

NEW LEGISLATION

November 14, 2016

Temp. No.	Introduced	Committee	Description
A-88	11/14/16	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-89	11/14/16	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, 2017, and declaring an emergency.
A-90	11/14/16	PA	An ordinance authorizing the Mayor to enter into a license agreement with Alan Ederer for the use of three feet of City right-of-way for the purpose of constructing and operating a parking lot in the Cody Avenue right-of-way abutting the property at 1928 Portage Trail (Parcel No. 02-20463), and declaring an emergency.
A-91	11/14/16	PA	An ordinance authorizing the Mayor to enter into a license agreement with Valley Park LTD. for the purpose of installing and maintaining a business identification sign in the public right-of-way of State Road, and declaring an emergency.

CALENDAR

November 14, 2016

The following legislation will be up for passage at the Council Meeting on November 14, 2016.

Temp. No.	Introduced	Committee	Description
A-85	10/24/16	PA	An ordinance authorizing the Mayor and/or Parks and Recreation Board to enter into a contract or contracts to purchase property located on 223 East Bath Road (Parcel No. 3506483), and declaring an emergency.

PENDING LEGISLATION

November 14, 2016

Temp. No.	Introduced	Committee	Description
A-85	10/24/16	PA	An ordinance authorizing the Mayor and/or Parks and Recreation Board to enter into a contract or contracts to purchase property located on 223 East Bath Road (Parcel No. 3506483), and declaring an emergency.

2
3 CITY OF CUYAHOGA FALLS, OHIO

4
5 RESOLUTION NO. - 2016

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 of
21 Summit and State of Ohio, that:

22
23 Section 1. In accordance with Ohio Revised Code §321.34, the City of Cuyahoga Falls hereby
24 requests that the County Fiscal Officer make advance distribution of local tax receipts now in
25 collection and normally payable in 2017, for the 2016 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 the
36 members elected or appointed to Council, it shall take effect and be in force immediately upon its
37 passage and approval by the Mayor; otherwise it shall take effect and be in force at the earliest
38 period allowed by law.

39
40
41
42 Passed: _____

President of Council

43
44
45
46
47 _____
Clerk of Council

48
49
50 Approved: _____

Mayor

2
3 CITY OF CUYAHOGA FALLS, OHIO

4
5 ORDINANCE NO. - 2016

6
7 AN ORDINANCE ESTABLISHING ANNUAL APPROPRIATIONS OF
8 MONEY FOR THE CURRENT EXPENSES, CAPITAL EXPENDITURES
9 AND OTHER EXPENSES OF THE CITY OF CUYAHOGA FALLS FOR
10 THE FISCAL YEAR ENDING DECEMBER 31, 2017, AND
11 DECLARING AN EMERGENCY.

12
13 WHEREAS, Ohio Revised Code §5705.38 requires local taxing authorities to pass an annual
14 appropriations measure classified so as to set forth the amounts appropriated to each office,
15 department and division of the taxing authority; and

16
17 WHEREAS, Article VI, Section 6 of the City Charter requires the Mayor to submit an estimated
18 budget for the coming fiscal year showing the requested allotments of the appropriations and
19 estimated income for each office or department for the calendar year.

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

23
24 Section 1. In order to provide for the current expenses, capital expenditures, and other expenses
25 of the City of Cuyahoga Falls for the fiscal year ending December 31, 2017, the sums summarized in
26 Exhibit A, which is attached hereto incorporated herein by reference, are hereby appropriated and
27 authorized for encumbrance and/or expenditure as provided therein.

28
29 Section 2. The fund transfers set forth in detail in Exhibit A2, and incorporated herein by
30 reference, are hereby authorized and approved.

31
32 Section 3. The budget for each office and department of the City is hereby determined and
33 approved as set forth in Exhibit B, which is attached hereto and incorporated herein by reference, and
34 the expenditures authorized therein, and the amount authorized, shall be made in accordance with the
35 line items identified in Exhibit B, and any disbursements within any line item set forth in Exhibit B
36 may be paid out of the appropriations made therefor.

37
38 Section 4. No transfers of sums shall be made between departments. Transfers of sums from
39 one line item listed in Exhibit B to another line item, within the same department, at any time within
40 the fiscal year which exceed in the aggregate seven percent (7%) of the amount originally appropriated
41 in the line item from which the transfer is made, or \$10,000.00, whichever is less, shall be prohibited
42 unless authorized by ordinance or resolution of Council.

43
44 Section 5. Any amounts encumbered in a fiscal year prior to fiscal year 2017 in any and all funds
45 of the City, are hereby re-appropriated for the purpose of expenditure in 2017 or thereafter.

46
47 Section 6. All funds not individually listed in this ordinance but included in the 2017 Alternative
48 Tax Budget Information of the City of Cuyahoga Falls and included in the Amended Official Certificate
49 of Estimated Resources for 2017 as issued by the County of Summit Budget Commission are hereby
50 appropriated for the purpose of encumbrance and/or expenditure.

51
52 Section 7. Any other ordinances or resolutions or portions of ordinances and resolutions
53 inconsistent herewith are hereby repealed, but any ordinances and resolutions not inconsistent
54 herewith and which have not previously been repealed are hereby ratified and confirmed.

55
56 Section 8. It is found and determined that all formal actions of this Council concerning and
57 relating to the passage of this ordinance were taken in an open meeting of this Council and that all

58 deliberations of this Council and of any committees that resulted in those formal actions were in
59 meetings open to the public, in compliance with all legal requirements including Chapter 107 of the
60 Codified Ordinances.

61

62 Section 9. This ordinance is hereby declared to be an emergency measure necessary for the
63 preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga Falls
64 and the inhabitants thereof for the reason that authority is required for the payment of operating,
65 other and capital expense of the City of Cuyahoga Falls and provided it receives the affirmative vote of
66 two-thirds of the members elected or appointed to Council, it shall take effect and be in force
67 immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force
68 at the earliest period allowed by law.

69

70

71 Passed: _____

72

President of Council

73

74

75

76

Clerk of Council

77

78

79 Approved: _____

80

Mayor

81

82

83 11/14/16

84 O:\2016ords\2017-budget.doc

85

2
3 CITY OF CUYAHOGA FALLS, OHIO

4
5 ORDINANCE NO. - 2016

6
7 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A
8 LICENSE AGREEMENT WITH ALAN EDERER FOR THE USE OF
9 THREE FEET OF CITY RIGHT-OF-WAY FOR THE PURPOSE OF
10 CONSTRUCTING AND OPERATING A PARKING LOT IN THE
11 CODY AVENUE RIGHT-OF-WAY ABUTTING THE PROPERTY AT
12 1928 PORTAGE TRAIL (PARCEL NO. 02-20463), AND
13 DECLARING AN EMERGENCY.

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

17
18 Section 1. The Mayor is hereby authorized to enter into a license agreement with Alan
19 Ederer, revocable at the will of Council, for the purpose of constructing and operating a parking
20 lot in a portion of the Cody Avenue right-of-way abutting the property at 1928 Portage Trail
21 (Parcel No. 02-20463), as depicted in the site plan attached hereto as Exhibit "A". The license
22 agreement shall contain such terms and conditions as are necessary in the opinion of the
23 Director of Law to protect the public interest.

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

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

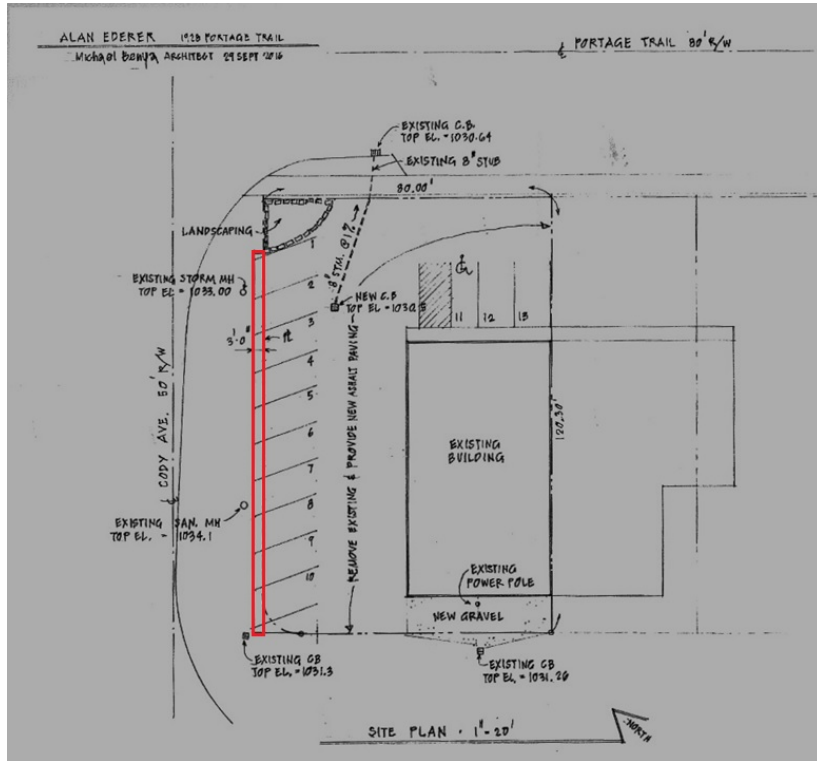
35
36 Section 4. This ordinance is hereby declared to be an emergency measure necessary for
37 the preservation of the public peace, health, safety, convenience and welfare of the City of
38 Cuyahoga Falls, and provided it receives the affirmative vote of two-thirds of the members
39 elected or appointed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

42
43
44 Passed: _____
45 _____
46 President of Council

47
48 _____
49 Clerk of Council

50 Approved: _____
51 _____
52 Mayor

A-90
Exhibit A



2
3 CITY OF CUYAHOGA FALLS, OHIO

4
5 ORDINANCE NO. - 2016

6
7 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER
8 INTO A LICENSE AGREEMENT WITH VALLEY PARK LTD.
9 FOR THE PURPOSE OF INSTALLING AND MAINTAINING
10 A BUSINESS IDENTIFICATION SIGN IN THE PUBLIC
11 RIGHT-OF-WAY OF STATE ROAD, AND DECLARING AN
12 EMERGENCY.

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

16
17 Section 1. The Mayor is hereby authorized to enter into a license agreement,
18 revocable at the will of Council, to Valley Park LTD., for the purpose of installing and
19 maintaining a business identification sign in the public right-of-way of State Road
20 adjacent to the permittee’s property at 4193 State Road (Parcel No. 35-00711), as
21 depicted in the site plan attached hereto as Exhibit “A”. The license agreement shall
22 contain such terms and conditions as are necessary in the opinion of the Director of
23 Law to protect the public interest.

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

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

36
37 Section 4. This ordinance is hereby declared to be an emergency measure necessary
38 for the preservation of the public peace, health, safety, convenience and welfare of the
39 City of Cuyahoga Falls, 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
41 immediately upon its passage and approval by the Mayor; otherwise it shall take effect
42 and be in force at the earliest period allowed by law.

43
44
45 Passed: _____

President of Council

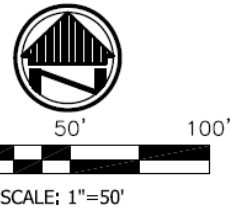
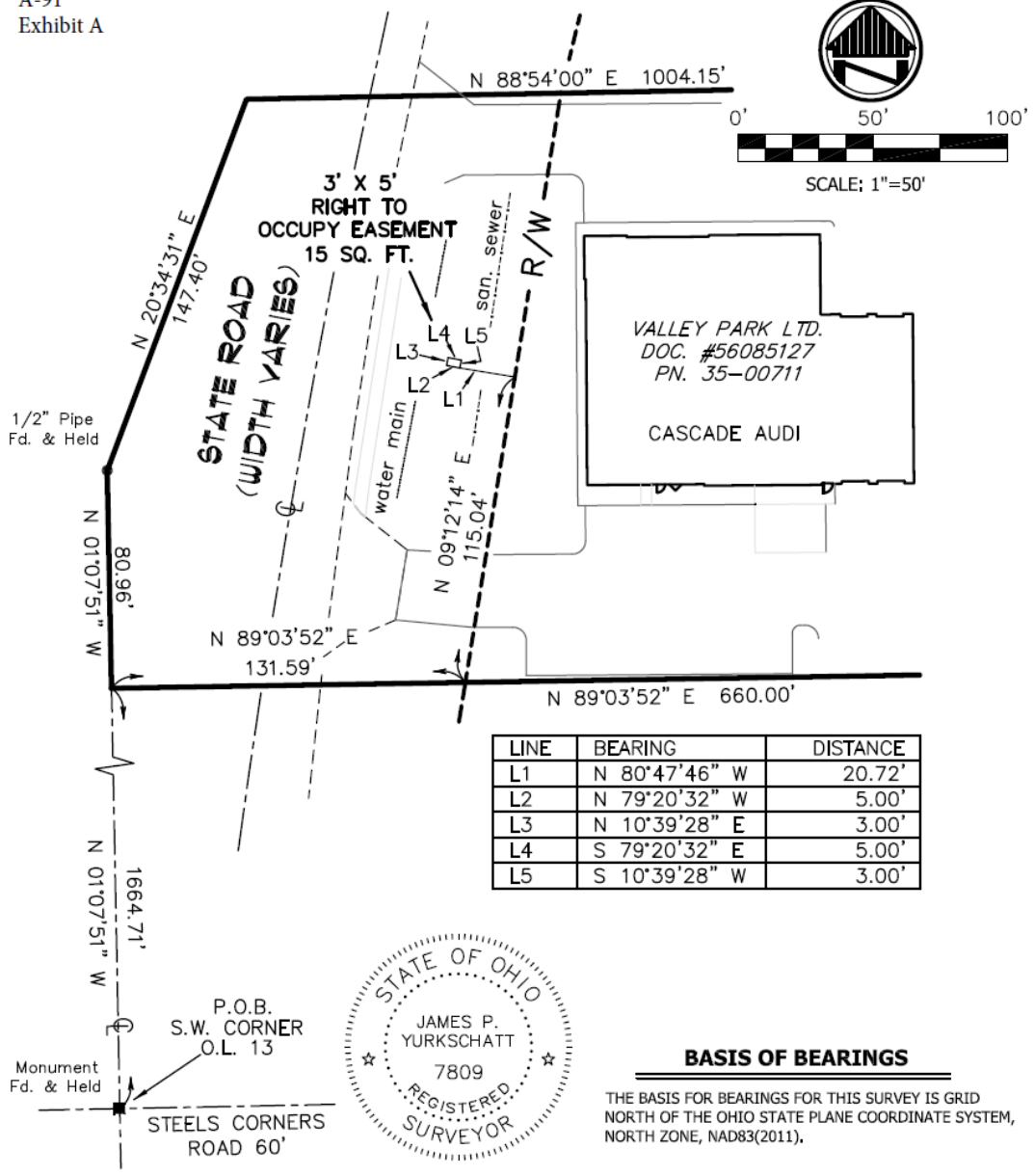
Clerk of Council

46
47
48
49
50
51 Approved: _____

Mayor

52
53 11/14/16

A-91
Exhibit A



LINE	BEARING	DISTANCE
L1	N 80°47'46" W	20.72'
L2	N 79°20'32" W	5.00'
L3	N 10°39'28" E	3.00'
L4	S 79°20'32" E	5.00'
L5	S 10°39'28" W	3.00'



BASIS OF BEARINGS

THE BASIS FOR BEARINGS FOR THIS SURVEY IS GRID NORTH OF THE OHIO STATE PLANE COORDINATE SYSTEM, NORTH ZONE, NAD83(2011).



RIGHT TO OCCUPY EASEMENT EXHIBIT

STATE OF OHIO, COUNTY OF SUMMIT, CITY OF CUYAHOGA FALLS
PART OF ORIGINAL NORTHAMPTON TWP. LOT 13

3485 Fortuna Drive
Suite 100
Akron, Ohio 44312
(330) 945-4117
www.campbellsurvey.com
DATE: 11/01/2016
BY: JPY
JOB NO. 20150147