

NEW LEGISLATION

July 9, 2018

Temp. No.	Introduced	Committee	Description
A-61	7/9/18	Fin	An ordinance accepting applications submitted by financial institutions and designating depositories for the active and interim funds of the City of Cuyahoga Falls for the five year period beginning August 23, 2018 and ending August 22, 2023, and declaring an emergency.
A-62	7/9/18	PA	An ordinance amending Chapter 505 of the Codified Ordinances, relating to animals and other fowl in the City of Cuyahoga Falls, and declaring an emergency.
A-63	7/9/18	PA	An ordinance authorizing and directing the submission to the electors of the City of Cuyahoga Falls a proposal to amend Article V, Section 2 of the Charter of the City of Cuyahoga Falls, to establish a May primary election date for municipal elections in the City of Cuyahoga Falls, in order to reduce the cost of the primary election for Cuyahoga Falls taxpayers and uphold the voting rights of overseas military service members, to be voted upon at the next regular City-wide election on November 6, 2018, and declaring an emergency.
A-64	7/9/18	PA	An ordinance authorizing the Mayor to enter into an agreement to allow MCI metro Access Transmission Services Corp. to access the City's rights of way and electric poles for the construction and maintenance of fiber optic cable, guy wires and other appurtenances, and declaring an emergency.
A-65	7/9/18	PA	An ordinance authorizing and directing the appropriation of certain interests in real property necessary for the improvement of Howe Avenue between

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Main Street and Buchholzer Boulevard,
and declaring an emergency.

A-66

7/9/18

CD

An ordinance approving the Community
Development Block Grant Annual Action
Plan for fiscal year 2018, and declaring
an emergency.

CALENDAR

July 9, 2018

The following legislation will be up for passage at the Council Meeting on July 9, 2018.

Temp. No.	Introduced	Committee	Description
A-57	6/25/18	PZ	An ordinance accepting the Planning Commission approval, findings and conditions of the site plan for the City of Cuyahoga Falls new Fire Station 3 at 1601 Portage Trail, and declaring an emergency.
A-58	6/25/18	Fin	An ordinance authorizing the Parks and Recreation Board to enter into a contract or contracts, according to law, to renovate the basketball courts and construct a new tennis court at Kennedy Park, and declaring an emergency.
A-59	6/25/18	Fin	An ordinance authorizing the Mayor to enter into a land swap agreement with Cuyahoga Falls City School District in connection with the new Fire Station 3 at 1601 Portage Trail, and declaring an emergency.
A-60	6/25/18	PI	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, with Kenmore Construction Company, Inc., for emergency service to repair and stabilize the roadway and ditch failure along Yellow Creek Road, between Sand Run Road and Bath Road, and declaring an emergency.

PENDING LEGISLATION

July 9, 2018

Temp. No.	Introduced	Committee	Description
A-20	2/26/18	PI	An ordinance authorizing the Parks and Recreation Board to enter into a contract or contracts, according to law, to refinish the main pool surface at Water Works Family Aquatic Center, and declaring an emergency.
A-57	6/25/18	PZ	An ordinance accepting the Planning Commission approval, findings and conditions of the site plan for the City of Cuyahoga Falls new Fire Station 3 at 1601 Portage Trail, and declaring an emergency.
A-58	6/25/18	Fin	An ordinance authorizing the Parks and Recreation Board to enter into a contract or contracts, according to law, to renovate the basketball courts and construct a new tennis court at Kennedy Park, and declaring an emergency.
A-59	6/25/18	Fin	An ordinance authorizing the Mayor to enter into a land swap agreement with Cuyahoga Falls City School District in connection with the new Fire Station 3 at 1601 Portage Trail, and declaring an emergency.
A-60	6/25/18	PI	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, with Kenmore Construction Company, Inc., for emergency service to repair and stabilize the roadway and ditch failure along Yellow Creek Road, between Sand Run Road and Bath Road, and declaring an emergency.

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4 CITY OF CUYAHOGA FALLS, OHIO

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6 ORDINANCE NO. - 2018

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8
9 AN ORDINANCE ACCEPTING APPLICATIONS
10 SUBMITTED BY FINANCIAL INSTITUTIONS AND
11 DESIGNATING DEPOSITORIES FOR THE ACTIVE
12 AND INTERIM FUNDS OF THE CITY OF CUYAHOGA
13 FALLS FOR THE FIVE-YEAR PERIOD BEGINNING
14 AUGUST 23, 2018 AND ENDING AUGUST 22, 2023,
15 AND DECLARING AN EMERGENCY.
16

17 WHEREAS, Huntington National Bank, Keybank, PNC Bank and Fifth Third
18 Bank have properly submitted applications to hold active and interim deposits
19 of the City as provided by law.
20

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

24 Section 1. This Council does hereby estimate the 2018 total active and
25 interim funds to be deposited as of August 23, 2018 to be approximately Fifty
26 Million Dollars (\$50,000,000) and the Council does hereby designate
27 Huntington National Bank, Keybank, PNC Bank and Fifth Third Bank as
28 depositories for active and interim funds for the five-year period beginning
29 August 23, 2018 and ending August 22, 2023.
30

31 Section 2. The designated depositories shall be awarded the active and
32 interim deposits of the City in the manner provided in the Revised Code of the
33 State of Ohio. The maximum amount to be deposited at any one time in the
34 designated depositories shall be in the aggregate amount of Fifty Million Dollars
35 (\$50,000,000).
36

37 Section 3. The Mayor and the Director of Finance are hereby authorized to
38 sign and execute depository contracts with Huntington National Bank,
39 Keybank, PNC Bank and Fifth Third Bank as provided by law.
40

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

47 Section 5. It is found and determined that all formal actions of this Council
48 concerning and relating to the adoption of this ordinance were adopted in an
49 open meeting of this Council and that all deliberations of this Council and of
50 any of its committees that resulted in such formal action were in meetings open

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

53
54 Section 6. 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 for the
57 reason that the present depository contracts expire on August 22, 2018, and
58 provided it receives the affirmative vote of two-thirds of the members elected or
59 appointed to Council, it shall take effect and be in force immediately upon its
60 passage and approval by the Mayor; otherwise it shall take effect and be in force
61 at the earliest period allowed by law.

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64 Passed: _____
65 _____
66 President of Council

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68 _____
69 Clerk of Council

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72 Approved: _____
73 _____
74 Mayor

75 7/9/18
76 O:\2018ORDS\DEPOSITORY ORDINANCE.DOC

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4 CITY OF CUYAHOGA FALLS, OHIO

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6 ORDINANCE NO. - 2018

7
8 AN ORDINANCE AMENDING CHAPTER 505 OF THE
9 CODIFIED ORDINANCES, RELATING TO ANIMALS AND
10 OTHER FOWL IN THE CITY OF CUYAHOGA FALLS, AND
11 DECLARING AN EMERGENCY.
12

13
14 WHEREAS, the City desires to protect the health, safety and welfare of its residents
15 and pets by requiring owners to use a leash when their dogs are off the owners'
16 property.
17

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

21 Section 1. Chapter 505, Animals and other Fowl, of the Codified Ordinances of the
22 City of Cuyahoga Falls is hereby amended and/or supplemented to read in full as
23 follows (new text double underlined; deleted text in ~~strike through~~):
24

25 CHAPTER 505

26
27 505.01 DEFINITIONS.

28 As used in this chapter, certain terms are defined as follows:

- 29 (a) "Whoever" includes owner, keeper, handler or harborer.
- 30 (b) "Owner" includes keeper, handler or harborer.
- 31 (c) "Registration tag" means the metal tag issued annually by the County Auditor
32 evidencing a registered dog.
- 33 (d) "Registered dog" means a dog registered in compliance with Ohio R.C. Chapter
34 955.
- 35 (e) "Permit to run at large" means running at will, roaming away from the premises
36 of the owner, acting on its own initiative and not on leash ~~or under the~~
37 ~~immediate control of the owner.~~
- 38 (f) "Impound" means to seize summarily, confine and retain in custody of law.
- 39 (g) "Animal" includes dogs, cats, cattle, sheep, horses, geese, ducks, turkeys,
40 chickens or other fowl or any other animal, domestic or wild, maintained or
41 kept as a pet, for work or for a product.
42

43 505.02 DOGS AND OTHER ANIMALS RUNNING AT LARGE.

- 44 (a) No person being the owner or having charge of any fowl or animal shall permit
45 such fowl or animal to run at large upon any public place, or upon any
46 unenclosed lands, or upon the premises of another. The owner or person
47 having charge of every animal shall at all times keep such animal ~~either~~
48 confined upon the premises of the owner or keeper, or on leash ~~under~~
49 ~~reasonable control of some person~~ held in the hand of a person in a manner
50 which continuously controls the animal. The provisions of this subsection (a)
51 shall not apply to cats running at large in that portion of the City formerly
52 known as Northampton Township.
- 53 (b) No person being the owner of or having charge of any dog, whether wearing a
54 registration tag or not, shall permit it to run at large upon any public place or
55 upon the premises of another. No owner, keeper or harbinger of any ~~female~~ dog

56 shall permit such dog to go beyond the premises of such owner or keeper at
57 ~~any time such dog is in heat~~, unless such dog is properly in leash.

58
59 (c) The running at large of any such animal in or upon any of the places mentioned
60 in this section is prima-facie evidence that it is running at large in violation of
61 this section.

62 (d) It shall be an affirmative defense to a violation of this section that the animal
63 was:

64 (1) Securely confined in a vehicle or cage which was adequately ventilated
65 while off the premises of the owner;

66 (2) Being used for lawful hunting purposes or training for the purpose of
67 hunting while accompanied by a license number;

68 (3) Being exhibited at a public show, zoo, museum, or public institution;

69 (4) Engaged in activity expressly approved by the laws of the State; or

70 (5) Owned by a public law enforcement agency or licensed private law
71 enforcement agency or member thereof and the animal was being utilized
72 for law enforcement purposes.

73 (e) Whoever violates this section is guilty of a minor misdemeanor for a first offense
74 and a misdemeanor of the fourth degree for each subsequent offense.

75
76 Section 2. Any other ordinances and resolutions or portions of ordinances and
77 resolutions inconsistent herewith are hereby repealed but any ordinances and
78 resolutions or portions of ordinances and resolutions not inconsistent herewith and
79 which have not previously been repealed are hereby ratified and confirmed.

80
81 Section 3. It is found and determined that all formal actions of this Council
82 concerning and relating to the adoption of this ordinance were adopted in an open
83 meeting of this Council and all deliberations of this Council and any of its committees
84 that resulted in such formal action were in meetings open to the public, in compliance
85 with all legal requirements including Chapter 107 of the Codified Ordinances.

86
87 Section 4. This ordinance is hereby declared to be an emergency measure necessary
88 for the preservation of the public peace, health, safety, convenience and welfare of the
89 City of Cuyahoga Falls and the inhabitants thereof and provided it receives the
90 affirmative vote of two-thirds of the members elected or appointed to Council, it shall
91 take effect and be in force immediately upon its passage and approval by the Mayor;
92 otherwise it shall take effect and be in force at the earliest period allowed by law.

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95 Passed: _____
96 _____
97 President of Council

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100 _____
101 Clerk of Council

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103 Approved _____
104 _____
105 Mayor

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5 CITY OF CUYAHOGA FALLS, OHIO

6
7 ORDINANCE NO. - 2018

8
9 AN ORDINANCE AUTHORIZING AND DIRECTING THE
10 SUBMISSION TO THE ELECTORS OF THE CITY OF
11 CUYAHOGA FALLS A PROPOSAL TO AMEND ARTICLE V,
12 SECTION 2 OF THE CHARTER OF THE CITY OF CUYAHOGA
13 FALLS, TO ESTABLISH A MAY PRIMARY ELECTION DATE
14 FOR MUNICIPAL ELECTIONS IN THE CITY OF CUYAHOGA
15 FALLS, IN ORDER TO REDUCE THE COST OF THE
16 PRIMARY ELECTION FOR CUYAHOGA FALLS TAXPAYERS
17 AND UPHOLD THE VOTING RIGHTS OF OVERSEAS
18 MILITARY SERVICE MEMBERS, TO BE VOTED UPON AT
19 THE NEXT REGULAR CITY-WIDE ELECTION ON
20 NOVEMBER 6, 2018, AND DECLARING AN EMERGENCY.
21

22
23 WHEREAS, the state primary election is in May pursuant to Ohio Revised Code
24 Section 3501.01(E)(1) which states, in relevant part, that “Primary elections shall be
25 held on the first Tuesday after the first Monday in May of each year except in years in
26 which a presidential primary election is held”; and
27

28 WHEREAS, currently the City of Cuyahoga Falls holds its primary elections in
29 September pursuant to Article V, Section 2 of the Charter of the City of Cuyahoga Falls
30 which establishes the date for the primary election for municipal elections in the City
31 as the “8th Tuesday prior to such regular [general] municipal election”; and
32

33 WHEREAS, the proposed amendment to Article V, Section 2 of the Charter will
34 establish a primary election date for municipal elections within the City of Cuyahoga
35 Falls consistent with the May primary election date established by the Ohio Revised
36 Code; and
37

38 WHEREAS, because the September primary election date is so close to the
39 November general election date, September primary elections make it difficult and, in
40 some instances, impossible for the Board of Elections to prepare complete ballots by
41 the deadline prescribed by federal and state law for preparing ballots for use by
42 military and overseas voters; and
43

44 WHEREAS, pursuant to Ohio Revised Code Section 3511.04, each county Board
45 of Elections shall mail absentee ballots to military service members serving overseas
46 (following proper application) “not later than the forty-fifth day before the day of each
47 general or primary election”; and
48

49 WHEREAS, as currently provided for in the Charter, there are only 56 days
50 between the municipal primary election and the general election; therefore, there are

51 only 11 days after the primary election before the state-mandated deadline for mailing
52 general election absentee ballots to military service members serving overseas; and
53

54 WHEREAS, pursuant to Ohio Revised Code Section 3513.22, the county Board
55 of Elections has 21 days following the primary election to complete the Official Canvass
56 of the primary election, which is ten days after the state-mandated deadline for mailing
57 general election absentee ballots to military service members serving overseas; and
58

59 WHEREAS, moving the municipal primary election date to May will enable the
60 Board of Elections to properly comply with the voting rights of military service
61 members serving overseas by providing sufficient time for the results of the primary
62 election to be certified prior to the state-mandated deadline for mailing general election
63 absentee ballots to such military service members; and
64

65 WHEREAS, moving the City of Cuyahoga Falls primary election to the same date
66 as the state primary election date in May is expected to result in significant cost-savings
67 to Cuyahoga Falls taxpayers because, in larger elections, a larger number of political
68 subdivisions share in the expense of the election, thereby decreasing the per-precinct
69 amount charged to each political subdivision; and
70

71 WHEREAS, according to the Summit County Board of Elections, if the City of
72 Cuyahoga Falls had moved the September primary election to May, in 2017, the City
73 of Cuyahoga Falls taxpayers could have saved approximately \$48,349.79; and
74

75 WHEREAS, the May primary election traditionally has a higher voter turnout
76 than the September primary election (45.86% higher, on average, in the last four
77 municipal election years); and
78

79 WHEREAS, moving the primary election date to May will protect the rights of
80 overseas military service members, save taxpayer funds, enhance voter turnout, and
81 therefore moving the municipal primary date to May is in the best interests of the
82 citizens of the City of Cuyahoga Falls.
83

84 NOW, THEREFORE, BE IT ENACTED by the Council of the City of Cuyahoga
85 Falls, County of Summit and State of Ohio, that:
86

87 Section 1. This Council hereby authorizes and directs the submission to the
88 electors of the City of Cuyahoga Falls at the next regular City-wide election to be held
89 at the usual places of voting in said City on November 6, 2018, between the hours of
90 6:30 a.m. and 7:30 p.m. Eastern Standard Time of said day, of a proposal to amend the
91 Charter of the City of Cuyahoga Falls.
92

93 Section 2. The ballots for said election shall, at the top thereof, be entitled “City
94 of Cuyahoga Falls Proposed Charter Amendment” and the question to be separately
95 submitted on said ballots shall be as follows:
96

97 Charter Issue No. _____ - Shall the proposed amendment
98 to the Charter of the City of Cuyahoga Falls amending Article
99 V, Section 2 thereof be adopted so that, as amended, the
100 section shall provide as follows:

101
102 **ARTICLE V, SECTION 2 - NOMINATIONS**

103
104 **TO REDUCE THE COST OF THE PRIMARY ELECTION**
105 **AND UPHOLD THE VOTING RIGHTS OF OVERSEAS**
106 **MILITARY SERVICE MEMBERS,** candidates for all offices
107 at any regular municipal election under the provisions of
108 this Charter, with the exception of candidates for the office
109 of Judge of the Municipal Court, Clerk of Municipal Court,
110 other candidates who are elected by electors from both
111 within and without the City and/or independent candidates
112 for any other elective municipal office, shall be nominated
113 at a primary election to be held on the ~~8th Tuesday prior to~~
114 ~~such regular municipal election~~ **FIRST TUESDAY AFTER**
115 **THE FIRST MONDAY IN MAY.** The method of nomination
116 and the procedures for nomination shall be in conformity
117 with the State Law on the subject of nominations for public
118 office, and the result certified in like manner; that
119 commencing with the 2017 elections, independent
120 candidates for the offices of Mayor and Councilmen shall
121 file their nominating petitions at the same time that
122 partisan candidates for the office of Mayor and Councilmen
123 file their nominating petitions. Candidates for the office of
124 the Judge of the Municipal Court, Clerk of the Municipal
125 Court and other candidates who are elected by electors from
126 both within and without the City shall be nominated by
127 nominating petition filed and signed in accordance with the
128 laws of the State of Ohio relating thereto.
129

130 Section 3. It is the desire and request of this Council that the ballot for said
131 question shall be substantially in the following form:
132

133 PROPOSED CHARTER AMENDMENT

134
135 CITY OF CUYAHOGA FALLS

136
137 A Majority Affirmative Vote Is
138 Necessary For Passage
139

140 Shall Article V, Section 2 of the Charter of the City of
141 Cuyahoga Falls be amended to move the primary election
142 date for municipal elections to the first Tuesday after the first
143 Monday in May consistent with the primary election date
144 established by state law; reduce the cost of the primary
145 election; and uphold the rights of overseas military service
146 members?
147

148 YES

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150 NO

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Section 4. The Clerk of Council is hereby directed to certify a copy of this ordinance to the Board of Elections of Summit County, Ohio immediately upon the passage of this ordinance.

Section 5. The Clerk of Council is hereby directed and authorized to have the full text of the above proposed Charter amendment published once a week for not less than two (2) consecutive weeks in a newspaper of general circulation in said City with the first publication being at least fifteen (15) days prior to the election at which said amendment is to be submitted to the electors of this City or in such manner as is permitted by law.

Section 6. It is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements including Chapter 107 of the Codified Ordinances.

Section 7. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of public peace, health, safety and welfare for the reason that its immediate effectiveness is necessary to place said amendment to the Charter on the November ballot, and provided this ordinance 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 as may be required by law; otherwise, it shall take effect and be in force at the earliest time allowed by law.

Passed: _____

President of Council

Clerk of Council

Approved _____

Mayor

7/9/18

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3 CITY OF CUYAHOGA FALLS, OHIO

4
5 ORDINANCE NO. - 2018

6
7 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO
8 AN AGREEMENT TO ALLOW MCIMETRO ACCESS
9 TRANSMISSION SERVICES CORP. TO ACCESS THE CITY'S
10 RIGHTS OF WAY AND ELECTRIC POLES FOR THE
11 CONSTRUCTION AND MAINTENANCE OF FIBER OPTIC CABLE,
12 GUY WIRES AND OTHER APPURTENANCES, AND DECLARING
13 AN EMERGENCY.
14

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

17
18 Section 1. The Mayor is hereby authorized to enter into a Pole Attachment Agreement,
19 together with such revisions, additions or amendments as are approved by the Director of Law as
20 being consistent with the objectives of this ordinance, to allow MCImetro Access Transmission
21 Services Corp. to install fiber optic cable, guy wires and necessary appurtenances on City electric
22 poles along the City's right of way.
23

24 Section 2. Any other ordinances and resolutions or portions of ordinances and resolutions
25 inconsistent herewith are hereby repealed, but any ordinances and resolutions or portions of
26 ordinances and resolutions not inconsistent herewith and which have not previously been
27 repealed are hereby ratified and confirmed.
28

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

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

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43 Passed: _____
44 _____
45 President of Council

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47 _____
48 Clerk of Council

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51 Approved: _____
52 _____
53 Mayor

54 7/9/18

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6 CITY OF CUYAHOGA FALLS, OHIO

7
8 ORDINANCE NO. - 2018

9
10 AN ORDINANCE AUTHORIZING AND DIRECTING THE
11 APPROPRIATION OF CERTAIN INTERESTS IN REAL PROPERTY
12 NECESSARY FOR THE IMPROVEMENT OF HOWE AVENUE
13 BETWEEN MAIN STREET AND BUCHHOLZER BOULEVARD, AND
14 DECLARING AN EMERGENCY.

15
16 WHEREAS, on June 25, 2018, this Council adopted Resolution No. 6-2018, declaring the
17 intention of the City to appropriate certain interests in real property necessary for the improvement of
18 Howe Avenue between Main Street and Buchholzer Boulevard, and caused notice thereof to be served
19 on the owners thereof as required by law, and;

20
21 WHEREAS, despite diligent efforts, the City and property owners have been unable to agree to
22 the terms by which the necessary land will be transferred to the City, and;

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

26
27 Section 1. This Council authorizes and directs the appropriation of certain interests in real
28 property necessary for the improvement of Howe Avenue between Main Street and Buchholzer
29 Boulevard, more fully described in the exhibits numbered A(7-SHV), A(7-T), A(8-T), A(15-SHV1,
30 A(15-SHVS), A(15-T) and A(27-SHV).

31
32 Section 2. The Director of Law is hereby authorized to file any necessary civil actions in the
33 Summit County Probate Court, or any other court of competent jurisdiction, to provide for the
34 appropriation of the real property interests mentioned in Section 1 hereof by eminent domain and the
35 assessment of the compensation to be paid for the interests hereby appropriated.

36
37 Section 3. The Director of Finance is hereby authorized to deposit with the Court the amount of
38 the appraised value of each of the real property interests mentioned in Section 1 hereof, which is on
39 file with the Clerk of Council in Council File No. _____ and incorporated as if fully rewritten
40 herein, to permit the immediate appropriation of the property. The Director of Finance is hereby
41 authorized to make payment for the same out of the Capital Projects Fund, line item Capital Outlay.

42
43 Section 4. Any other ordinances and resolutions or portions of ordinances and resolutions
44 inconsistent herewith are hereby repealed, but any ordinances and resolutions or portions of
45 ordinances and resolutions not inconsistent herewith and which have not previously been repealed
46 are hereby ratified and confirmed.

47
48 Section 5. It is found and determined that all formal actions of this Council concerning and
49 relating to the adoption of this resolution were adopted in an open meeting of this Council and that
50 all deliberations of this Council and of any of its committees that resulted in such formal action were
51 in meetings open to the public, in compliance with all legal requirements, to the extent applicable,
52 including Chapter 107 of the Codified Ordinances.

53
54 Section 6. This ordinance is hereby declared to be an emergency measure necessary for the
55 preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga Falls
56 and the inhabitants thereof, and provided it received the affirmative vote of two-thirds of the
57 members elected or appointed to Council, it shall take effect and be in force immediately upon it

58 passage and approval by the Mayor; otherwise it shall take effect and be in force at the earliest period
59 allowed by law.

60

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62 Passed: _____

President of Council

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Clerk of Council

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70 Approved: _____

Mayor

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73 7/9/18

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4 CITY OF CUYAHOGA FALLS, OHIO

5
6 ORDINANCE NO. - 2018

7
8 AN ORDINANCE APPROVING THE COMMUNITY DEVELOPMENT
9 BLOCK GRANT ANNUAL ACTION PLAN FOR FISCAL YEAR 2018,
10 AND DECLARING AN EMERGENCY.
11

12
13 WHEREAS, Subpart C of Part 91, Title 24 of the Code of Federal Regulations requires that the
14 City submit, as a part of the annual submission of its consolidated plan, an action plan that includes
15 a certification that the consolidated plan is authorized under state and local law and that the City
16 possesses the legal authority to carry out the programs for which it is seeking funding,
17

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

21 Section 1. The 2018 Community Development Block Grant Annual Action Plan, and the
22 programs contained in the City’s consolidated plan, are hereby approved, and the Community
23 Development Department is authorized to carry out the programs contained in these documents.
24

25 Section 2. The Director of Finance is hereby authorized to increase appropriations in the
26 Community Development Block Grant Fund, Line item, Other Operations by \$630,022 and decrease
27 appropriations in the same fund, line item, Capital Outlay by \$100,000.
28

29 Section 3. Any other ordinances or resolutions or portions of ordinances and resolutions
30 inconsistent herewith are hereby repealed, but any ordinances and resolutions not inconsistent
31 herewith and which have not previously been 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 ordinance were adopted in an open meeting of this Council, and that
35 all deliberations of this Council and of any of its committees that resulted in such formal action, were
36 in meetings open to the public, in compliance with all legal requirements, to the extent applicable,
37 including 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 Falls
41 and the inhabitants thereof, and provided it receives the affirmative vote of two-thirds of the members
42 elected or appointed to Council, it shall take effect and be in force immediately upon its passage and
43 approval by the Mayor; otherwise it shall take effect and be in force at the earliest period allowed by
44 law.
45

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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

58 7/9/18