

NEW LEGISLATION

September 25, 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 | 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 | 9/25/17 | PI | 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. |

CALENDAR

September 25, 2017

The following legislation will be up for passage at the Council Meeting on September 25, 2017.

| Temp. No. | Introduced | Committee | Description |
|------------------|-------------------|------------------|--|
| B-64 | 9/11/17 | PZ | An ordinance accepting the Planning Commission approval, findings and conditions of the site plan for the construction of a 15,900 square foot warehouse addition for Eagle Elastomer at 70 Cuyahoga Falls Industrial Parkway on Parcel 35-05746, and declaring an emergency. |
| B-65 | 9/11/17 | Fin | An ordinance authorizing the Parks and Recreation Board and/or Director of Public Service to enter into a cooperative procurement agreement with The Cooperative Purchasing Network ("TCPN"), waiving competitive bidding for the purchase of products, services, materials and supplies purchased through cooperative purchase agreements administered by TCPN, and declaring an emergency. |
| 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-67 | 9/11/17 | PI | An ordinance authorizing the Director of Public Service to execute a modification of Contract No. 7424 with Chagrin Valley Paving, Inc, and declaring an emergency. |
| B-68 | 9/11/17 | CD | An ordinance authorizing the Director of Community Development to enter into a Community Reinvestment Area Tax Exemption Agreement with McHale Group Ltd and Eagle Elastomer Incorporated, and declaring an emergency. |

B-69

9/18/17

PA

An ordinance amending the Traffic Control File by providing for installation of various traffic control devices, and declaring an emergency.

PENDING LEGISLATION

September 25, 2017

| Temp. No. | Introduced | Committee | Description |
|------------------|-------------------|------------------|--|
| B-64 | 9/11/17 | PZ | An ordinance accepting the Planning Commission approval, findings and conditions of the site plan for the construction of a 15,900 square foot warehouse addition for Eagle Elastomer at 70 Cuyahoga Falls Industrial Parkway on Parcel 35-05746, and declaring an emergency. |
| B-65 | 9/11/17 | Fin | An ordinance authorizing the Parks and Recreation Board and/or Director of Public Service to enter into a cooperative procurement agreement with The Cooperative Purchasing Network ("TCPN"), waiving competitive bidding for the purchase of products, services, materials and supplies purchased through cooperative purchase agreements administered by TCPN, and declaring an emergency. |
| 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-67 | 9/11/17 | PI | An ordinance authorizing the Director of Public Service to execute a modification of Contract No. 7424 with Chagrin Valley Paving, Inc, and declaring an emergency. |
| B-68 | 9/11/17 | CD | An ordinance authorizing the Director of Community Development to enter into a Community Reinvestment Area Tax Exemption Agreement with McHale Group Ltd and Eagle Elastomer Incorporated, and declaring an emergency. |
| B-69 | 9/18/17 | PA | An ordinance amending the Traffic Control File by providing for installation of |

various traffic control devices, and
declaring an emergency.

2
3 CITY OF CUYAHOGA FALLS, OHIO

4
5 ORDINANCE NO. - 2017

6
7 AN ORDINANCE AUTHORIZING THE DIRECTOR OF
8 PUBLIC SERVICE TO ENTER INTO A CONTRACT OR
9 CONTRACTS, FOR THE SALE OF CUYAHOGA FALLS
10 BULK ELECTRIC SYSTEM (BES) 138KV ASSETS TO
11 AMERICAN TRANSMISSION SYSTEMS INC. (ATSI), A
12 FIRST ENERGY SUBSIDIARY, AND DECLARING AN
13 EMERGENCY.

14
15 WHEREAS, the City owns a 138KV Ring Bus at the Valley Substation, a 138KV
16 Ring Bus at the Theiss Substation, 1.87 miles of 138KV lines on Portage Trail
17 Extension and related equipment; and

18
19 WHEREAS, American Transmission Systems Inc. (ATSI) is a First Energy
20 subsidiary; and

21
22 WHEREAS, recent Federal Energy Regulatory Commission (FERC), North
23 American Electric Reliability Corporation (NERC) and PJM Interconnection LLC (PJM)
24 regulations require the Cuyahoga Falls Electric System to become a NERC and PJM
25 transmission owner, thereby substantially increasing the number of regulations
26 imposed upon the Cuyahoga Falls Electric System; and

27
28 WHEREAS, ATSI provides the City transmission services to the aforementioned
29 equipment.

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

33
34 Section 1. The Director of Public Service is hereby authorized to enter into a
35 contract or contracts with ATSI for the sale of a 138KV Ring Bus at the Valley
36 Substation, a 138KV Ring Bus at the Theiss Substation, 1.87 miles of 138KV lines
37 on Portage Trail Extension and related equipment and appurtenances.

38
39 Section 2. Any other ordinances and resolutions or portions of ordinances and
40 resolutions inconsistent herewith are hereby repealed, but any ordinances and
41 resolutions or portions of ordinances and resolutions not inconsistent herewith and
42 which have not previously been repealed are hereby ratified and confirmed.

43
44 Section 3. It is found and determined that all formal actions of this Council
45 concerning and relating to the adoption of this ordinance were adopted in an open
46 meeting of this Council and that all deliberations of this Council and of any of its
47 committees that resulted in such formal action were in meetings open to the public,

48 in compliance with all legal requirements including Chapter 107 of the Codified
49 Ordinances.

50

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

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59 Passed: _____

President of Council

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Clerk of Council

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65 Approved: _____

Mayor

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67 9/25/17

68 O:\2017ords\sell-equipment to First-Energy.doc

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4 CITY OF CUYAHOGA FALLS, OHIO

5
6 ORDINANCE NO. - 2017

7
8 AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC
9 SERVICE TO ENTER INTO A CONTRACT OR CONTRACTS,
10 WITHOUT COMPETITIVE BIDDING, WITH OMEGA JV1 FOR THE
11 "AS IS" PURCHASE OF ALL JV1 ASSETS ON CITY PROPERTY AND
12 TO TERMINATE THE OMEGA JV1 LEASE AGREEMENT, AND
13 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 Director of Public Service is hereby authorized to enter into a contract or
20 contracts, without competitive bidding, with OMEGA JV1 for the purchase of all JV1 assets on City
21 property and to terminate the OMEGA JV1 lease agreement.
22

23 Section 2. The Director of Finance is hereby authorized and directed to make payment for same
24 from the Electric Fund, line item Capital Outlay.
25

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

31 Section 4. It is found and determined that all formal actions of this Council concerning and
32 relating to the passage of this ordinance were taken in an open meeting of this Council and that all
33 deliberations of this Council and of any committees that resulted in those formal actions 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 5. This ordinance 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: _____
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47 President of Council

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50 Clerk of Council

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53 Approved _____
54 _____
55 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 DIRECTOR OF PUBLIC
8 SERVICE TO ENTER INTO A CONTRACT OR CONTRACTS FOR
9 THE PURCHASE OF TWO AUTOMATED PACKER TRUCKS FOR
10 USE BY THE SANITATION DIVISION, AND DECLARING AN
11 EMERGENCY.

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

16
17 Section 1. The Director of Public Service is hereby authorized to enter into a contract or
18 contracts for the purchase of two automated packer trucks including installation of standard
19 equipment through the NJPA bid or any other source having a price equal to or lower than that
20 provided by the NJPA bid. Any requirement for competitive bidding is hereby suspended.

21
22 Section 2. The Director of Finance is hereby authorized and directed to make payment for
23 same from Sanitation Fund, line item Capital Outlay. Furthermore, the Director of Finance is
24 hereby authorized to increase appropriations in the Sanitation Fund, line item Capital Outlay by
25 \$650,000.

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

31
32 Section 4. It is found and determined that all formal actions of this Council concerning and
33 relating to the adoption of this ordinance were adopted in an open meeting of this Council and
34 that all deliberations of this Council and of any of its committees that resulted in such formal
35 action were in meetings open to the public, in compliance with all legal requirements including
36 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
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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48 President of Council

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51 _____
52 Clerk of Council

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54 Approved: _____
55 _____
56 Mayor

57 9/25/17

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3 CITY OF CUYAHOGA FALLS, OHIO

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5 ORDINANCE NO. - 2017

6
7 AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC
8 SERVICE TO ENTER INTO A CONTRACT OR CONTRACTS,
9 ACCORDING TO LAW, FOR PROFESSIONAL SERVICES
10 NECESSARY FOR ENGINEERING, BIDDING AND MANAGEMENT
11 OF THE JV1 UPGRADE PROJECT, AND DECLARING AN
12 EMERGENCY.

13
14 WHEREAS, the City plans to purchase the JV1 generators and use them for peak shaving.

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

18
19 Section 1. The Director of Public Service is hereby authorized to enter into a contract or
20 contracts, according to law, for professional services necessary for engineering, bidding and
21 management of the JV1 upgrade project.

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

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

30
31 Section 4. It is hereby 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 Council and
33 that all deliberations of this Council and of any of its committees that resulted in such formal action
34 were in meetings open to the public, in compliance with all legal requirements including Chapter 107
35 of the Codified Ordinances.

36
37 Section 5. This ordinance 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 provided it receives the affirmative vote of two-thirds of the members elected or appointed to
40 Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor;
41 otherwise it shall take effect and be in force at the earliest period allowed by law.

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44 Passed: _____

President of Council

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Clerk of Council

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52 Approved: _____

Mayor

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56 9/25/17

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4 CITY OF CUYAHOGA FALLS, OHIO

5
6 ORDINANCE NO. - 2017

7
8 AN ORDINANCE AMENDING SECTION 303.07 OF THE
9 CODIFIED ORDINANCES, RELATING TO IMPOUNDING OF
10 VEHICLES IN THE CITY OF CUYAHOGA FALLS, AND
11 DECLARING AN EMERGENCY.
12

13
14 WHEREAS, the towing of vehicles from private property has become difficult and costly for
15 towing companies due to changes in state law; and

16
17 WHEREAS, the City of Cuyahoga Falls has an interest in allowing private property owners to
18 have unwanted vehicles removed from their property by a police authorized tow.
19

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

23 Section 1. Section 303.07(a)(18) of the Codified Ordinances of the City of Cuyahoga Falls is
24 hereby added to read in full as follows (new text double underlined; deleted text in ~~strike through~~):
25

26 SECTION 303.07

27
28 303.07 IMPOUNDING OF VEHICLES; NOTICE TO OWNER.

29 (a) Police officers are authorized to provide for the removal and impounding of vehicles
30 under the following circumstances:

31 (1) When any vehicle is left unattended upon any street right of way or upon any
32 public or private property and there is an immediate emergency, hazard or threat to property or
33 public safety.

34 (2) When any vehicle is left upon any public or private property in a lawfully
35 designated and marked fire lane.

36 (3) When any vehicle is left unattended upon any street right of way or bridge or in
37 any tunnel when such vehicle constitutes a hazard or obstruction to the normal movement of
38 traffic, or unreasonably interferes with street cleaning, street maintenance, repair, or snow
39 removal operations.

40 (4) When any vehicle is left unattended upon any street right of way in excess of
41 twenty-four consecutive hours, or upon any other public property, whether owned or controlled
42 by the City or Board of Education, County, State or Federal government, in excess of forty-eight
43 consecutive hours.

44 (5) When any vehicle is left unattended on any street or other public property and
45 is not parked entirely within the marked individual parking space.

46 (6) When any vehicle is left unattended in excess of ten minutes in the City Hall
47 parking lot spaces which are designated as limited to ten minutes for payment of utility bills.

48 (7) When any vehicle is left unattended in the Natatorium parking area and the
49 operator thereof is not a patron or staff member of the Natatorium.

50 (8) When any vehicle is left unattended and blocks the ingress or egress to any
51 private street or any public or private driveway or other property including the high school
52 circular drive, without obtaining permission of the owner or other person lawfully authorized to
53 give such permission.

54 (9) When any vehicle does not bear current lawful license plates and is operated or
55 unattended on any street or right of way or other public property or any private property open to
56 the public for purposes of vehicular travel or parking.

57 (10) When any vehicle has been damaged or wrecked so as to be inoperable or
58 violates equipment provisions of this Traffic Code whereby its continued operation would
59 constitute a condition hazardous to life, limb or property.

60 (11) When any vehicle is left unattended due to the removal of an ill, injured or
61 arrested operator.

62 (12) When any vehicle has been operated by any person who is driving without a
63 lawful license or while his license has been suspended or revoked.

64 (13) When any vehicle has been operated by any person who has failed to stop in
65 case of an accident or collision.

66 (14) When any vehicle has been stolen or operated without the consent of the
67 owner.

68 (15) When any vehicle has been used in or connected with the commission of a
69 felony.

70 (16) When any vehicle is found for which three or more citation tags for violations of
71 this Traffic Code have been issued and the owner or operator thereof has failed to respond to
72 such citation tags as lawfully required.

73 (17) When any vehicle is left unattended within the Front and Center Urban
74 Renewal Project, on public or private property, and blocks ingress or egress for delivery,
75 sanitation pickup, utility vehicles, maintenance purposes or emergency services.

76 (18) Upon complaint of a person in lawful control of a premises, an officer may
77 order the impounding of any motor vehicle that has been left on private property without the
78 permission of the property owner for at least 48 hours. The person in control of the premises
79 shall sign an affidavit, attesting that they are in lawful control of the property, that the motor
80 vehicle has been there for at least 48 hours without the property owner's permission, and that
81 they authorize the removal of the motor vehicle.

82
83 (b) The Police Department shall forthwith take reasonable steps to notify the registered
84 vehicle owner of the fact of such removal and impounding, reasons therefor and the place of
85 storage.

86
87 (c) Whoever violates any provision of this section is guilty of a minor misdemeanor on a
88 first offense; on a second offense within one year after the first offense, the person is guilty of a
89 misdemeanor of the fourth degree; on each subsequent offense within one year after the first
90 offense, the person is guilty of a misdemeanor of the third degree.

91
92 Section 2. Any other ordinances and resolutions or portions of ordinances and resolutions
93 inconsistent herewith are hereby repealed but any ordinances and resolutions or portions of
94 ordinances and resolutions not inconsistent herewith and which have not previously been
95 repealed are hereby ratified and confirmed.

96
97 Section 3. It is found and determined that all formal actions of this Council concerning and
98 relating to the adoption of this ordinance were adopted in an open meeting of this Council and all
99 deliberations of this Council and any of its committees that resulted in such formal action were in
100 meetings open to the public, in compliance with all legal requirements including Chapter 107 of
101 the Codified Ordinances.

102
103 Section 4. This ordinance is hereby declared to be an emergency measure necessary for the
104 preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga
105 Falls and the inhabitants thereof and provided it receives the affirmative vote of two-thirds of the
106 members elected or appointed to Council, it shall take effect and be in force immediately upon its
107 passage and approval by the Mayor; otherwise it shall take effect and be in force at the earliest
108 period allowed by law.

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111 Passed: _____

President of Council

Clerk of Council

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119 Approved _____

Mayor

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122 9/25/17

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