservation of the public peace, health, safety, convenience and welfare of the City of
55 Cuyahoga Falls and the inhabitants thereof, and provided it receives the affirmative vote of

1 two-thirds of the members elected or appointed to Council, it shall take effect and be in force
2 immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be
3 in force at the earliest period allowed by law.

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6 Passed: _____
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8 President of Council

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12 Clerk of Council

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14 Approved: _____
15 _____
16 Mayor

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3 CITY OF CUYAHOGA FALLS, OHIO

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5 ORDINANCE NO. - 2017

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7 AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC
8 SAFETY TO ENTER INTO A CONTRACT OR CONTRACTS,
9 WITHOUT COMPETITIVE BIDDING, WITH THE FIRE HOUSE,
10 FOR THE PURCHASE OF TURNOUT GEAR FOR USE BY THE
11 FIRE DEPARTMENT, AND DECLARING AN EMERGENCY.
12
13

14 WHEREAS, Article I, Section 2 of the City Charter, adopted pursuant to Art. XVIII,
15 Sections 3 and 7 of the Ohio Constitution, authorizes this Council to make exception to the
16 competitive bidding procedures set forth in the Revised Code; and
17

18 WHEREAS, 24 additional turnout gear sets are necessary due to the Fire Department
19 reserve turnout gear being depleted at a more rapid pace than anticipated as a result of
20 safety testing and expiration; and
21

22 WHEREAS, the vendor that is available through state contract does not meet the needs
23 of the Fire Department’s current specifications; and
24

25 WHEREAS, the additional turnout gear sets will be compatible with those previously
26 purchased from The Fire House.
27

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

31 Section 1. The Director of Public Safety is hereby authorized to enter into a contract or
32 contracts, without competitive bidding, with The Fire House, for the purchase of turnout
33 gear for use by the Fire Department.
34

35 Section 2. The Finance Director is hereby authorized and directed to make payment for
36 same from the Capital Projects Fund, line item Capital Outlay.
37

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

43 Section 4. It is found and determined that all formal actions of this Council concerning
44 and relating to the adoption of this ordinance were adopted in an open meeting of this
45 Council and that all deliberations of this Council and of any of its committees that resulted
46 in such formal action were in meetings open to the public, in compliance with all legal
47 requirements including Section 121.22 of the Ohio Revised Code.
48

49 Section 5. This ordinance is hereby declared to be an emergency measure necessary
50 for the preservation of the public peace, health, safety, convenience and welfare of the City

1 of Cuyahoga Falls and the inhabitants thereof, and provided it receives the affirmative vote
2 of two-thirds of the members elected or appointed to Council, it shall take effect and be in
3 force immediately upon its passage and approval by the Mayor; otherwise it shall take effect
4 and be in force at the earliest period allowed by law.

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7 Passed: _____

President of Council

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12 Clerk of Council

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15 Approved: _____

Mayor

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17 10/9/17

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4 CITY OF CUYAHOGA FALLS, OHIO

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6 ORDINANCE NO. - 2017

7
8 AN ORDINANCE AUTHORIZING THE DIRECTOR OF
9 FINANCE TO ENTER INTO A CONTRACT OR
10 CONTRACTS WITHOUT COMPETITIVE BIDDING WITH
11 THE METROPOLITAN REGIONAL SERVICE COUNCIL
12 dba NORTHEAST OHIO NETWORK FOR EDUCATIONAL
13 TECHNOLOGY (“NEOnet”) FOR THE PURCHASE OF IP
14 TELEPHONY AND VOICEMAIL SERVICES FOR A
15 PERIOD NOT TO EXCEED FIVE YEARS, AND
16 DECLARING AN EMERGENCY.
17
18

19 WHEREAS, the Metropolitan Regional Service Council is a public agency and a
20 political subdivision of the State of Ohio, organized as a Council of Governments
21 under Chapter 167 of the Ohio Revised Code (“R.C.”), pursuant to the authority of
22 R.C. §3301.075 ; and
23

24 WHEREAS, pursuant to R.C. §735.053, purchase contracts between the City
25 and other political subdivisions of the State are exempt from competitive bidding
26 requirements otherwise provided in the Code.
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. The Director of Finance is hereby authorized to enter into a contact
32 or contracts, without competitive bidding, with the Metropolitan Regional Service
33 Council dba Northeast Ohio Network for Educational Technology (“NEOnet”), on the
34 basis of its proposal dated September 25, 2017, for the purchase of IP telephony and
35 voicemail services, including all hardware and software, for a period not to exceed
36 five years.
37

38 Section 2. The Director of Finance is hereby authorized and directed to make
39 payment for same from Capital Projects Fund, Line Item Capital Outlay.
40

41 Section 3. Any other ordinances and resolutions or portions of ordinances and
42 resolutions inconsistent herewith are hereby repealed, but any ordinances and
43 resolutions or portions of ordinances and resolutions not inconsistent herewith and
44 which have not previously been repealed are hereby ratified and confirmed.
45

46 Section 4. 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 public,
50 in compliance with all legal requirements including Chapter 107 of the Codified
51 Ordinances.

52
53 Section 5. 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 provided it receives the affirmative vote of
56 two-thirds of the members elected or appointed to Council, it shall take effect and be
57 in force immediately upon its passage and approval by the Mayor; otherwise it shall
58 take effect and be in force at the earliest period allowed by law.

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61 Passed: _____
62 _____
63 President of Council

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66 Clerk of Council

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69 Approved: _____
70 _____
71 Mayor

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4 CITY OF CUYAHOGA FALLS, OHIO

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6 ORDINANCE NO. -2017

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9 AN ORDINANCE PROVIDING FOR THE ISSUANCE
10 AND SALE OF NOTES IN THE MAXIMUM PRINCIPAL
11 AMOUNT OF \$1,800,000, IN ANTICIPATION OF THE
12 ISSUANCE OF BONDS, FOR THE PURPOSE OF
13 PAYING THE COSTS OF CONSTRUCTING
14 WATERLINES IN GRAHAM ROAD, TOGETHER WITH
15 ALL APPURTENANCES THERETO, AND DECLARING
16 AN EMERGENCY.
17

18
19 WHEREAS, pursuant to Ordinance No. 71-2016 passed October 10, 2016,
20 notes in anticipation of bonds in the amount of \$1,800,000 dated November 30,
21 2016 (the "Outstanding Notes"), were issued for the purpose stated in Section 1,
22 as part of a consolidated issue pursuant to Section 133.30(B) of the Ohio
23 Revised Code in the principal amount of \$3,450,000, to mature on November
24 30, 2017; and
25

26 WHEREAS, this Council finds and determines that the City should retire the
27 Outstanding Notes with the proceeds of the Notes described in Section 3 and
28 other funds available to the City; and
29

30 WHEREAS, the Director of Finance, as fiscal officer of this City, has certified
31 to this Council that the estimated life or period of usefulness of the
32 Improvement described in Section 1 is at least five years, the estimated
33 maximum maturity of the Bonds described in Section 1 is forty (40) years, the
34 maximum maturity of the Notes described in Section 3, to be issued in
35 anticipation of the Bonds, is (a) December 4, 2033 allocable to the \$725,000
36 portion of the Notes, (b) December 3, 2034 allocable to the \$325,000 portion of
37 the Notes and (c) December 1, 2035 allocable to the \$750,000 portion of the
38 Notes;
39

40 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of
41 Cuyahoga Falls, Summit County, Ohio, that:
42

43 Section 1. It is necessary to issue bonds of this City in the maximum
44 principal amount of \$1,800,000 (the "Bonds") for the purpose of paying the
45 costs of constructing waterlines in Graham Road, together with all
46 appurtenances thereto (the "Improvement").
47

48 Section 2. The Bonds shall be dated approximately December 1, 2018, shall
49 bear interest at the now estimated rate of 5.50% per year, payable on June 1
50 and December 1 of each year, commencing June 1, 2019, until the principal
51 amount is paid, and are estimated to mature in 20 annual principal
52 installments that are in such amounts that the total principal and interest
53 payments on the Bonds in any fiscal year in which principal is payable are not

54 more than three times the amount of those payments in any other fiscal year.
55 The first principal installment is estimated to be December 1, 2019.
56

57 Section 3. It is necessary to issue and this Council determines that notes in
58 the maximum principal amount of \$1,800,000 (the "Notes") shall be issued in
59 anticipation of the issuance of the Bonds for the purpose stated in Section 1
60 and to retire, together with other funds available to the City, the Outstanding
61 Notes and to pay any financing costs. The principal amount of Notes to be
62 issued (not to exceed the stated maximum principal amount) shall be
63 determined by the Director of Finance in the certificate of award awarding the
64 Notes in accordance with Section 6 of this ordinance (the "Certificate of Award")
65 as the amount which, along with other available funds of the City, is necessary
66 to provide for the retirement of the Outstanding Notes and to pay any financing
67 costs. The Notes shall be dated the date of issuance and shall mature not
68 earlier than six months from that date and not later than 12 months from that
69 date, as shall likewise be fixed by the Director of Finance in the Certificate of
70 Award. The Notes shall bear interest at a rate or rates not to exceed 6.00% per
71 year (computed on the basis of a 360-day year consisting of twelve 30-day
72 months), payable at maturity and until the principal amount is paid or payment
73 is provided for. The rate or rates of interest on the Notes shall be determined by
74 the Director of Finance in the Certificate of Award in accordance with Section 6
75 of this ordinance.
76

77 Section 4. The debt charges on the Notes shall be payable in Federal
78 Reserve funds of the United States of America, and shall be payable, without
79 deduction for services of the City's paying agent, at the designated corporate
80 trust office of The Huntington National Bank or at the office of a bank or trust
81 company designated by the Director of Finance in the Certificate of Award after
82 determining that the payment at that bank or trust company will not endanger
83 the funds or securities of the City and that proper procedures and safeguards
84 are available for that purpose or at the office of the Director of Finance if agreed
85 to by the Director of Finance and the original purchaser (the "Paying Agent").
86 The Director of Finance is authorized, to the extent necessary or appropriate, to
87 enter into an agreement with the Paying Agent in connection with the services
88 to be provided by the Paying Agent after determining that the signing thereof
89 will not endanger the funds or securities of the City.
90

91 Section 5. The Notes shall be signed by the Mayor and Director of Finance,
92 in the name of the City and in their official capacities, provided that one of
93 those signatures may be a facsimile. The Notes shall be issued in the
94 denominations and numbers as requested by the original purchaser, as
95 described in Section 6 hereof, and approved by the Director of Finance,
96 provided that unless the City distributes an official statement, as described in
97 Section 6 hereof, no Note shall be issued in a denomination less than \$100,000
98 and in multiples of \$100 in excess thereof. The entire principal amount may be
99 represented by a single note and may be issued as fully registered securities (for
100 which the Director of Finance will serve as note registrar) and in book entry or
101 other uncertificated form in accordance with Section 9.96 and Chapter 133 of
102 the Ohio Revised Code if it is determined by the Director of Finance that
103 issuance of fully registered securities in that form will facilitate the sale and
104 delivery of the Notes. The Notes shall not have coupons attached, shall be
105 numbered as determined by the Director of Finance and shall express upon
106 their faces the purpose, in summary terms, for which they are issued and that

107 they are issued pursuant to this ordinance. As used in this section and this
108 ordinance:
109

110 “Book entry form” or “book entry system” means a form or system under
111 which (a) the ownership of beneficial interests in the Notes and the principal of
112 and interest on the Notes may be transferred only through a book entry, and (b)
113 a single physical Note certificate in fully registered form is issued by the City
114 and payable only to a Depository or its nominee as registered owner, with the
115 certificate deposited with and “immobilized” in the custody of the Depository or
116 its designated agent for that purpose. The book entry maintained by others
117 than the City is the record that identifies the owners of beneficial interests in
118 the Notes and that principal and interest.
119

120 “Depository” means any securities depository that is a clearing agency
121 registered pursuant to the provisions of Section 17A of the Securities Exchange
122 Act of 1934, operating and maintaining, with its Participants or otherwise, a
123 book entry system to record ownership of beneficial interests in the Notes or the
124 principal of and interest on the Notes, and to effect transfers of the Notes, in
125 book entry form, and includes and means initially The Depository Trust
126 Company (a limited purpose trust company), New York, New York.
127

128 “Participant” means any participant contracting with a Depository under a
129 book entry system and includes securities brokers and dealers, banks and trust
130 companies and clearing corporations.
131

132 The Notes may be issued to a Depository for use in a book entry system and,
133 if and as long as a book entry system is utilized, (a) the Notes may be issued in
134 the form of a single Note made payable to the Depository or its nominee and
135 immobilized in the custody of the Depository or its agent for that purpose; (b)
136 the beneficial owners in book entry form shall have no right to receive the Notes
137 in the form of physical securities or certificates; (c) ownership of beneficial
138 interests in book entry form shall be shown by book entry on the system
139 maintained and operated by the Depository and its Participants, and transfers
140 of the ownership of beneficial interests shall be made only by book entry by the
141 Depository and its Participants; and (d) the Notes as such shall not be
142 transferable or exchangeable, except for transfer to another Depository or to
143 another nominee of a Depository, without further action by the City.
144

145 If any Depository determines not to continue to act as a Depository for the
146 Notes for use in a book entry system, the Director of Finance may attempt to
147 establish a securities depository/book entry relationship with another qualified
148 Depository. If the Director of Finance does not or is unable to do so, the
149 Director of Finance, after making provision for notification of the beneficial
150 owners by the then Depository and any other arrangements deemed necessary,
151 shall permit withdrawal of the Notes from the Depository, and shall cause the
152 Notes in bearer or payable form to be signed by the officers authorized to sign
153 the Notes and delivered to the assigns of the Depository or its nominee, all at
154 the cost and expense (including any costs of printing), if the event is not the
155 result of City action or inaction, of those persons requesting such issuance.
156

157 The Director of Finance is also hereby authorized and directed, to the extent
158 necessary or required, to enter into any agreements determined necessary in

159 connection with the book entry system for the Notes, after determining that the
160 signing thereof will not endanger the funds or securities of the City.
161

162 Section 6. The Notes shall be sold at not less than 97% of the par value
163 thereof at private sale by the Director of Finance in accordance with law and the
164 provisions of this ordinance, the Certificate of Award and the Note Purchase
165 Agreement (as hereinafter defined). The Director of Finance shall, in
166 accordance with his determination of the best interests of and financial
167 advantages to the City and its taxpayers and conditions then existing in the
168 financial market, consistently with the provisions of Sections 3 and 4, establish
169 the interest rates to be borne by the Notes and their maturity, sign the
170 Certificate of Award referred to in Sections 3 and 4 evidencing those
171 determinations, cause the Notes to be prepared, and have the Notes, signed and
172 delivered, together with a true transcript of proceedings with reference to the
173 issuance of the Notes, if requested by the original purchaser, to the original
174 purchaser upon payment of the purchase price. The note purchase agreement
175 (the "Note Purchase Agreement") now on file with the Clerk of Council is
176 approved, and the Mayor and the Director of Finance are authorized to sign and
177 deliver, on behalf of the City, the Note Purchase Agreement with such changes
178 that are not inconsistent with the provisions of this ordinance, are not
179 materially adverse to the interests of the City and are approved by the Mayor
180 and the Director of Finance. Any such changes to the Note Purchase
181 Agreement are not materially adverse to the interests of the City and are
182 approved by the Mayor and the Director of Finance shall be evidenced
183 conclusively by the signing of the Note Purchase Agreement by the Mayor and
184 the Director of Finance. The Mayor, the Director of Finance, the Director of
185 Law, the Clerk of Council and other City officials, as appropriate, are each
186 authorized and directed to sign any transcript certificates, financial statements,
187 continuing disclosure agreement and other documents and instruments,
188 including any paying agent agreement, and to take such actions as are
189 necessary and appropriate to consummate the transactions contemplated by
190 this ordinance. The Director of Finance is authorized, if it is determined to be
191 in the best interest of the City, to combine the issue of Notes with one or more
192 other note issues of the City into a consolidated note issue pursuant to
193 Section 133.30(B) of the Ohio Revised Code.
194

195 The Director of Finance is also hereby authorized to offer all or part of the
196 Notes at par and any accrued interest to the Treasury Investment Board of the
197 City for investment under Section 731.56 of the Ohio Revised Code, in
198 accordance with law and the provisions of this ordinance if, as a result of the
199 conditions then existing in the financial markets, the Director of Finance
200 determines it is in the best financial interest of the City in lieu of the private
201 sale authorized in the preceding paragraph and which determination shall be
202 set forth in the Certificate of Award.
203

204 If the Mayor or the Director of Finance determines it to be in the best
205 interests of and financially advantageous to the City, either or both of those
206 officers are authorized, on behalf of the City, to apply for a rating on the Notes
207 from one or more nationally-recognized rating organizations.
208

209 If in the judgment of the Mayor or the Director of Finance a disclosure
210 document in the form of an official statement (including within such term, but
211 not limited to, an annual information statement) is appropriate or necessary

212 relating to the original issuance of the Notes, either or both of those officers, on
213 behalf of the City and in their official capacities, are authorized to (a) prepare or
214 cause to be prepared, and make or authorize modifications, completions or
215 changes of or supplements to, such an official statement, (b) determine, and to
216 certify or otherwise represent, when the official statement is to be “deemed
217 final” (except for permitted omissions) by the City as of its date or is a final
218 official statement for purposes of SEC Rule 15c2-12(b)(1), (3) and (4), (c) use
219 and distribute, or authorize the use and distribution of those official statements
220 and any supplements thereto in connection with the original issuance of the
221 Notes, and (d) complete and sign those official statements as so approved
222 together with such certificates, statements or other documents in connection
223 with the finality, accuracy and completeness of those official statements.
224

225 As used in this section and this ordinance:
226

227 “Note proceedings” means, collectively, this ordinance and the other
228 proceedings of the City, including the Notes, that collectively provide for, among
229 other things, the rights of holders and beneficial owners of the Notes.
230

231 “Rule” means Rule 15c2-12 prescribed by the Securities and Exchange
232 Commission pursuant to the Securities Exchange Act of 1934.
233

234 “Specified Events” means the occurrence of any of the following events,
235 within the meaning of the Rule, with respect to the Notes as applicable:
236 principal and interest payment delinquencies; non-payment related defaults;
237 unscheduled draws on debt service reserves reflecting financial difficulties;
238 unscheduled draws on credit enhancements reflecting financial difficulties;
239 substitution of credit or liquidity providers, or their failure to perform; adverse
240 tax opinions or events affecting the tax-exempt status of the Notes;
241 modifications to rights of holders or beneficial owners of the Notes; Note calls;
242 defeasances; release, substitution or sale of property securing repayment of the
243 Notes; and rating changes. The City has not obtained or provided, and does not
244 expect to obtain or provide, any debt service reserves, credit enhancements or
245 credit or liquidity providers for the Notes, the Notes are not subject to call for
246 redemption prior to maturity, and repayment of the Notes is not secured by a
247 lien on any property capable of release or sale or for which other property may
248 be substituted.
249

250 If the City prepares and causes the distribution of an official statement for
251 the Notes, for the benefit of the holders and beneficial owners from time to time
252 of the Notes, the City agrees, as the only obligated person with respect to the
253 Notes under the Rule, to provide or cause to be provided such notices, in such
254 manner, as may be required for purposes of paragraph (b)(5)(i)(C) of the Rule,
255 including specifically notice to the Municipal Securities Rulemaking Board
256 (MSRB) through its Electronic Municipal Market Access (EMMA) system, in a
257 timely manner, of the occurrence of any Specified Event, if that event is
258 material. (The City’s agreement in this paragraph is herein referred to as the
259 Continuing Disclosure Agreement).
260

261 The Director of Finance is further authorized and directed to establish
262 procedures to ensure compliance by the City with the Continuing Disclosure
263 Agreement, including timely provision of notices as described above. Prior to
264 providing notice of the occurrence of any Specified Event or of any other events,

265 the Director of Finance shall consult with and obtain legal advice from, as
266 appropriate, the Director of Law and bond or other qualified independent
267 special counsel selected by the City. The Director of Finance, acting in the
268 name and on behalf of the City, shall be entitled to rely upon any such legal
269 advice in determining whether a notice should be provided.
270

271 The City reserves the right to amend the Continuing Disclosure Agreement,
272 and to obtain the waiver of noncompliance with any provision of that
273 Agreement, as may be necessary or appropriate to achieve its compliance with
274 any applicable federal securities law or rule, to cure any ambiguity,
275 inconsistency or formal defect or omission, and to address any change in
276 circumstances arising from a change in legal requirements, change in law, or
277 change in the identity, nature or status of the City, or type of business
278 conducted by the City. Any such amendment or waiver will not be effective
279 unless the Agreement (as amended or taking into account such waiver) would
280 have complied with the requirements of the Rule at the time of the primary
281 offering of the Notes, after taking into account any applicable amendments to or
282 official interpretations of the Rule, as well as any change in circumstances, and
283 until the City shall have received: either (a) a written opinion of bond or other
284 qualified independent special counsel selected by the City that the amendment
285 or waiver would not materially impair the interests of holders or beneficial
286 owners of the Notes or (b) the written consent to the amendment or waiver of
287 the holders of at least a majority of the principal amount of the Notes then
288 outstanding.
289

290 The Continuing Disclosure Agreement shall be solely for the benefit of the
291 holders and beneficial owners from time to time of the Notes. The exclusive
292 remedy for any breach of the Agreement by the City shall be limited, to the
293 extent permitted by law, to a right of holders and beneficial owners to institute
294 and maintain, or to cause to be instituted and maintained, such proceedings as
295 may be authorized at law or in equity to obtain the specific performance by the
296 City of its obligations under the Agreement. Any individual holder or beneficial
297 owner may institute and maintain, or cause to be instituted and maintained,
298 such proceedings to require the City to provide or cause to be provided a
299 pertinent filing if such a filing is due and has not been made. Any such
300 proceedings to require the City to perform any other obligation under the
301 Agreement (including any proceedings that contest the sufficiency of any
302 pertinent filing) shall be instituted and maintained only (a) by a trustee
303 appointed by the holders and beneficial owners of not less than 25% in
304 principal amount of the Notes then outstanding or (b) by holders and beneficial
305 owners of not less than 10% in principal amount of the Notes then outstanding,
306 in accordance with Section 133.25(B)(4)(b) or (C)(1) of the Ohio Revised Code, as
307 applicable (or any like or comparable successor provisions).
308

309 The performance by the City of the Continuing Disclosure Agreement shall
310 be subject to the annual appropriation of any funds that may be necessary to
311 perform it.
312

313 The Continuing Disclosure Agreement shall remain in effect only for such
314 period that the Notes are outstanding in accordance with their terms and the
315 City remains an obligated person with respect to the Notes within the meaning
316 of the Rule. The obligation of the City to provide the notices of the Specified

317 Events shall terminate, if and when the City no longer remains such an
318 obligated person.
319

320 Section 7. The proceeds from the sale of the Notes, except any premium and
321 accrued interest, shall be paid into the proper fund or funds and those proceeds
322 are appropriated and shall be used for the purpose for which the Notes are
323 being issued. The Certificate of Award may authorize the original purchaser to
324 withhold certain proceeds from the sale of the Notes to provide for the payment
325 of certain financing costs on behalf of the City. Any portion of those proceeds
326 received by the City (after payment of those financing costs) representing
327 premium or accrued interest shall be paid into the Bond Retirement Fund.
328

329 Section 8. The par value to be received from the sale of the Bonds or of any
330 renewal notes and any excess funds resulting from the issuance of the Notes
331 shall, to the extent necessary, be used to pay the debt charges on the Notes at
332 maturity and are pledged for that purpose.
333

334 Section 9. During the year or years in which the Notes are outstanding,
335 there shall be levied on all the taxable property in the City, in addition to all
336 other taxes, the same tax that would have been levied if the Bonds had been
337 issued without the prior issuance of the Notes. The tax shall be within the
338 eleven-mill limitation provided by the Charter of the City, shall be and is
339 ordered computed, certified, levied and extended upon the tax duplicate and
340 collected by the same officers, in the same manner, and at the same time that
341 taxes for general purposes for each of those years are certified, levied, extended
342 and collected, and shall be placed before and in preference to all other items
343 and for the full amount thereof. The proceeds of the tax levy shall be placed in
344 the Bond Retirement Fund, which is irrevocably pledged for the payment of the
345 debt charges on the Notes or the Bonds when and as the same fall due.
346

347 In each year to the extent net revenues from the City's water system are
348 available for the payment of the debt charges on the Notes or the Bonds and are
349 appropriated for that purpose, the amount of the tax shall be reduced by the
350 amount of such net revenues so available and appropriated.
351

352 In each year to the extent receipts from the municipal income tax are
353 available for the payment of the debt charges on the Notes or the Bonds and are
354 appropriated for that purpose, and to the extent not paid from net revenues of
355 the City's water system, the amount of the tax shall be reduced by the amount
356 of such receipts so available and appropriated in compliance with the following
357 covenant. To the extent necessary, the debt charges on the Notes or the Bonds
358 shall be paid from municipal income taxes lawfully available therefor under the
359 Constitution and the laws of the State of Ohio, and the Charter of the City; and
360 the City hereby covenants, subject and pursuant to such authority, including
361 particularly Section 133.05(B)(7) of the Ohio Revised Code, to appropriate
362 annually from such municipal income taxes such amount as is necessary to
363 meet such annual debt charges.
364

365 Nothing in the two preceding paragraphs in any way diminishes the
366 irrevocable pledge of the full faith and credit and general property taxing power
367 of the City to the prompt payment of the debt charges on the Notes and the
368 Bonds.
369

370 Section 10. The City covenants that it will use, and will restrict the use and
371 investment of, the proceeds of the Notes in such manner and to such extent, as
372 may be necessary so that (a) the Notes will not (i) constitute private activity
373 bonds, arbitrage bonds or hedge bonds under Sections 141, 148 or 149 of the
374 Internal Revenue Code of 1986, as amended (the “Code”) or (ii) be treated other
375 than as bonds to which Section 103 of the Code applies, and (b) the interest on
376 the Notes will not be treated as an item of tax preference under Section 57 of
377 the Code.

378
379 The City further covenants that (a) it will take or cause to be taken such
380 actions that may be required of it for the interest on the Notes to be and remain
381 excluded from gross income for federal income tax purposes, (b) it will not take
382 or authorize to be taken any actions that would adversely affect that exclusion,
383 and (c) it, or persons acting for it, will, among other acts of compliance, (i) apply
384 the proceeds of the Notes to the governmental purpose of the borrowing, (ii)
385 restrict the yield on investment property, (iii) make timely and adequate
386 payments to the federal government, (iv) maintain books and records and make
387 calculations and reports and (v) refrain from certain uses of those proceeds,
388 and, as applicable, of property financed with such proceeds, all in such manner
389 and to the extent necessary to assure such exclusion of that interest under the
390 Code.

391
392 The Director of Finance, as the fiscal officer, or any other officer of the City
393 having responsibility for issuance of the Notes is hereby authorized (a) to make
394 or effect any election, selection, designation, choice, consent, approval, or
395 waiver on behalf of the City with respect to the Notes as the City is permitted to
396 or required to make or give under the federal income tax laws, for the purpose
397 of assuring, enhancing or protecting favorable tax treatment or status of the
398 Notes or interest thereon or assisting compliance with requirements for that
399 purpose, reducing the burden or expense of such compliance, reducing the
400 rebate amount or payments or penalties, or making payments of special
401 amounts in lieu of making computations to determine, or paying, excess
402 earnings as rebate, or obviating those amounts or payments, as determined by
403 that officer, which action shall be in writing and signed by the officer, (b) to take
404 any and all other actions, make or obtain calculations, make payments, and
405 make or give reports, covenants and certifications of and on behalf of the City,
406 as may be appropriate to assure the exclusion of interest from gross income
407 and the intended tax status of the Notes, and (c) to give one or more appropriate
408 certificates of the City, for inclusion in the transcript of proceedings for the
409 Notes, setting forth the reasonable expectations of the City regarding the
410 amount and use of all the proceeds of the Notes, the facts, circumstances and
411 estimates on which they are based, and other facts and circumstances relevant
412 to the tax treatment of the interest on and the tax status of the Notes. The
413 Director of Finance or any other officer of the City having responsibility for
414 issuance of the Notes is specifically authorized to designate the Notes as
415 “qualified tax-exempt obligations” if such designation is applicable and
416 desirable, and to make any related necessary representations and covenants.

417
418 Each covenant made in this section with respect to the Notes is also made
419 with respect to all issues any portion of the debt service on which is paid from
420 proceeds of the Notes (and, if different, the original issue and any refunding
421 issues in a series of refundings), to the extent such compliance is necessary to
422 assure exclusion of interest on the Notes from gross income for federal income

423 tax purposes, and the officers identified above are authorized to take actions
424 with respect to those issues as they are authorized in this section to take with
425 respect to the Notes.
426

427 Section 11. The Clerk of Council is directed to deliver a certified copy of this
428 ordinance to the Fiscal Officer in Summit County.
429

430 Section 12. This Council determines that all acts and conditions necessary
431 to be done or performed by the City or to have been met precedent to and in the
432 issuing of the Notes in order to make them legal, valid and binding general
433 obligations of the City have been performed and have been met, or will at the
434 time of delivery of the Notes have been performed and have been met, in regular
435 and due form as required by law; that the full faith and credit and general
436 property taxing power (as described in Section 9) of the City are pledged for the
437 timely payment of the debt charges on the Notes; and that no statutory or
438 constitutional limitation of indebtedness or taxation will have been exceeded in
439 the issuance of the Notes.
440

441 Section 13. The legal services of the law firm of Squire Patton Boggs (US)
442 LLP are hereby retained. Those legal services shall be in the nature of legal
443 advice and recommendations as to the documents and the proceedings in
444 connection with the authorization, sale and issuance of the Notes and securities
445 issued in renewal of the Notes and rendering at delivery related legal opinions,
446 all as set forth in the form of engagement letter from that firm which is now on
447 file in the office of the Clerk of Council. In providing those legal services, as an
448 independent contractor and in an attorney-client relationship, that firm shall
449 not exercise any administrative discretion on behalf of this City in the
450 formulation of public policy, expenditure of public funds, enforcement of laws,
451 rules and regulations of the State, any county or municipal corporation or of
452 this City, or the execution of public trusts. For those legal services that firm
453 shall be paid just and reasonable compensation and shall be reimbursed for
454 actual out-of-pocket expenses incurred in providing those legal services. The
455 Director of Finance is authorized and directed to make appropriate certification
456 as to the availability of funds for those fees and any reimbursement and to
457 issue an appropriate order for their timely payment as written statements are
458 submitted by that firm. The amounts necessary to pay those fees and any
459 reimbursement are hereby appropriated from the proceeds of the Notes, if
460 available, and otherwise from available moneys in the General Fund.
461

462 Section 14. The services of H.J. Umbaugh & Associates, Certified Public
463 Accountants, LLP, as municipal advisor, are hereby retained. The municipal
464 advisory services shall be in the nature of financial advice and
465 recommendations in connection with the issuance and sale of the Notes. In
466 rendering those municipal advisory services, as an independent contractor, that
467 firm shall not exercise any administrative discretion on behalf of the City in the
468 formulation of public policy, expenditure of public funds, enforcement of laws,
469 rules and regulations of the State, the City or any other political subdivision, or
470 the execution of public trusts. That firm shall be paid just and reasonable
471 compensation for those municipal advisory services and shall be reimbursed for
472 the actual out-of-pocket expenses it incurs in rendering those municipal
473 advisory services. The Director of Finance is authorized and directed to make
474 appropriate certification as to the availability of funds for those fees and any
475 reimbursement and to issue an appropriate order for their timely payment as

476 written statements are submitted by that firm. The amounts necessary to pay
477 those fees and any reimbursement are hereby appropriated from the proceeds
478 of the Notes, if available, and otherwise from available moneys in the General
479 Fund.
480

481 Section 15. This Council finds and determines that all formal actions of this
482 Council and any of its committees concerning and relating to the passage of
483 this ordinance were taken in an open meeting of this Council or any of its
484 committees, and that all deliberations of this Council and of any of its
485 committees that resulted in those formal actions were in meetings open to the
486 public, all in compliance with Chapter 107 of the City's Codified Ordinances.
487

488 Section 16. This ordinance is declared to be an emergency measure
489 necessary for the immediate preservation of the public peace, health and safety
490 of the City, and for the further reason that this ordinance is required to be
491 immediately effective in order to issue and sell the Notes, which is necessary to
492 enable the City to timely retire the Outstanding Notes and thereby preserve its
493 credit; wherefore, this ordinance shall be in full force and effect immediately
494 upon its passage and approval by the Mayor.
495

496
497 Passed: _____
498 _____
499 President of Council

500 _____
501 Clerk of Council

502
503 Approved: _____
504 _____
505 Mayor

506 10/9/17
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3
4 CITY OF CUYAHOGA FALLS, OHIO

5
6 ORDINANCE NO. - 2017

7
8 AN ORDINANCE AMENDING THE TRAFFIC
9 CONTROL FILE BY PROVIDING FOR INSTALLATION
10 OF VARIOUS TRAFFIC CONTROL DEVICES, AND
11 DECLARING AN EMERGENCY.

12
13 WHEREAS, site-specific traffic control regulations of the City are established
14 and maintained in the "Traffic Control File," a document established and
15 maintained by the Chief of Police pursuant to Chapter 305 of the Codified
16 Ordinances, and

17
18 WHEREAS, Section 305.02 of said Chapter requires that amendments to the
19 Traffic Control File be made only through legislation passed by City Council.

20
21 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of
22 Cuyahoga Falls, County of Summit, and State of Ohio, that:

23
24 Section 1. Upon the recommendation of the Traffic Committee, the Traffic
25 Control File is hereby amended as follows:

- 26
- 27 1. Prohibit parking on the odd side of Hudson Drive between Nutwood
- 28 and 62' south of Nutwood.
- 29 2. Add signage designating the right northbound lane on Lillis Drive at
- 30 Graham Road a right turn only, and the left lane a left turn only.
- 31 3. Add signage designating the right eastbound lane on Sackett Avenue
- 32 at State Road a right turn and straight only, and the left lane a left
- 33 turn only.
- 34 4. Preserve at Salt Creek Development Traffic File:
 - 35 a. Stop sign on Salt Creek Run at State Road.
 - 36 b. Stop sign on Preserve Circle at Salt Creek Run.
 - 37 c. Stop sign on Lakeside Oval at Salt Creek Run.
 - 38 d. Stop sign on Pebble Creek Court at Salt Creek Run.
 - 39 e. Stop sign on South Creek Drive at Salt Creek Run.
 - 40 f. 25 MPH speed limit sign posted on Salt Creek Run for the
 - 41 entire development.
 - 42 g. NO OUTLET sign posted on Salt Creek Run for the entire
 - 43 development.
- 44 5. Enclave at Old Mill Pond Traffic File:
 - 45 a. Stop sign on Old Mill Drive at Bath.
 - 46 b. Stop sign on Private Drive A at Old Mill Pond.
 - 47 c. Stop sign on Private Drive B at Old Mill Pond.
 - 48 d. 25 MPH speed limit sign posted on Old Mill Pond for the entire
 - 49 development.

- 50 e. NO OUTLET sign posted on Old Mill Pond for the entire
51 development.
- 52 6. Downtown Transformation Traffic File:
- 53 a. Add signage designating Second Street, from Oakwood Drive to
54 Northland Street, as a two-way with a center turn lane.
- 55 b. Add signage designating Front Street, from Oakwood Drive to
56 SR8, as two-way.
- 57 c. Add signage designating Front Street, from Broad Boulevard to
58 Oakwood Drive, as two-way.
- 59 d. Add signage designating Oakwood Drive, from Front Street to
60 Second Street, as two-way.
- 61 e. Stop sign on Stow Avenue at Front Street.
- 62 f. Stop signs at the northbound, southbound and eastbound
63 approaches to the Front Street/Oakwood Drive intersection.
- 64 g. Stop signs at the northbound and southbound approaches to
65 the Front Street/Northland Street intersection.
- 66 h. Stop sign at the northbound approach to the Second
67 Street/Northland Street intersection.
- 68 i. Add signage designating the right eastbound lane on Oakwood
69 Drive at Front Street a right turn and straight only, and the left
70 turn a left turn only.
- 71 j. Add signage designating the right northbound lane on Front
72 Street at Northland Street as straight only, and the left lane as
73 a left turn only.
- 74 k. Add signage designating the right northbound lane on Second
75 Street at Oakwood Drive as right turn only, the center lane as
76 straight only, and the left lane as left turn only.
- 77 l. Add signage designating the right southbound lane on Second
78 Street at Oakwood Drive as straight and right turn only, the
79 center lane as straight only, and the left lane as left turn only.
- 80 m. Add signage designating the right westbound lane on Oakwood
81 Drive at Second Street as straight and right turn only, and the
82 left lane as left turn only.
- 83 n. Add signage designating the right northbound lane on Second
84 Street at Northland Street as right turn only, and the left lane
85 as left turn only.
- 86 o. Add signage designating bike lanes on Front Street from
87 Prospect Street to Chestnut Boulevard.
- 88

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

91

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

94

95 Section 4. Any other ordinances and resolutions or portions of ordinances
96 and resolutions inconsistent herewith are hereby repealed but any ordinances
97 and resolutions or portions of ordinances and resolutions not inconsistent
98 herewith and which have not been previously repealed are hereby ratified and
99 confirmed.

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

Section 6. 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 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

10/9/17
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2
3 CITY OF CUYAHOGA FALLS, OHIO

4
5 RESOLUTION NO. - 2017

6
7 A RESOLUTION EXPRESSING SUPPORT FOR AND URGING
8 PASSAGE OF ISSUE 29, THE CUYAHOGA FALLS CITY SCHOOL
9 DISTRICT LEVY, AT THE GENERAL ELECTION TO BE HELD ON
10 NOVEMBER 7, 2017, AND DECLARING AN EMERGENCY.

11
12 WHEREAS, the Cuyahoga Falls City School District has caused a proposed levy to be placed on the
13 November 7, 2017 ballot as Issue 29; and

14
15 WHEREAS, the current aged school facilities are hazardous and inefficient and do not meet state
16 minimum building standards; and

17
18 WHEREAS, costly, temporary fixes drain money from the classrooms without providing long term
19 benefits; and

20
21 WHEREAS, funds generated by Issue 29 are necessary to provide for modern school facilities which
22 are crucial for effective learning in today's society; and

23
24 WHEREAS, the sustained value and appeal of housing in communities is directly related to the
25 success of the school districts.

26
27 NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cuyahoga Falls, County of
28 Summit and State of Ohio, that:

29
30 Section 1. The Council and Administration express their support for the Cuyahoga Falls City
31 School District and urge the passage of Issue 29 at the November 7, 2017 general election.

32
33 Section 2. It is found and determined that all formal actions of this Council concerning and
34 relating to the adoption of this resolution were adopted in an open meeting of this Council and that all
35 deliberations of this Council and of any of its committees that resulted in such formal action were in
36 meetings open to the public, in compliance with all legal requirements including Chapter 107 of the
37 Codified Ordinances.

38
39 Section 3. This resolution is hereby declared to be an emergency measure necessary for the
40 preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga Falls
41 and the inhabitants thereof and provided it receives the affirmative vote of two-thirds of the members
42 elected or appointed to Council, it shall take effect and be in force immediately upon its passage and
43 approval by the Mayor; otherwise it shall take effect and be in force at the earliest period allowed by
44 law.

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47 Passed: _____

President of Council

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Clerk of Council

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55 Approved _____

Mayor

56
57 10/9/17

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3
4 CITY OF CUYAHOGA FALLS, OHIO

5
6 RESOLUTION NO. - 2017

7
8 A RESOLUTION EXPRESSING SUPPORT FOR AND URGING
9 PASSAGE OF ISSUE 35, WOODRIDGE LOCAL SCHOOL DISTRICT
10 TAX LEVY, AT THE GENERAL ELECTION TO BE HELD ON
11 NOVEMBER 7, 2017, AND DECLARING AN EMERGENCY.

12
13 WHEREAS, the Woodridge Local School District has caused a proposed tax levy to be placed on
14 the November 7, 2017 general election ballot as Issue 35; and

15
16 WHEREAS, funds generated by the 8.71-mills levy are necessary to provide for the emergency
17 requirements of the school district; and

18
19 WHEREAS, this issue is critical to the district as they seek to maintain the great programming and
20 services provided to the students it serves; and

21
22 WHEREAS, the Woodridge Local School District has a tradition of being a small district with the
23 ability to provide individual attention to the students.

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

27
28 Section 1. The Council and Administration express their support for the Woodridge Local School
29 District and urge the passage of Issue 35, at the November 7, 2017 general election.

30
31 Section 2. It is found and determined that all formal actions of this Council concerning and
32 relating to the adoption of this resolution were adopted in an open meeting of this Council and that all
33 deliberations of this Council and of any of its committees that resulted in such formal action were in
34 meetings open to the public, in compliance with all legal requirements including Chapter 107 of the
35 Codified Ordinances.

36
37 Section 3. This resolution is hereby declared to be an emergency measure necessary for the
38 preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga Falls
39 and the inhabitants thereof and provided it receives the affirmative vote of two-thirds of the members
40 elected or appointed to Council, it shall take effect and be in force immediately upon its passage and
41 approval by the Mayor; otherwise it shall take effect and be in force at the earliest period allowed by
42 law.

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45 Passed: _____

President of Council

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Clerk of Council

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53 Approved _____

Mayor

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55 10/9/17

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3
4 CITY OF CUYAHOGA FALLS, OHIO
5
6 RESOLUTION NO. - 2017
7

8 A RESOLUTION SUPPORTING COUNTY ISSUE 3, WHICH
9 WILL APPROVE A 4.5 MILL RENEWAL LEVY FOR COUNTY
10 OF SUMMIT DEVELOPMENTAL DISABILITIES ("SUMMIT
11 DD") FOR A SIX-YEAR PERIOD FROM 2019 TO 2024, AND
12 RESPECTFULLY URGING ALL SUMMIT COUNTY VOTERS
13 TO VOTE IN FAVOR OF ISSUE 3 AT THE NOVEMBER 7,
14 2017 GENERAL ELECTION, AND DECLARING AN
15 EMERGENCY.
16

17 WHEREAS, in 2005, Summit County voters approved a 4.5 mill levy request to
18 generate funds for Summit DD which supports services for eligible individuals with
19 developmental disabilities throughout their entire lifetime; and
20

21 WHEREAS, the levy approved in 2011 is set to expire on December 31, 2018; and
22

23 WHEREAS, the proposed 4.5 mill tax levy for Summit DD is a renewal of an existing
24 tax, and is not a new tax in these difficult economic times; and
25

26 WHEREAS, developmental disabilities affect individuals of all economic, social and
27 ethnic groups in our community; and
28

29 WHEREAS, Summit DD provides valuable services to the community and to those
30 in need, including but not limited to, provided 2,060 adults with facility and community-
31 based day programs, 1,776 adults with residential support, 1,000 children with early
32 intervention services and 1,000 children and teens with service coordination; with a
33 total number of 5,528 individuals supported by Summit DD programming; and
34

35 WHEREAS, the 4.5 mill renewal levy for Summit DD has been placed on the ballot
36 as Issue 3; and
37

38 WHEREAS, this Council finds and determines that it is necessary and in the best
39 interest of the City to support Issue 3 at the November 7, 2017 General Election, which
40 will approve a 4.5 mill renewal levy for Summit DD, and urging the voters of Cuyahoga
41 Falls to approve Issue 3.
42

43 NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Cuyahoga
44 Falls, County of Summit, and State of Ohio, that:
45

46 Section 1. This Council hereby expresses its support of County Issue 3, which will
47 approve a 4.5 mill renewal levy for County of Summit Developmental Disabilities
48 ("Summit DD") for a six year period from 2019 to 2024. Furthermore, this Council
49 respectfully urges all Cuyahoga Falls voters to vote in favor of Issue 3 at the November
50 7, 2017 General Election.
51

52 Section 2. It is found and determined that all formal actions of this Council
53 concerning and relating to the adoption of this resolution were adopted in an open
54 meeting of this Council and that all deliberations of this Council and of any of its
55 committees that resulted in such formal action were in meetings open to the public, in
56 compliance with all legal requirements including Chapter 107 of the Codified
57 Ordinances.

58
59 Section 3. This resolution is hereby declared to be an emergency measure
60 necessary for the preservation of the public peace, health, safety, convenience and
61 welfare of the City of Cuyahoga Falls and the inhabitants thereof and provided it receives
62 the affirmative vote of two-thirds of the members elected or appointed to Council, it shall
63 take effect and be in force immediately upon its passage and approval by the Mayor;
64 otherwise it shall take effect and be in force at the earliest period allowed by law.
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67 Passed: _____
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President of Council

Clerk of Council

Approved _____

Mayor

10/9/17
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