

**NEW LEGISLATION**

December 10, 2018

| <b>Temp. No.</b> | <b>Introduced</b> | <b>Committee</b> | <b>Description</b>  |
|------------------|-------------------|------------------|---|
| A-113            | 12/10/18          | Fin              | A resolution requesting the Summit County Fiscal Officer to make advance distribution of tax receipts payable to the City of Cuyahoga Falls, and declaring an emergency.  |
| A-114            | 12/10/18          | Fin              | An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the purchase of the City's requirements of certain services, materials and supplies for use by the Water and Sewer Division during 2019, and declaring an emergency. |
| A-115            | 12/10/18          | Fin              | An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the purchase of annual requirements of certain materials and supplies for use by the Street Department during 2019, and declaring an emergency.                      |
| A-116            | 12/10/18          | Fin              | An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the purchase of annual requirements of certain materials and supplies for use by the Division of Sanitation during 2019, and declaring an emergency.                 |
| A-117            | 12/10/18          | Fin              | An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the purchase of the City's requirements for certain materials, supplies, and equipment for use by the Electric Division during 2019, and declaring an emergency.     |
| A-118            | 12/10/18          | Fin              | An ordinance authorizing the Director of Public Service to enter into a contract or   |

contracts, according to law, for the purchase of annual requirements of certain materials, supplies and services for use by the Garage Division during 2019, and declaring an emergency.

|       |          |     |   |
|-------|----------|-----|---|
| A-119 | 12/10/18 | Fin | An ordinance providing for supplemental and/or amended appropriations of money for current operating expenses and capital expenditures of the City of Cuyahoga Falls, and authorizing the transfer of appropriations within and for the various funds hereinafter set forth, and declaring an emergency.  |
| A-120 | 12/10/18 | Fin | An ordinance authorizing the Director of Public Safety or the Director of Public Service to enter into a contract or contracts, according to law, for the purchase or lease of various vehicles and related equipment for use by the City, and declaring an emergency.  |
| A-121 | 12/10/18 | Fin | An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the purchase, removal and installation of 23KV substation switches and related equipment to upgrade and maintain system reliability on 23KV sub-transmission system, and declaring an emergency.   |
| A-122 | 12/10/18 | Fin | An ordinance levying special assessments for the repair or replacement of sidewalks and drive approaches in the Sidewalk and Drive Approach Repair and Replacement District, for the year 2018, and declaring an emergency.   |
| A-123 | 12/10/18 | PI  | A resolution creating for the year 2019 a Sidewalk and Drive Approach Repair or Replacement District containing such streets, alleys, or public roadways within the corporate limits of the City of Cuyahoga Falls, declaring the necessity of repairing or replacing the sidewalks and drive approaches abutting on such streets, alleys or public roadways within |

said corporate limits and providing the method for levying special assessments, and declaring an emergency.

|       |          |    |  |
|-------|----------|----|--|
| A-124 | 12/10/18 | PI | An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the replacement or adjustment of concrete sidewalks, drive approaches and curbs at various locations in the City of Cuyahoga Falls, and declaring an emergency.         |
| A-125 | 12/10/18 | PI | An ordinance authorizing the Mayor to enter into a contract or contracts, according to law, for the replacement of the roof at the Technical Services Department, and declaring an emergency.  |
| A-126 | 12/10/18 | PA | An ordinance re-assigning the non-bargaining positions of Assistant Fire Chief and Public Utilities and Community Outreach Coordinator to the appropriate pay grade within the classification and compensation plan, amending exhibit "A" of ordinance 117-2015, and declaring an emergency. |
| A-127 | 12/10/18 | PA | An ordinance authorizing the Mayor to enter into a collective bargaining agreement with Local 399 of the Utility Workers' Union of America, AFL-CIO, effective July 1, 2018, and declaring an emergency.   |
| A-128 | 12/10/18 | PA | An ordinance amending Section 303.10 of Title One, Part Three of the Codified Ordinances, relating to impounded vehicles, and declaring an emergency.  |

## CALENDAR

December 10, 2018

The following legislation will be up for passage at the Council Meeting on December 10, 2018.

| <b>Temp. No.</b> | <b>Introduced</b> | <b>Committee</b> | <b>Description</b>   |
|------------------|-------------------|------------------|--|
| A-97             | 10/22/18          | 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, 2019, and declaring an emergency. |
| A-112            | 11/26/18          | Fin              | An ordinance authorizing the Mayor to enter into a grant agreement with the Summit County Land Reutilization Corporation and to appropriate and authorize the payment of the grant funds, and declaring an emergency.              |

## PENDING LEGISLATION

December 10, 2018

| <b>Temp. No.</b> | <b>Introduced</b> | <b>Committee</b> | <b>Description</b>   |
|------------------|-------------------|------------------|--|
| A-97             | 10/22/18          | 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, 2019, and declaring an emergency.   |
| A-108            | 11/13/18          | PI               | An ordinance authorizing the Director of Public Service to enter into a contract or contracts with the Ohio Department of Transportation for the improvement of Howe Avenue between Main Street and Buchholzer Boulevard, authorizing the Director of Finance to pay the City's estimated share of the costs therefor, and declaring an emergency. |
| A-112            | 11/26/18          | Fin              | An ordinance authorizing the Mayor to enter into a grant agreement with the Summit County Land Reutilization Corporation and to appropriate and authorize the payment of the grant funds, and declaring an emergency.  |

2  
3 CITY OF CUYAHOGA FALLS, OHIO

4  
5 RESOLUTION NO. - 2018

6  
7 A RESOLUTION REQUESTING THE SUMMIT COUNTY FISCAL  
8 OFFICER TO MAKE ADVANCE DISTRIBUTION OF TAX  
9 RECEIPTS PAYABLE TO THE CITY OF CUYAHOGA FALLS, AND  
10 DECLARING AN EMERGENCY.

11  
12 WHEREAS, Ohio Revised Code §321.33 provides for semi-annual distribution of tax receipts  
13 collected by the County Fiscal Officer and payable to the City of Cuyahoga Falls, and  
14

15 WHEREAS, Ohio Revised Code §321.34 provides that when local authorities by resolution so  
16 request, the County Fiscal Officer shall make advance payment of tax receipts that are in the  
17 county treasury to the credit of the account of the local authority, to the extent such tax receipts  
18 are lawfully applicable to the purpose of the current fiscal year in which the request is made.  
19

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

23 Section 1. In accordance with Ohio Revised Code §321.34, the City of Cuyahoga Falls  
24 hereby requests that the County Fiscal Officer make advance distribution of local tax receipts  
25 now in collection and normally payable in 2019, for the 2018 tax year.  
26

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

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

40  
41 Passed: \_\_\_\_\_  
42 \_\_\_\_\_  
43 President of Council

44  
45 \_\_\_\_\_  
46 Clerk of Council

47 Approved: \_\_\_\_\_  
48 \_\_\_\_\_  
49 Mayor

50 12/10/18

2  
3 CITY OF CUYAHOGA FALLS, OHIO

4  
5 ORDINANCE NO - 2018

6  
7 AN ORDINANCE AUTHORIZING THE DIRECTOR OF  
8 PUBLIC SERVICE TO ENTER INTO A CONTRACT OR  
9 CONTRACTS, ACCORDING TO LAW, FOR THE  
10 PURCHASE OF THE CITY'S REQUIREMENTS OF  
11 CERTAIN SERVICES, MATERIALS AND SUPPLIES  
12 FOR USE BY THE WATER AND SEWER DIVISION  
13 DURING 2019, AND DECLARING AN EMERGENCY.

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

17  
18 Section 1. The Director of Public Service is hereby authorized to enter into a  
19 contract or contracts, according to law, for the purchase of the City's  
20 requirements for the following services, materials and supplies for use by the  
21 Water and Sewer Division during 2019:

- 22
- 23 Water Treatment Chemicals
- 24 Utility Patch Program
- 25 Meters and Related Materials
- 26 Miscellaneous Equipment, Repairs, and Repair Parts
- 27 Waterline and Sewer Line Supplies
- 28 Fire Hydrants and Related Materials
- 29

30 Notwithstanding and as an exception to Section 181.06 of the Codified  
31 Ordinances, expenditures made under the contracts authorized by this  
32 ordinance shall not exceed, in the aggregate, \$737,500, without further consent  
33 of City Council by ordinance or resolution.

34  
35 Section 2. The Director of Finance is hereby authorized and directed to  
36 make payment for same from the Water Fund and Sewer Fund, line item Other  
37 Operations.

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

44  
45 Section 4. It is found and determined that all formal actions of this Council  
46 concerning and relating to the adoption of this ordinance were adopted in an  
47 open meeting of this Council and that all deliberations of this Council and of  
48 any of its committees that resulted in such formal action were in meetings open  
49 to the public, in compliance with all legal requirements including Chapter 107  
50 of the Codified Ordinances.

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Section 5. 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

12/10/18  
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2  
3 CITY OF CUYAHOGA FALLS, OHIO

4  
5 ORDINANCE NO - 2018

6  
7 AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC  
8 SERVICE TO ENTER INTO A CONTRACT OR CONTRACTS,  
9 ACCORDING TO LAW, FOR THE PURCHASE OF ANNUAL  
10 REQUIREMENTS OF CERTAIN MATERIALS AND SUPPLIES FOR  
11 USE BY THE STREET DEPARTMENT DURING 2019, AND  
12 DECLARING AN EMERGENCY.  
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, according to law, for the purchase of the following materials and supplies for use by  
19 the Street Department during 2019:

- 20  
21 Rock Salt  
22 Asphaltic Products  
23

24 Section 2. The Director of Finance is hereby authorized and directed to make payment for  
25 same from the SCMR Fund, line item Other Operations, State Highway Improvement Fund, line  
26 item Other Operations, Capital Projects Fund, line item Capital Outlay, and Motor Vehicle License  
27 Tax Fund, line item Other Operations.  
28

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

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

40 Section 5. This ordinance is hereby declared to be an emergency measure necessary for the  
41 preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga  
42 Falls and the inhabitants thereof and provided it receives the affirmative vote of two-thirds of the  
43 members elected or appointed to Council, it shall take effect and be in force immediately upon its  
44 passage and approval by the Mayor; otherwise it shall take effect and be in force at the earliest  
45 period allowed by law.  
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48 Passed: \_\_\_\_\_  
49 \_\_\_\_\_  
50 President of Council

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52 \_\_\_\_\_  
53 Clerk of Council

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56 Approved: \_\_\_\_\_  
57 \_\_\_\_\_  
58 Mayor

59 12/10/18

2  
3 CITY OF CUYAHOGA FALLS, OHIO

4  
5 ORDINANCE NO - 2018

6  
7 AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC  
8 SERVICE TO ENTER INTO A CONTRACT OR CONTRACTS,  
9 ACCORDING TO LAW, FOR THE PURCHASE OF ANNUAL  
10 REQUIREMENTS OF CERTAIN MATERIALS AND SUPPLIES FOR  
11 USE BY THE DIVISION OF SANITATION DURING 2019, AND  
12 DECLARING AN EMERGENCY.  
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, according to law, for the purchase of the following materials and supplies for use in the  
19 Division of Sanitation during 2019:

20  
21 Wheeled Refuse Containers

22  
23 Notwithstanding and as an exception to Section 181.06 of the Codified Ordinances,  
24 expenditures made under the contracts authorized by this ordinance shall not exceed, in the  
25 aggregate, \$220,000, without further consent of City Council by ordinance or resolution.  
26

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

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

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

41 Section 5. This ordinance is hereby declared to be an emergency measure necessary for the  
42 preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga  
43 Falls and the inhabitants thereof and provided it receives the affirmative vote of two-thirds of the  
44 members elected or appointed to Council, it shall take effect and be in force immediately upon its  
45 passage and approval by the Mayor; otherwise it shall take effect and be in force at the earliest  
46 period allowed by law.  
47

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50 Passed: \_\_\_\_\_  
51 \_\_\_\_\_  
52 President of Council

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54 \_\_\_\_\_  
55 Clerk of Council

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58 Approved: \_\_\_\_\_  
59 \_\_\_\_\_  
60 Mayor

61 12/10/18

2  
3 CITY OF CUYAHOGA FALLS, OHIO

4  
5 ORDINANCE NO. - 2018

6  
7 AN ORDINANCE AUTHORIZING THE DIRECTOR OF  
8 PUBLIC SERVICE TO ENTER INTO A CONTRACT OR  
9 CONTRACTS, ACCORDING TO LAW, FOR THE  
10 PURCHASE OF THE CITY'S REQUIREMENTS FOR  
11 CERTAIN MATERIALS, SUPPLIES, AND EQUIPMENT  
12 FOR USE BY THE ELECTRIC DIVISION DURING  
13 2019, AND DECLARING AN EMERGENCY.

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

17  
18 Section 1. The Director of Public Service is hereby authorized to enter into a  
19 contract or contracts, according to law, for the purchase of the City's  
20 requirements for the following materials, supplies and equipment for use by the  
21 Electric Division during 2019:

- |    |                             |                                  |
|----|-----------------------------|----------------------------------|
| 22 |                             |                                  |
| 23 | Transformers                | Watt-hour Meters                 |
| 24 | Meter Sockets               | Instrument Transformers          |
| 25 | Lamps                       | Luminaires                       |
| 26 | Cable and Wire              | Line Material                    |
| 27 | Underground Material        | Switches                         |
| 28 | Miscellaneous Hardware      | Surge Arresters/Fault Indicators |
| 29 | Substation Battery          | Breaker Contacts                 |
| 30 | Rubber Protection Equipment | Climbing Equipment and Tools     |
| 31 | Fuel                        |                                  |
| 32 |                             |                                  |

33 Notwithstanding and as an exception to Section 181.06 of the Codified  
34 Ordinances, expenditures made under the contracts authorized by this  
35 ordinance shall not exceed, in the aggregate, \$1,185,000, without further  
36 consent of City Council by ordinance or resolution.

37  
38 Section 2. The Director of Finance is hereby authorized and directed to  
39 make payment for same from the Electric Fund, line items Other Operations  
40 and Capital Outlay.

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

46  
47 Section 4. It is found and determined that all formal actions of this Council  
48 concerning and relating to the passage of this ordinance were taken in an open  
49 meeting of this Council and that all deliberations of this Council and of any  
50 committees that resulted in those formal actions were in meetings open to the

51 public, in compliance with all legal requirements including Chapter 107 of the  
52 Codified Ordinances.

53  
54 Section 5. This ordinance is hereby declared to be an emergency measure  
55 necessary for the preservation of the public peace, health, safety, convenience  
56 and welfare of the City of Cuyahoga Falls and the inhabitants thereof and  
57 provided it receives the affirmative vote of two-thirds of the members elected or  
58 appointed to Council, it shall take effect and be in force immediately upon its  
59 passage and approval by the Mayor; otherwise it shall take effect and be in force  
60 at the earliest period allowed by law.

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

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

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

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3 CITY OF CUYAHOGA FALLS, OHIO

4  
5 ORDINANCE NO. - 2018

6  
7 AN ORDINANCE AUTHORIZING THE DIRECTOR OF  
8 PUBLIC SERVICE TO ENTER INTO A CONTRACT OR  
9 CONTRACTS, ACCORDING TO LAW, FOR THE PURCHASE  
10 OF ANNUAL REQUIREMENTS OF CERTAIN MATERIALS,  
11 SUPPLIES AND SERVICES FOR USE BY THE GARAGE  
12 DIVISION DURING 2019, AND DECLARING AN  
13 EMERGENCY.

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

17  
18 Section 1. The Director of Public Service is hereby authorized to enter into a  
19 contract or contracts, according to law, for the purchase of certain materials, supplies  
20 and services for use by the Garage Division during 2019:

- 21 Fuel
- 22 Tires
- 23 Repairs
- 24 Parts
- 25
- 26

27 Notwithstanding and as an exception to Section 181.06 of the Codified Ordinances,  
28 expenditures made under the contracts authorized by this ordinance shall not exceed,  
29 in the aggregate, \$1,406,000, without further consent of City Council by ordinance or  
30 resolution.

31  
32 Section 2. The Director of Finance is hereby authorized and directed to make  
33 payment for same from the Garage Fund, line item Other Operations.

34  
35 Section 3. Any other ordinances and resolutions or portions of ordinances and  
36 resolutions inconsistent herewith are hereby repealed, but any ordinances and  
37 resolutions or portions of ordinances and resolutions not inconsistent herewith and  
38 which have not previously been repealed 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 adoption of this ordinance were adopted in an open  
42 meeting of this Council and that all deliberations of this Council and of any of its  
43 committees that resulted in such formal action were in meetings open to the public, in  
44 compliance with all legal requirements including Chapter 107 of the Codified  
45 Ordinances.

46  
47 Section 5. This ordinance is hereby declared to be an emergency measure  
48 necessary for the preservation of the public peace, health, safety, convenience and  
49 welfare of the City of Cuyahoga Falls and the inhabitants thereof for the reason that  
50 the supplies are necessary for the daily functioning of the Municipal Garage, and

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

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Passed: \_\_\_\_\_  
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President of Council

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Approved: \_\_\_\_\_  
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Mayor

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2  
3 CITY OF CUYAHOGA FALLS, OHIO

4  
5 ORDINANCE NO. - 2018

6  
7 AN ORDINANCE PROVIDING FOR SUPPLEMENTAL AND/OR  
8 AMENDED APPROPRIATIONS OF MONEY FOR CURRENT  
9 OPERATING EXPENSES AND CAPITAL EXPENDITURES OF THE  
10 CITY OF CUYAHOGA FALLS, AND AUTHORIZING THE  
11 TRANSFER OF APPROPRIATIONS WITHIN AND FOR THE  
12 VARIOUS FUNDS HEREINAFTER SET FORTH, AND DECLARING  
13 AN EMERGENCY.  
14

15 WHEREAS, Article VI, Sections 7 and 8 of the City Charter provides that City Council  
16 may revise, amend and supplement budgetary appropriations during the fiscal year, and may  
17 authorize the transfer of unencumbered appropriations within various accounts.  
18

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

22 Section 1. In order to provide money to pay employee compensation, other expenses  
23 and capital expenditures during the fiscal year 2018, money is hereby appropriated, re-  
24 appropriated and transferred from the unexpended appropriations and from the un-appropriated  
25 fund balances of the departments or divisions as set forth in Exhibits A and B attached hereto  
26 and made a part hereof.  
27

28 Section 2. Any other ordinances and resolutions or portions of ordinances and  
29 resolutions inconsistent herewith are hereby repealed, but any ordinances and resolutions or  
30 portions of ordinances and resolutions not inconsistent herewith and which have not previously  
31 been repealed are hereby ratified and confirmed.  
32

33 Section 3. It is found and determined that all formal actions of this Council concerning  
34 and relating to the adoption of this ordinance were adopted in an open meeting of this Council  
35 and that all deliberations of this Council and of any of its committees that resulted in such formal  
36 action were in meetings open to the public, in compliance with all legal requirements including  
37 Chapter 107 of the Codified Ordinances.  
38

39 Section 4. This ordinance is hereby declared to be an emergency measure necessary for  
40 the preservation of the public peace, health, safety, convenience and welfare of the City of  
41 Cuyahoga Falls and the inhabitants thereof, and provided it receives the affirmative vote of  
42 two-thirds of the members elected or appointed to Council, it shall take effect and be in force  
43 immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in  
44 force at the earliest period allowed by law.  
45

46  
47 Passed: \_\_\_\_\_  
48 \_\_\_\_\_  
49 President of Council

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51 \_\_\_\_\_  
52 Clerk of Council

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55 Approved: \_\_\_\_\_  
56 \_\_\_\_\_  
57 Mayor

2  
3 CITY OF CUYAHOGA FALLS, OHIO

4  
5 ORDINANCE NO. - 2018

6  
7 AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC  
8 SAFETY OR THE DIRECTOR OF PUBLIC SERVICE TO ENTER  
9 INTO A CONTRACT OR CONTRACTS, ACCORDING TO LAW,  
10 FOR THE PURCHASE OR LEASE OF VARIOUS VEHICLES AND  
11 RELATED EQUIPMENT FOR USE BY THE CITY, AND  
12 DECLARING AN EMERGENCY.

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 Safety or Director of Public Service is hereby authorized to  
18 enter into contracts for the purchase and/or lease of the vehicles and related equipment listed on  
19 Exhibit A attached hereto. Notwithstanding and as an exception to Section 181.06 of the Codified  
20 Ordinances, expenditures made under the contracts authorized by this ordinance shall not  
21 exceed, in the aggregate, \$3,677,000.00, without further consent of City Council by ordinance or  
22 resolution.

23  
24 Section 2. The Director of Finance is hereby directed to make payment for same out of  
25 monies lawfully appropriated therefor, from the funds as indicated in Exhibit A.

26  
27 Section 3. Any ordinances or resolutions or portions of ordinances and resolutions  
28 inconsistent herewith are hereby repealed, but any ordinances and resolutions not inconsistent  
29 herewith and which have not previously been repealed are 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  
33 all deliberations of this Council and of any committees that resulted in those formal actions were  
34 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  
39 Falls and the inhabitants thereof and provided it receives the affirmative vote of two-thirds of the  
40 members 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 earliest  
42 period allowed by law.

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

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President of Council

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Clerk of Council

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

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Mayor

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## EXHIBIT A 2019 vehicles

| <u>Department</u>                       | <u>Description</u>                       | <u>Budget</u>          |
|---|--|------------------------|
| <b>Parks and Recreation</b>             | 3/4 Ton Truck                            | \$ 45,000.00           |
|   | One Ton Work Truck                       | \$ 45,000.00           |
|   | Ventrac Equipment                        | \$ 23,000.00           |
|   | Infield Pro Equipment                    | \$ 22,000.00           |
|   | Zero Turn Mower                          | \$ 12,000.00           |
|   | Large Area Mower (Brookledge)            | \$ 60,000.00           |
|   | <b>Recreation Levy Fund - 206</b>        | <b>\$ 147,000.00</b>   |
| <b>Leisure Time Fund - 605</b>          | <b>\$ 60,000.00</b>                      |                        |
| <b>Engineering</b>                      | Mid Size Truck                           | \$ 34,000.00           |
|   | <b>Capital Projects Fund - 400</b>       | <b>\$ 34,000.00</b>    |
| <b>Building and Grounds Maintenance</b> | Transit 350 Cut-away Van with KUV Body   | \$ 43,000.00           |
|   | Zero Turn Mower                          | \$ 16,000.00           |
|   | Stump Grinder and Trailer for Ventrac    | \$ 7,000.00            |
|   | <b>Capital Project Fund - 400</b>        | <b>\$ 66,000.00</b>    |
| <b>Police</b>                           | (3) Police Vehicles                      | \$ 140,000.00          |
|   | <b>Capital Project Fund - 400</b>        | <b>\$ 140,000.00</b>   |
| <b>Fire</b>                             | Ladder Truck                             | \$ 997,000.00          |
|   | EMS Squad                                | \$ 285,000.00          |
|   | Command Vehicle                          | \$ 90,000.00           |
|   | <b>Capital Projects Fund - 400</b>       | <b>\$ 1,372,000.00</b> |
| <b>Street</b>                           | Five Ton Dump Truck w/ Plow              | \$ 247,000.00          |
|   | Front End Loader                         | \$ 225,000.00          |
|   | One Ton Crew Cab Truck                   | \$ 68,000.00           |
|   | Stake Body Truck                         | \$ 66,000.00           |
|   | Heavy Equipment Trailer                  | \$ 25,000.00           |
|   | Tractor / Mower                          | \$ 76,000.00           |
|   | Leaf Machine                             | \$ 100,000.00          |
|   | <b>Capital Project Fund - 400</b>        | <b>\$ 807,000.00</b>   |
| <b>Sewer</b>                            | Maintenance Crane Truck (1/2 allocation) | \$ 62,000.00           |
|   | Sewer Jet Truck (1/3 allocation)         | \$ 30,000.00           |
|   | <b>Sewage and Disposal Fund - 601</b>    | <b>\$ 92,000.00</b>    |

|                               |  |           |                   |
|-------------------------------|--|-----------|-------------------|
| <b>Water</b>                  | Maintenance Crane Truck (1/2 allocation) | \$        | 62,000.00         |
|                               | Sewer Jet Truck (1/3 allocation)         | \$        | 30,000.00         |
|                               | <b>Water Fund - 602</b>                  | <b>\$</b> | <b>92,000.00</b>  |
| <b>Electric</b>               | Sports Utility Vehicle                   | \$        | 32,000.00         |
|                               | Mid Size Truck                           | \$        | 36,000.00         |
|                               | Mid Size Truck                           | \$        | 36,000.00         |
|                               | F550 Cab and Chassis                     | \$        | 46,000.00         |
|                               | <b>Electric Fund - 603</b>               | <b>\$</b> | <b>150,000.00</b> |
| <b>Sanitation</b>             | Automated Front Loader                   | \$        | 364,000.00        |
|                               | Automated Side Loader                    | \$        | 323,000.00        |
|                               | <b>Sanitation Fund - 604</b>             | <b>\$</b> | <b>687,000.00</b> |
| <b>Storm Drainage Utility</b> | Sewer Jet Truck (1/3 allocation)         | \$        | 30,000.00         |
|                               | <b>Storm Drainage Utility Fund - 606</b> | <b>\$</b> | <b>30,000.00</b>  |

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|  |           |                     |
|--|-----------|---------------------|
| <b>Recreation Levy Fund - 206</b>        | <b>\$</b> | <b>147,000.00</b>   |
| <b>Capital Project Fund - 400</b>        | <b>\$</b> | <b>2,419,000.00</b> |
| <b>Sewage and Disposal Fund - 601</b>    | <b>\$</b> | <b>92,000.00</b>    |
| <b>Water Fund - 602</b>                  | <b>\$</b> | <b>92,000.00</b>    |
| <b>Electric Fund - 603</b>               | <b>\$</b> | <b>150,000.00</b>   |
| <b>Sanitation Fund - 604</b>             | <b>\$</b> | <b>687,000.00</b>   |
| <b>Leisure Time Fund - 605</b>           | <b>\$</b> | <b>60,000.00</b>    |
| <b>Storm Drainage Utility Fund - 606</b> | <b>\$</b> | <b>30,000.00</b>    |
| <b>TOTAL</b>                             | <b>\$</b> | <b>3,677,000.00</b> |

2  
3 CITY OF CUYAHOGA FALLS, OHIO

4  
5 ORDINANCE NO. - 2018

6  
7 AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC  
8 SERVICE TO ENTER INTO A CONTRACT OR CONTRACTS,  
9 ACCORDING TO LAW, FOR THE PURCHASE, REMOVAL AND  
10 INSTALLATION OF 23KV SUBSTATION SWITCHES AND RELATED  
11 EQUIPMENT TO UPGRADE AND MAINTAIN SYSTEM RELIABILITY  
12 ON 23KV SUB-TRANSMISSION SYSTEM, AND DECLARING AN  
13 EMERGENCY.

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

17  
18 Section 1. The Director of Public Service is hereby authorized to enter into a contract or  
19 contracts, according to law, for the purchase, removal and installation of 23KV substation  
20 switches and related equipment to upgrade and maintain system reliability on 23KV sub-  
21 transmission system.

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  
29 are 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 adoption of this ordinance were adopted in an open meeting of this Council and that  
33 all deliberations of this Council and of any of its committees that resulted in such formal action were  
34 in meetings open to the public, in compliance with all legal requirements including Chapter 107 of  
35 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  
39 Falls, and provided it receives the affirmative vote of two-thirds of the members elected or appointed  
40 to Council, it shall take effect and be in force immediately upon its passage and approval by the  
41 Mayor; otherwise it shall take effect and be in force at the earliest period allowed by law.

42  
43  
44 Passed: \_\_\_\_\_  
45 \_\_\_\_\_  
46 President of Council

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

50  
51  
52 Approved: \_\_\_\_\_  
53 \_\_\_\_\_  
54 Mayor

55 12/10/18

2  
3 CITY OF CUYAHOGA FALLS, OHIO

4  
5 ORDINANCE NO. - 2018

6  
7 AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR  
8 THE REPAIR OR REPLACEMENT OF SIDEWALKS AND  
9 DRIVE APPROACHES IN THE SIDEWALK AND DRIVE  
10 APPROACH REPAIR AND REPLACEMENT DISTRICT, FOR  
11 THE YEAR 2018, AND DECLARING AN EMERGENCY.

12  
13 WHEREAS, Resolution No. 10-2017, adopted by the Council of the City of Cuyahoga  
14 Falls on December 27, 2017, created the Sidewalk and Drive Approach Repair and  
15 Replacement District for the year 2018, and determined the necessity of adjusting or  
16 replacing certain sidewalks and drive approaches within the district; and

17  
18 WHEREAS, such sidewalks and drive approaches within the district have been  
19 repaired or replaced.

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

23  
24 Section 1. The portion of the total cost and expense of repairing or replacing  
25 sidewalks and drive approaches located within the Sidewalk and Drive Approach Repair  
26 and Replacement District for the year 2018 to be paid for by special assessments is  
27 hereby established at the rate of \$15.00 per linear foot for replacement of sidewalks and  
28 \$7.00 per square foot for drive approaches. That portion of the total cost of the  
29 improvement to be paid for by special assessments is hereby levied and assessed upon  
30 the lots and lands provided for in the schedule of special assessments now on file with  
31 the Clerk of Council, which special assessments are in proportion to the special benefits  
32 and are not in excess of any statutory limitation and which are hereby adopted and  
33 confirmed.

34  
35 Section 2. The assessment against each lot or parcel of land shall be payable in  
36 cash within thirty (30) days from the levy thereof in the office of the Finance Director  
37 with the further provision that all assessments thereof remaining unpaid at the  
38 expiration of said thirty days shall be certified by the Clerk of Council to the County  
39 Fiscal Officer to be placed on the tax duplicate and collected in two (2) semi-annual  
40 installments.

41  
42 Section 3. A certified copy of this ordinance shall be provided to the County Fiscal  
43 Officer by the Clerk of Council within twenty (20) days after its passage.

44  
45 Section 4. Any other ordinances or resolutions or portions of ordinances and  
46 resolutions inconsistent herewith are hereby repealed, but any ordinances and  
47 resolutions not inconsistent herewith and which have not previously been repealed are  
48 hereby ratified and confirmed.

49  
50 Section 5. It is found and determined that all formal actions of this Council  
51 concerning and relating to the adoption of this ordinance were adopted in an open  
52 meeting of this Council and that all deliberations of this Council and of any of its  
53 Committees that resulted in such formal action were in meetings open to the public in  
54 compliance with all legal requirements including Chapter 107 of the Codified  
55 Ordinances.

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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

12/10/18  
O:\2018ords\2019 Sidewalk Assessment.doc

2  
3  
4 CITY OF CUYAHOGA FALLS, OHIO

5  
6 RESOLUTION NO. - 2018

7  
8  
9 A RESOLUTION CREATING FOR THE YEAR 2019 A SIDEWALK AND  
10 DRIVE APPROACH REPAIR OR REPLACEMENT DISTRICT  
11 CONTAINING SUCH STREETS, ALLEYS, OR PUBLIC ROADWAYS  
12 WITHIN THE CORPORATE LIMITS OF THE CITY OF CUYAHOGA  
13 FALLS, DECLARING THE NECESSITY OF REPAIRING OR  
14 REPLACING THE SIDEWALKS AND DRIVE APPROACHES  
15 ABUTTING ON SUCH STREETS, ALLEYS OR PUBLIC ROADWAYS  
16 WITHIN SAID CORPORATE LIMITS AND PROVIDING THE METHOD  
17 FOR LEVYING SPECIAL ASSESSMENTS, AND DECLARING AN  
18 EMERGENCY.

19  
20 WHEREAS, it is the opinion of this Council that certain sidewalks and drive approaches  
21 abutting on the streets, alleys or public roadways within the City of Cuyahoga Falls are in  
22 disrepair.

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

26  
27 Section 1. A Sidewalk and Drive Approach Repair or Replacement District is hereby created for  
28 the year 2019 containing those streets, alleys or public roadways within the corporate limits of the  
29 City of Cuyahoga Falls, and declaring the necessity of repairing or replacing the sidewalks and  
30 drive approaches abutting on such streets, alleys or public roadways, and to provide the method  
31 for levying assessments and the right to object to or appeal said assessment.

32  
33 Section 2. It is hereby declared that the repair or replacement of sidewalks and drive  
34 approaches abutting on necessary streets, alleys and public roadways within the Sidewalk and  
35 Drive Approach Repair or Replacement District is necessary and will be of general benefit within  
36 the City and of special benefit to property owners abutting said sidewalks and drive approaches.

37  
38 Section 3. Property abutting the necessary streets, alleys and public roadways receiving  
39 sidewalk repair or replacement within the District may be assessed by the lineal foot of abutting  
40 sidewalk at the rate of one-half of the total cost of installing or adjusting a linear foot of sidewalk,  
41 with the remainder of such cost to be paid by the City. Property abutting the necessary streets,  
42 alleys and public roadways receiving drive approach repair or replacement within the District may  
43 be assessed by the square foot of drive approach at the rate of one-half of the total cost of installing  
44 or adjusting a square foot of drive approach, with the remainder of such cost to be paid by the City.

45  
46 Section 4. The assessment to be levied may be paid in full within thirty (30) days from the levy  
47 thereof in the office of the City Director of Finance, and all assessments thereof remaining unpaid  
48 at the expiration of said thirty (30) days shall be certified by the Clerk of Council to the County  
49 Auditor to be placed by him on the tax duplicate and collected in two (2) semi-annual installments.

50  
51 Section 5. Notice to the owners thereof shall be given by publishing the resolution establishing  
52 a sidewalk and drive approach repair or replacement district and setting forth the portion of the  
53 cost to be assessed, once each week for two weeks in a newspaper published and of general  
54 circulation to the City.  
55

56 Section 6. If an owner objects to an assessment, he shall file his objections in writing with the  
57 Clerk of Council within ten (10) days after the last publication of the resolution as provided in  
58 Section 915.03 of the Codified Ordinances of the City of Cuyahoga Falls, thereupon, Council shall  
59 consider such objections and if they are found to be well taken, may remit such portion of the  
60 assessment against the property of the objecting owner as is deemed just or may determine by  
61 resolution that a portion or portions of the work described in the ordinance adopted pursuant to  
62 Sections 915.01 or 915.02 shall not be done. Any deficiency arising from such remitter may be  
63 made up from any fund of the City available for the public improvement of streets or by  
64 contributions from the owners desiring that the work be done.  
65

66 Section 7. After the expiration of the time within which objections may be filed under Section  
67 915.04 of the Codified Ordinances of the City of Cuyahoga Falls and the disposition of objections,  
68 the Director of Public Service may proceed with the work mentioned in Sections 915.01 and 915.02  
69 of the Codified Ordinances of the City of Cuyahoga Falls or if proceeding by contract, the legislative  
70 authority shall authorize the Director of Public Service to advertise and take bids for the awarding  
71 of the necessary contracts subject to any determination by the Council that a portion or portions of  
72 such work shall not be done pursuant to Section 915.04 of the Codified Ordinances of the City of  
73 Cuyahoga Falls.  
74

75 Section 8. It is found and determined that all formal actions of this Council concerning and  
76 relating to the adoption of this resolution were adopted in an open meeting of this Council and that  
77 all deliberations of this Council and of any of its Committees that resulted in such formal action  
78 were in meetings open to the public in compliance with all legal requirements including, to the  
79 extent applicable, Chapter 107 of the Codified Ordinances.  
80

81 Section 9. This resolution is hereby declared to be an emergency measure necessary for the  
82 preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga  
83 Falls and the inhabitants thereof, and provided it received the affirmative vote of two-thirds of the  
84 members elected or appointed to Council, it shall take effect and be in force immediately upon its  
85 passage and approval by the Mayor; otherwise it shall take effect and be in force at the earliest  
86 period allowed by law.  
87  
88

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

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

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

2  
3 CITY OF CUYAHOGA FALLS, OHIO

4  
5 ORDINANCE NO. - 2018

6  
7 AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO  
8 ENTER INTO A CONTRACT OR CONTRACTS, ACCORDING TO LAW, FOR  
9 THE REPLACEMENT OR ADJUSTMENT OF CONCRETE SIDEWALKS,  
10 DRIVE APPROACHES AND CURBS AT VARIOUS LOCATIONS IN THE CITY  
11 OF CUYAHOGA FALLS, AND DECLARING AN EMERGENCY.  
12

13 WHEREAS, pursuant to Resolution No. -2018, a sidewalk and drive approach replacement or  
14 adjustment district was created within the City of Cuyahoga Falls for the purpose of replacing or adjusting  
15 sidewalks, drive approaches and curbs throughout the City;  
16

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

20 Section 1. The Director of Public Service is hereby authorized to enter into a contract or contracts,  
21 according to law, for replacement or adjustment of concrete sidewalks, drive approaches and curbs at various  
22 locations in the City of Cuyahoga Falls.  
23

24 Section 2. All bids submitted must conform to and be in accordance with the specifications for the same  
25 now on file in the Office of the City Engineer.  
26

27 Section 3. The Director of Finance is hereby authorized and directed to make payment for same from the  
28 Capital Projects Fund, line item Capital Outlay.  
29

30 Section 4. Any other ordinances and resolutions or portions of ordinances and resolutions inconsistent  
31 herewith are hereby repealed, but any ordinances and resolutions or portions of ordinances and resolutions  
32 not inconsistent herewith and which have not previously been repealed are hereby ratified and confirmed.  
33

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

40 Section 6. This ordinance is hereby declared to be an emergency measure necessary for the preservation  
41 of the public peace, health, safety, convenience and welfare of the City of Cuyahoga Falls and the inhabitants  
42 thereof, and provided it receives the affirmative vote of two thirds of the members elected or appointed to  
43 Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor,  
44 otherwise, it shall take effect and be in force at the earliest period allowed by law.  
45

46  
47 Passed: \_\_\_\_\_  
48  
49 \_\_\_\_\_  
50 President of Council

51 \_\_\_\_\_  
52 Clerk of Council

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

2  
3  
4 CITY OF CUYAHOGA FALLS, OHIO

5  
6 ORDINANCE NO. - 2018

7  
8 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A  
9 CONTRACT OR CONTRACTS, ACCORDING TO LAW, FOR THE  
10 REPLACEMENT OF THE ROOF AT THE TECHNICAL SERVICES  
11 DEPARTMENT, AND DECLARING AN EMERGENCY.  
12

13 WHEREAS, the roof at the Technical Services Department has met its expected life and is in  
14 need of replacement; and  
15

16 WHEREAS, the new roof will ensure a safe and stable environment in the building for many  
17 years in the future.  
18

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

22 Section 1. The Mayor is hereby authorized to enter into a contract or contracts, according to  
23 law, for the replacement of the roof at the Technical Services Department.  
24

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

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

33 Section 4. 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  
35 that all deliberations of this Council and of any of its committees that resulted in such formal  
36 action were in meetings open to the public, in compliance with all legal requirements including  
37 Chapter 107 of the Codified Ordinances.  
38

39 Section 5. This ordinance 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  
41 Falls and the inhabitants thereof, and provided it receives the affirmative vote of two-thirds of the  
42 members elected or appointed to Council, it shall take effect and be in force immediately upon its  
43 passage and approval by the Mayor; otherwise it shall take effect and be in force at the earliest  
44 period allowed by law.  
45

46  
47 Passed: \_\_\_\_\_  
48  
49 \_\_\_\_\_  
50 President of Council

51 \_\_\_\_\_  
52 Clerk of Council

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

2  
3 CITY OF CUYAHOGA FALLS, OHIO

4  
5 ORDINANCE NO. - 2018

6  
7 AN ORDINANCE RE-ASSIGNING THE NON-BARGAINING  
8 POSITIONS OF ASSISTANT FIRE CHIEF AND PUBLIC UTILITIES  
9 AND COMMUNITY OUTREACH COORDINATOR TO THE  
10 APPROPRIATE PAY GRADE WITHIN THE CLASSIFICATION AND  
11 COMPENSATION PLAN, AMENDING EXHIBIT "A" OF ORDINANCE  
12 117-2015, AND DECLARING AN EMERGENCY.

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 classified, exempt position of Assistant Fire Chief is hereby amended and  
18 placed in non-bargaining pay grade N33.

19  
20 Section 2. The classified, exempt position of Public Utilities and Community Outreach  
21 Coordinator is hereby amended and placed in non-bargaining pay grade N27.

22  
23 Section 3. Any ordinances and resolutions, or portions of ordinances and resolutions  
24 inconsistent herewith are hereby repealed, but any ordinances and resolutions not inconsistent  
25 herewith and which have not previously been repealed are hereby ratified and confirmed.

26  
27 Section 4. It is found and determined that all formal actions of this Council concerning and  
28 relating to the passage of this ordinance were taken in an open meeting of this Council and that  
29 all deliberations of this Council and of any committees that resulted in those formal actions were  
30 in meetings open to the public, in compliance with all legal requirements including Chapter 107  
31 of the Codified Ordinances.

32  
33 Section 5. This ordinance is hereby declared to be an emergency measure necessary for the  
34 preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga  
35 Falls and the inhabitants thereof, and provided it receives the affirmative vote of two-thirds of  
36 the members elected or appointed to Council, it shall take effect and be in force immediately  
37 upon its passage and approval by the Mayor; otherwise it shall take effect and be in force at the  
38 earliest period allowed by law.

39  
40  
41 Passed: \_\_\_\_\_  
42 \_\_\_\_\_  
43 President of Council

44  
45 \_\_\_\_\_  
46 Clerk of Council

47 Approved: \_\_\_\_\_  
48 \_\_\_\_\_  
49 Mayor

2  
3  
4 CITY OF CUYAHOGA FALLS, OHIO

5 ORDINANCE NO. - 2018

6  
7  
8 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A  
9 COLLECTIVE BARGAINING AGREEMENT WITH LOCAL 399 OF  
10 THE UTILITY WORKERS' UNION OF AMERICA, AFL-CIO,  
11 EFFECTIVE JULY 1, 2018, AND DECLARING AN EMERGENCY.

12  
13 WHEREAS, Ohio Revised Code Chapter 4117 authorizes public employees to bargain  
14 collectively with public employers regarding wages, hours, terms and other conditions of  
15 employment and to enter into collective bargaining agreements; and

16  
17 WHEREAS, the Mayor and his representatives and Local 399 of the Utility Workers' Union of  
18 America, AFL-CIO, have bargained collectively and in good faith and said bargaining has resulted  
19 in a tentative agreement on a collective bargaining agreement effective July 1, 2018; and

20  
21 WHEREAS, on or about November 13, 2018, the membership of the Union ratified said  
22 collective bargaining agreement.

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

26  
27 Section 1. The Mayor is hereby authorized to enter into a collective bargaining agreement on  
28 the basis of the tentative contract negotiated with and ratified by Local 399 of the Utility Workers'  
29 Union of America, AFL-CIO, effective July 1, 2018.

30  
31 Section 2. Any other ordinances and resolutions or portions of ordinances and resolutions  
32 inconsistent herewith are hereby repealed but any ordinances and resolutions or portions of  
33 ordinances and resolutions not inconsistent herewith and which have not previously been  
34 repealed are hereby ratified and confirmed.

35  
36 Section 3. It is found and determined that all formal actions of this Council concerning and  
37 relating to the adoption of this ordinance were adopted in an open meeting of this Council and  
38 that all deliberations of this Council and of any of its committees that resulted in such formal  
39 action were in meetings open to the public, in compliance with all legal requirements including  
40 Chapter 107 of the Codified Ordinances.

41  
42 Section 4. This ordinance is hereby declared to be an emergency measure necessary for the  
43 preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga  
44 Falls and the inhabitants thereof and provided it receives the affirmative vote of two-thirds of the  
45 members elected or appointed to Council, it shall take effect and be in force immediately upon its  
46 passage and approval by the Mayor; otherwise it shall take effect and be in force at the earliest  
47 period allowed by law.

48  
49  
50 Passed: \_\_\_\_\_

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

51  
52  
53  
54 \_\_\_\_\_  
Clerk of Council

55  
56  
57  
58 Approved: \_\_\_\_\_

\_\_\_\_\_  
Mayor

59  
60 12/10/18

2  
3 CITY OF CUYAHOGA FALLS, OHIO

4  
5 ORDINANCE NO. - 2018

6  
7 AN ORDINANCE AMENDING SECTION 303.10 OF TITLE  
8 ONE, PART THREE OF THE CODIFIED ORDINANCES,  
9 RELATING TO IMPOUNDED VEHICLES, AND DECLARING  
10 AN EMERGENCY.

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

14  
15 Section 1. Section 303.10 of the Codified Ordinances of the City of Cuyahoga Falls  
16 is hereby amended to read in full as follows (new text underlined; deleted text in  
17 ~~striketrough~~):

18  
19 303.10 TOWING STORAGE AND ADMINISTRATIVE FEES.

20 (a) For services rendered by authorized towing companies, as set forth in Section  
21 303.09, such towing companies shall charge towing and storage for services rendered,  
22 an amount not to exceed that set forth in the following schedule:

|     | Service  | Fee                                  |
|-----|--|--------------------------------------|
| (1) | For all towing services performed wholly within the City, except as otherwise provided for herein                          | \$125.00                             |
| (2) | For all towing services for a motorcycle tow with trailer performed wholly within the City                                 | \$125.00                             |
| (3) | For storing vehicles for each 24 hour period or fraction thereof   | \$ <del>2012</del> .00               |
| (4) | For storing vehicles less than four hours  | \$ 5.00                              |
| (5) | Towing with flatbed truck  | \$150.00                             |
| (6) | Cleanup of accident site (removal of glass, injurious substances and normal debris where cleanup takes more than one hour) | \$25.00 per hour or fraction thereof |

24  
25 (b) There is hereby established an administrative charge in the amount of fifty  
26 dollars (\$50.00) which shall be assessed against the owner of any vehicle impounded  
27 pursuant to Section 303.07, for the purpose of recovering a portion of the City's  
28 administrative costs incurred in the removal and impounding of the vehicle. The  
29 administrative charge may be paid directly to the City, taxed as costs in any related civil  
30 or criminal proceeding, or collected with the towing and storage fees when the vehicle is  
31 claimed. Unless the authorized towing company holding the vehicle has received official  
32 notice that the fee has been paid, the fee shall be collected when the owner or the  
33 owner's representative claims the vehicle, and shall be remitted to the City by the  
34 towing company within thirty (30) days. An impounded vehicle shall not be released  
35 without the administrative charge first being paid. Any towing company failing to  
36 collect and remit the administrative charge in accordance with this subsection shall  
37 forfeit its designation as an authorized towing company under Section 303.09.

38  
39 (c) No administrative charge under subsection (b) shall be imposed against a towing  
40 company that obtains a salvage title to a motor vehicle in its possession, pursuant to  
41 Section 4505.11 of the Ohio Revised Code.  
42

43 (d) The fees set forth in subsection (a) hereof shall include the removal of glass,  
44 injurious substances and normal debris, resulting from accidents, from the public  
45 streets at the request of the Police Department.

46  
47 Section 2. Existing Section 303.10 of the Codified Ordinances, as amended by Ord.  
48 No. 101-2011, passed November 28, 2011, is hereby repealed.

49  
50 Section 3. Any ordinances or resolutions or portions of ordinances and resolutions  
51 inconsistent herewith are hereby repealed, but any ordinances and resolutions not  
52 inconsistent herewith and which have not previously been repealed are hereby ratified  
53 and confirmed.

54  
55 Section 4. It is found and determined that all formal actions of this Council  
56 concerning and relating to the passage of this ordinance were taken in an open meeting  
57 of this Council and that all deliberations of this Council and of any committees that  
58 resulted in those formal actions were in meetings open to the public, in compliance with  
59 all legal requirements including Chapter 107 of the Codified Ordinances.

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

67  
68  
69 Passed: \_\_\_\_\_  
70 \_\_\_\_\_  
71 President of Council

72  
73 \_\_\_\_\_  
74 Clerk of Council

75  
76  
77 Approved \_\_\_\_\_  
78 \_\_\_\_\_  
79 Mayor

80 12/10/18  
81 O:\2018ords\Amend 303.10 Towing Storage Fees.doc