

## NEW LEGISLATION

November 13, 2017

<b>Temp. No.</b>	<b>Introduced</b>	<b>Committee</b>	<b>Description</b>
B-94	11/13/17	Fin	An ordinance authorizing the Mayor to enter into a contract or contracts, without competitive bidding, with Standard Insurance Company for the City's group life insurance for employees and retirees, and declaring an emergency.
B-95	11/13/17	Fin	An ordinance authorizing the Mayor to enter into a contract, without competitive bidding, with Community Insurance Company and/or its subsidiary Anthem, Inc. for the administration of the City's self-insured employee dental insurance plans, for a period not to exceed two years, and declaring an emergency.
B-96	11/13/17	Fin	An ordinance authorizing the Mayor, as Director of Public Safety, to enter into a contract or contracts, without competitive bidding, with Motorola Solutions, Inc. for the purchase of dispatch consoles and appurtenances for use in the Dispatch Center, and declaring an emergency.
B-97	11/13/17	Fin	An ordinance authorizing the Mayor to enter into a settlement agreement in the case of Justin Gaglione v. City of Cuyahoga Falls, and declaring an emergency.
B-98	11/13/17	Fin	An ordinance authorizing the Mayor, as Director of Public Safety, to enter into a contract or contracts, without competitive bidding, with Motorola Solutions, Inc., for the purchase of portable radios and the necessary appurtenances for use by the Fire Department, and declaring an emergency.

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B-99

11/13/17 PI

An ordinance consenting to the improvement of the pavement along State Route 8 within the City of Cuyahoga Falls, by the State of Ohio, using crack sealing technology, authorizing financial cooperation thereof, and declaring an emergency.

## CALENDAR

November 13, 2017

The following legislation will be up for passage at the Council Meeting on November 13, 2017.

<b>Temp. No.</b>	<b>Introduced</b>	<b>Committee</b>	<b>Description</b>
B-85	10/23/17	Fin	An ordinance authorizing the Mayor to enter into a cooperative procurement agreement with Sourcing Alliance Network, waiving competitive bidding for the purchase of products, services, materials and supplies purchased through cooperative purchase agreements administered by Sourcing Alliance Network, and declaring an emergency.
B-86	10/23/17	Fin	An ordinance authorizing the Mayor to enter into a contract without competitive bidding with Basic NEO for the administration of the Section 125 Flexible Spending Account Plan, Health Reimbursement Account Plan, Health Savings Account Plan, Retiree Medical Reimbursement Account Plan and COBRA, for a period not to exceed three years, and declaring an emergency.
B-87	10/23/17	Fin	An ordinance authorizing the Director of Public Service to enter into a grant agreement with American Public Power Association for the Cuyahoga Falls Electric Department SEL Fault and Load Transmitter Receiver System; authorizing the Director of Public Service to enter into a contract or contracts, without competitive bidding, with Schweitzer Engineering Laboratories for the purchase of equipment, appurtenances and services in connection with this grant project, and declaring an emergency.
B-88	10/23/17	PI	An ordinance authorizing the Director of Public Service to apply for Federal Surface Transportation Block Grant (STBG) funds programmed by the Akron Metropolitan

Area Transportation Study (AMATS) to improve the Portage Trail Extension West Corridor, and declaring an emergency.

B-89            10/23/17    PI

An ordinance authorizing the Director of Public Service to apply for Federal Surface Transportation Block Grant (STBG) funds programmed by the Akron Metropolitan Area Transportation Study (AMATS), for the resurfacing of Riverview Road between Bath Road and the north corporation line, and declaring an emergency.

B-90            10/23/17    PI

An ordinance authorizing the Director of Public Service to apply for Federal Surface Transportation Block Grant (STBG) funds programmed by the Akron Metropolitan Area Transportation Study (AMATS), for the resurfacing of West Steels Corners Road Phase II, between Northampton Road and Akron-Peninsula Road, and declaring an emergency.

B-91            10/23/17    PI

An ordinance authorizing the Director of Public Service to apply for Federal Surface Transportation Block Grant (STBG) funds programmed by the Akron Metropolitan Area Transportation Study (AMATS), for the resurfacing of Chestnut Boulevard between State Road and 2<sup>nd</sup> Street, and declaring an emergency.

B-93            11/6/17     CD

An ordinance authorizing the City of Cuyahoga Falls to transfer real property formerly known as the Mud Run Gun Club to the Community Improvement Corporation of Cuyahoga Falls to facilitate the redevelopment of the property, and declaring an emergency.

## PENDING LEGISLATION

November 13, 2017

<b>Temp. No.</b>	<b>Introduced</b>	<b>Committee</b>	<b>Description</b>
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-85	10/23/17	Fin	An ordinance authorizing the Mayor to enter into a cooperative procurement agreement with Sourcing Alliance Network, waiving competitive bidding for the purchase of products, services, materials and supplies purchased through cooperative purchase agreements administered by Sourcing Alliance Network, and declaring an emergency.
B-86	10/23/17	Fin	An ordinance authorizing the Mayor to enter into a contract without competitive bidding with Basic NEO for the administration of the Section 125 Flexible Spending Account Plan, Health Reimbursement Account Plan, Health Savings Account Plan, Retiree Medical Reimbursement Account Plan and COBRA, for a period not to exceed three years, and declaring an emergency.
B-87	10/23/17	Fin	An ordinance authorizing the Director of Public Service to enter into a grant agreement with American Public Power Association for the Cuyahoga Falls Electric Department SEL Fault and Load Transmitter Receiver System; authorizing the Director of Public Service to enter into a contract or contracts, without competitive bidding, with Schweitzer Engineering Laboratories for the purchase of equipment, appurtenances and services in connection with this grant project, and declaring an emergency.

B-88	10/23/17	PI	An ordinance authorizing the Director of Public Service to apply for Federal Surface Transportation Block Grant (STBG) funds programmed by the Akron Metropolitan Area Transportation Study (AMATS) to improve the Portage Trail Extension West Corridor, and declaring an emergency.
B-89	10/23/17	PI	An ordinance authorizing the Director of Public Service to apply for Federal Surface Transportation Block Grant (STBG) funds programmed by the Akron Metropolitan Area Transportation Study (AMATS), for the resurfacing of Riverview Road between Bath Road and the north corporation line, and declaring an emergency.
B-90	10/23/17	PI	An ordinance authorizing the Director of Public Service to apply for Federal Surface Transportation Block Grant (STBG) funds programmed by the Akron Metropolitan Area Transportation Study (AMATS), for the resurfacing of West Steels Corners Road Phase II, between Northampton Road and Akron-Peninsula Road, and declaring an emergency.
B-91	10/23/17	PI	An ordinance authorizing the Director of Public Service to apply for Federal Surface Transportation Block Grant (STBG) funds programmed by the Akron Metropolitan Area Transportation Study (AMATS), for the resurfacing of Chestnut Boulevard between State Road and 2 <sup>nd</sup> Street, and declaring an emergency.
B-92	11/6/17	Fin	An ordinance establishing annual appropriations of money for the current expenses, capital expenditures and other expenses of the City of Cuyahoga Falls for the fiscal year ending December 31, 2018, and declaring an emergency.
B-93	11/6/17	CD	An ordinance authorizing the City of Cuyahoga Falls to transfer real property formerly known as the Mud Run Gun Club to the Community Improvement Corporation of Cuyahoga Falls to facilitate

the redevelopment of the property, and  
declaring an emergency.

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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 AUTHORIZING THE MAYOR TO ENTER  
10 INTO A CONTRACT OR CONTRACTS, WITHOUT  
11 COMPETITIVE BIDDING, WITH STANDARD INSURANCE  
12 COMPANY FOR THE CITY'S GROUP LIFE INSURANCE FOR  
13 EMPLOYEES AND RETIREES, AND DECLARING AN  
14 EMERGENCY.

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

18  
19 Section 1. The Mayor is hereby authorized to enter into a contract or contracts, without  
20 competitive bidding, with Standard Insurance Company for the City's group life insurance for  
21 employees and retirees for a period not to exceed three years.

22  
23 Section 2. The Director of Finance is hereby authorized to make payment from the Self-  
24 Insurance Fund, line item Other Operations.

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

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

36  
37 Section 5. This ordinance is hereby declared to be an emergency measure necessary for  
38 the preservation of the public peace, health, safety, convenience and welfare of the City of  
39 Cuyahoga Falls, 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  
41 passage and approval by the Mayor; otherwise it shall take effect and be in force at the  
42 earliest period allowed by law.

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45 Passed: \_\_\_\_\_  
46 \_\_\_\_\_  
47 President of Council

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49 \_\_\_\_\_  
50 Clerk of Council

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53 Approved: \_\_\_\_\_  
54 \_\_\_\_\_  
55 Mayor

56 11/13/17

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4 CITY OF CUYAHOGA FALLS, OHIO

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6 ORDINANCE NO. - 2017

7  
8 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A  
9 CONTRACT, WITHOUT COMPETITIVE BIDDING, WITH COMMUNITY  
10 INSURANCE COMPANY AND/OR ITS SUBSIDIARY ANTHEM, INC.  
11 FOR THE ADMINISTRATION OF THE CITY'S SELF-INSURED  
12 EMPLOYEE DENTAL INSURANCE PLANS, FOR A PERIOD NOT TO  
13 EXCEED TWO YEARS, AND DECLARING AN EMERGENCY.  
14

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

18  
19 Section 1. The Mayor is hereby authorized to enter into a contract or contracts, without  
20 competitive bidding, with Community Insurance Company and/or its subsidiary Anthem, Inc., on the  
21 basis of its final proposals dated October 5, 2017, for the professional services necessary to conduct  
22 the administration of the City's self-insured employee dental insurance plans, for contract periods not  
23 to exceed two years.  
24

25 Section 2. The Director of Finance is hereby authorized to pay approved invoices for work based  
26 upon the Contract, from the Self-Insurance Fund, line item Other Operations.  
27

28 Section 3. Any other 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 relating  
33 to the adoption of this ordinance were adopted in an open meeting of this Council, and that all  
34 deliberations of this Council and of any of its committees that resulted in such formal action, were in  
35 meetings open to the public, in compliance with all legal requirements, to the extent applicable,  
36 including Chapter 107 of the 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 Falls,  
40 and provided it receives the affirmative vote of two-thirds of the members elected or appointed to  
41 Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor;  
42 otherwise it shall take effect and be in force at the earliest period allowed by law.  
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45 Passed: \_\_\_\_\_

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President of Council

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50 Clerk of Council

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

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Mayor

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55 11/13/17

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4 CITY OF CUYAHOGA FALLS, OHIO

5  
6 ORDINANCE NO. - 2017

7  
8 AN ORDINANCE AUTHORIZING THE MAYOR, AS  
9 DIRECTOR OF PUBLIC SAFETY, TO ENTER INTO A  
10 CONTRACT OR CONTRACTS, WITHOUT COMPETITIVE  
11 BIDDING, WITH MOTOROLA SOLUTIONS, INC. FOR  
12 THE PURCHASE OF DISPATCH CONSOLES AND  
13 APPURTENANCES FOR USE IN THE DISPATCH  
14 CENTER, AND DECLARING AN EMERGENCY.  
15

16  
17 WHEREAS, Article I, Section 2 of the City Charter, adopted pursuant to Art.  
18 XVIII, Sections 3 and 7 of the Ohio Constitution, authorizes this Council to make  
19 exception to the competitive bidding procedures set forth in the Revised Code; and  
20

21 WHEREAS, Motorola, Inc. is the sole source purveyor of maintenance and  
22 repair services for Motorola dispatch consoles and appurtenances.  
23

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

27 Section 1. The Mayor, as Director of Public Safety, is hereby authorized to  
28 enter into a contract or contracts, without competitive bidding, with Motorola  
29 Solutions, Inc. based upon the proposal dated October 9, 2017, for the purchase of  
30 dispatch consoles and appurtenances.  
31

32 Section 2. The Director of Finance is hereby authorized and directed to  
33 make payment for same from the Capital Projects Fund, line item Capital Outlay.  
34

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

40 Section 4. It is found and determined that all formal actions of this Council  
41 concerning and relating to the passage of this ordinance were taken in an open  
42 meeting of this Council and that all deliberations of this Council and of any  
43 committees that resulted in those formal actions were in meetings open to the  
44 public, in compliance with all legal requirements including Chapter 107 of the  
45 Codified Ordinances.  
46

47 Section 5. That this ordinance is hereby declared to be an emergency  
48 measure necessary for the preservation of the public peace, health, safety,  
49 convenience and welfare of the City of Cuyahoga Falls and the inhabitants thereof,

50 and 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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President of Council

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Clerk of Council

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

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Mayor

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3 CITY OF CUYAHOGA FALLS, OHIO

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5 ORDINANCE NO. - 2017

6  
7 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A  
8 SETTLEMENT AGREEMENT IN THE CASE OF JUSTIN  
9 GAGLIONE V. CITY OF CUYAHOGA FALLS, AND DECLARING  
10 AN EMERGENCY.

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. The Mayor is hereby authorized to execute a settlement agreement in the case of  
16 *Justin Gaglione vs City of Cuyahoga Falls*, Summit County Court of Common Pleas Case No. CV-  
17 2016-05-2160, on the basis of the proposal negotiated and presented to City Council on  
18 November \_\_\_\_, 2017

19  
20 Section 2. The Director of Finance is hereby authorized and directed to make payment for  
21 same from the Leisure Time Fund, line item Other Operations.

22  
23 Section 3. The Mayor and/or Director of Law, as indicated, are hereby authorized to execute  
24 and file such pleadings and documents with the court or other agencies, including, without  
25 limitation, a stipulated judgment entry and any other pleadings necessary to effectuate the intent  
26 of the parties as set forth in the proposed settlement agreement.

27  
28 Section 4. 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 5. 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 legal requirements including Chapter 107  
36 of the Codified Ordinances.

37  
38 Section 6. 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.

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46 Passed: \_\_\_\_\_

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President of Council

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Clerk of Council

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54 Approved \_\_\_\_\_

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Mayor

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57 11/6/17

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3 CITY OF CUYAHOGA FALLS, OHIO

4  
5 ORDINANCE NO. - 2017

6  
7 AN ORDINANCE AUTHORIZING THE MAYOR, AS  
8 DIRECTOR OF PUBLIC SAFETY, TO ENTER INTO A  
9 CONTRACT OR CONTRACTS, WITHOUT  
10 COMPETITIVE BIDDING, WITH MOTOROLA  
11 SOLUTIONS, INC., FOR THE PURCHASE OF  
12 PORTABLE RADIOS AND THE NECESSARY  
13 APPURTENANCES FOR USE BY THE FIRE  
14 DEPARTMENT, AND DECLARING AN EMERGENCY.

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

20  
21 WHEREAS, portable digital radios are necessary for emergency  
22 operations/communications; and

23  
24 WHEREAS, the current radios used by the Fire Department are obsolete and  
25 can no longer be repaired; and

26  
27 WHEREAS, the portable radios and the necessary appurtenances sold by  
28 Motorola Solutions, Inc. are the only compatible radios with existing City  
29 equipment.

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

33  
34 Section 1. The Mayor, as Director of Public Safety, is hereby authorized to  
35 enter into a contract or contracts, without competitive bidding, with Motorola  
36 Solutions, Inc. for the purchase of portable digital radios and the necessary  
37 appurtenances.

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

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

48  
49 Section 4. It is found and determined that all formal actions of this Council  
50 concerning and relating to the adoption of this ordinance were adopted in an

51 open meeting of this Council and that all deliberations of this Council and of  
52 any of its committees that resulted in such formal action were in meetings open  
53 to the public, in compliance with all legal requirements including Chapter 107  
54 of the Codified Ordinances.

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

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65 Passed: \_\_\_\_\_

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President of Council

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Clerk of Council

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71 Approved: \_\_\_\_\_

\_\_\_\_\_  
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 CONSENTING TO THE IMPROVEMENT OF THE  
10 PAVEMENT ALONG STATE ROUTE 8 WITHIN THE CITY OF  
11 CUYAHOGA FALLS, BY THE STATE OF OHIO, USING CRACK  
12 SEALING TECHNOLOGY, AUTHORIZING FINANCIAL COOPERATION  
13 THEREOF, AND DECLARING AN EMERGENCY.  
14

15  
16 WHEREAS, the State of Ohio has identified the need for and proposes the improvement of a  
17 portion of the public highway, including necessary ancillary work, in the City of Cuyahoga Falls, said  
18 portion of highway within the municipal corporation limits being hereinafter referred to as the  
19 Improvement, and described as follows:  
20

21 The improvement of the pavement along State Route 8 within the corporation limits  
22 of the City of Cuyahoga Falls, including necessary ancillary work; and  
23

24 WHEREAS, Ohio Revised Code §5521.01 specifies that the consent of this Council is required  
25 prior to the improvement of a state highway within the City’s corporate limits.  
26

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

30 Section 1. This Council hereby consents to improvement of the pavement along State Route 8  
31 within the City of Cuyahoga Falls, PID 104771, D04CS FY2018, using Crack Sealing Technology,  
32 including necessary ancillary work; and  
33

34 Section 2. This Council’s consent is granted with the following understandings:  
35

36 A. The City will agree to pay One Hundred Percent (100%) of the cost of those  
37 features requested by the City which are determined by the State and Federal  
38 Highway Administration to be unnecessary for the Project.  
39

40 B. The City agrees that all right-of-way required for the described Project will be  
41 acquired and/or made available in accordance with current state and federal  
42 regulations. The City also understands that right-of-way costs include eligible utility  
43 costs.  
44

45 C. Upon completion of the Project, and unless otherwise agreed, the City shall 1)  
46 provide adequate maintenance for the described Project in accordance with all  
47 applicable State and Federal law, including, but not limited to, 23 USC §116; 2)  
48 provide ample financial provisions, as necessary, for the maintenance of the  
49 described Project; 3) maintain the right-of-way, keeping it free of obstructions; and 4)  
50 hold said right-of-way inviolate for public highway purposes.  
51

52 D. The Director of Public Service or the Mayor of the City of Cuyahoga Falls are  
53 authorized on behalf of the City of Cuyahoga Falls to enter into contracts with the  
54 State of Ohio Department of Transportation necessary to complete the above  
55 described Project.  
56

57 Section 3. The Clerk of Council is hereby directed to transmit to the Director of Transportation a  
58 certified copy of this Ordinance.  
59

60 Section 4. Any other ordinances and resolutions or portions of ordinances and resolutions  
61 inconsistent herewith are hereby repealed, but any ordinances and resolutions or portions of  
62 ordinances and resolutions not inconsistent herewith and which have not previously been repealed  
63 are hereby ratified and confirmed.  
64

65 Section 5. It is found and determined that all formal actions of this Council concerning and  
66 relating to the adoption of this ordinance were adopted in an open meeting of this Council and that  
67 all deliberations of this Council and of any of its committees that resulted in such formal action were  
68 in meetings open to the public, in compliance with all legal requirements including Chapter 107 of  
69 the Codified Ordinances.  
70

71 Section 6. This ordinance is hereby declared to be an emergency measure necessary for the  
72 preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga  
73 Falls and the inhabitants thereof, and provided it receives the affirmative vote of two-thirds of the  
74 members elected or appointed to Council, it shall take effect and be in force immediately upon its  
75 passage and approval by the Mayor; otherwise it shall take effect and be in force at the earliest  
76 period allowed by law.  
77

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79 Passed: \_\_\_\_\_  
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81 President of Council

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84 Clerk of Council  
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87 Approved: \_\_\_\_\_  
88 \_\_\_\_\_  
89 Mayor

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