

NEW LEGISLATION

February 25, 2019

Temp. No.	Introduced	Committee	Description
B-14	2/25/19	PZ	An ordinance authorizing and approving the dedication plat of .0291 acres of Parcel 02-20643 (140 Portage Trail) as public right-of-way, and declaring an emergency.
B-15	2/25/19	Fin	An ordinance authorizing the Mayor to enter into a cooperative procurement agreement with National Intergovernmental Purchasing Alliance Company, a Delaware Corporation d/b/a OMNIA Partners Public Sector, waiving competitive bidding for the purchase of products, services, materials and supplies purchased through cooperative purchase agreements administered by National Intergovernmental Purchasing Alliance Company, a Delaware Corporation d/b/a OMNIA Partners Public Sector, and declaring an emergency.
B-16	2/25/19	Fin	An ordinance authorizing the Director of Law to execute a modification of contract with Roetzel & Andress, LPS for legal services related to Johnson Controls, Inc., making necessary appropriations for the same, and declaring an emergency.
B-17	2/25/19	PI	An ordinance authorizing the Director of Public Service to enter into a contract or contracts without competitive bidding with ARRC, Inc. for the construction of on-street public parking in front of 140 Portage Trail in an amount not to exceed \$125,000.00, and declaring an emergency.
B-18	2/25/19	PA	An ordinance amending various sections of the Codified Ordinances to conform to State law, approving the 2018 replacement pages to the Codified

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Ordinances of the City of Cuyahoga Falls,
and declaring an emergency.

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CALENDAR

February 25, 2019

The following legislation will be up for passage at the Council Meeting on February 25, 2019.

Temp. No.	Introduced	Committee	Description
B-8	2/11/19	PZ	An ordinance accepting the Planning Commission approval, findings and conditions of the Redwood Living Community combined preliminary and final subdivision plat and improvement plans on Parcels 35-00013, 35-6325, 35-00015, 35-02051, 35-02052 and 35-02053 on West Bath Road, and declaring an emergency.
B-9	2/11/19	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the demolition of buildings and removal of demolition debris at various locations in the City, and certifying the cost thereof to the County Fiscal Officer for collection in the manner provided by law, and declaring an emergency.
B-10	2/11/19	PI	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the annual resurfacing and/or repair of various streets as described in Exhibit 'A' attached hereto, in the City of Cuyahoga Falls, and declaring an emergency.
B-11	2/11/19	PA	An ordinance amending the Traffic Control File by providing for installation of various traffic control devices, and declaring an emergency.
B-12	2/11/19	PA	An ordinance amending Chapter 929, Storm Drainage Utility, of the Codified Ordinances, and declaring an emergency.
B-13	2/19/18	Fin	An ordinance authorizing the Director of Law to enter into a Memorandum of Understanding and Settlement Agreement relating to the Munroe Falls

shooting range, making necessary appropriations for the same, and declaring an emergency.

PENDING LEGISLATION

February 25, 2019

Temp. No.	Introduced	Committee	Description
B-1*	1/14/19	PZ	An ordinance approving a zoning map amendment for the former Sycamore Valley Golf Course located at 1651 Akron Peninsula Road (Parcels 35-02255, 35-00674, 35-00672, and 35-00673 and 02-05625), from E-1 Employment District to R-3 Sub-Urban Density Residential, as more fully described and depicted herein, and declaring an emergency.
B-7**	2/11/19	PZ	An ordinance approving regulatory text amendments for Section 1111.08 Administration and Enforcement and Section 1124.03 Flood Plain and Stormwater in The Cuyahoga Falls General Development Code, and declaring an emergency.
B-8	2/11/19	PZ	An ordinance accepting the Planning Commission approval, findings and conditions of the Redwood Living Community combined preliminary and final subdivision plat and improvement plans on Parcels 35-00013, 35-6325, 35-00015, 35-02051, 35-02052 and 35-02053 on West Bath Road, and declaring an emergency.
B-9	2/11/19	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the demolition of buildings and removal of demolition debris at various locations in the City, and certifying the cost thereof to the County Fiscal Officer for collection in the manner provided by law, and declaring an emergency.
B-10	2/11/19	PI	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the annual resurfacing and/or repair of various streets as described in Exhibit 'A'

attached hereto, in the City of Cuyahoga Falls, and declaring an emergency.

B-11	2/11/19	PA	An ordinance amending the Traffic Control File by providing for installation of various traffic control devices, and declaring an emergency.
B-12	2/11/19	PA	An ordinance amending Chapter 929, Storm Drainage Utility, of the Codified Ordinances, and declaring an emergency.
B-13	2/19/18	Fin	An ordinance authorizing the Director of Law to enter into a Memorandum of Understanding and Settlement Agreement relating to the Munroe Falls shooting range, making necessary appropriations for the same, and declaring an emergency.

* Public Hearing 2-19-19

** Public Hearing 4-1-19

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5 CITY OF CUYAHOGA FALLS, OHIO

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7 ORDINANCE NO. - 2019

8
9 AN ORDINANCE AUTHORIZING AND APPROVING THE
10 DEDICATION PLAT OF .0291 ACRES OF PARCEL 02-20643
11 (140 PORTAGE TRAIL) AS PUBLIC RIGHT-OF-WAY, AND
12 DECLARING AN EMERGENCY.
13

14 WHEREAS, the Charter of the City of Cuyahoga Falls requires that all decisions made by the Planning
15 Commission be submitted to Council; and

16
17 WHEREAS, the Planning Commission is required to review and provide a recommendation for all land
18 dedications in the City of Cuyahoga Falls, Ohio; and

19
20 WHEREAS, on February 20, 2019, the Planning Commission approved the Dedication Plat for parcel 02-
21 20643 (140 Portage Trail), within the City of Cuyahoga Falls, Ohio.

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

25
26 Section 1. The City Council approves the Dedication Plat of .0291 acres of parcel 02-20643 (140 Portage
27 Trail) as Public Right-Of-Way in Cuyahoga Falls, Ohio, in accordance with all Cuyahoga Falls General
28 Development Code regulations and as stipulated in the Codified Ordinances of the City of Cuyahoga Falls as
29 approved by the Planning Commission on February 20, 2019 and as per all plans and stipulations contained
30 in Project File PZ-19-00001.
31

32 Section 2. Any other ordinances or resolutions or portions of ordinances and resolutions inconsistent
33 herewith are hereby repealed, but any ordinances and resolutions not inconsistent herewith and which have
34 not previously been repealed are hereby ratified and confirmed.
35

36 Section 3. It is found and determined that all formal actions of this Council concerning and relating to
37 the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of
38 this Council and of any of its committees that resulted in such formal action, were in meetings open to the
39 public, in compliance with all legal requirements, to the extent applicable, including Chapter 107 of the
40 Codified Ordinances.
41

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

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4 CITY OF CUYAHOGA FALLS, OHIO

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6 ORDINANCE NO. - 2019

7
8 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO
9 A COOPERATIVE PROCUREMENT AGREEMENT WITH
10 NATIONAL INTERGOVERNMENTAL PURCHASING ALLIANCE
11 COMPANY, A DELAWARE CORPORATION D/B/A OMNIA
12 PARTNERS PUBLIC SECTOR, WAIVING COMPETITIVE
13 BIDDING FOR THE PURCHASE OF PRODUCTS, SERVICES,
14 MATERIALS AND SUPPLIES PURCHASED THROUGH
15 COOPERATIVE PURCHASE AGREEMENTS ADMINISTERED
16 BY NATIONAL INTERGOVERNMENTAL PURCHASING
17 ALLIANCE COMPANY, A DELAWARE CORPORATION D/B/A
18 OMNIA PARTNERS PUBLIC SECTOR, AND DECLARING AN
19 EMERGENCY.
20

21
22 WHEREAS, Section 2 of the City Charter, adopted pursuant to Art. XVIII, Sections 3
23 and 7 of the Ohio Constitution, authorizes this Council to make exception to the
24 competitive bidding procedures set forth in the Revised Code.
25

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

29 Section 1. Notwithstanding and as an exception to the competitive bidding
30 requirements set forth in Title 7 and elsewhere in the Ohio Revised Code, the Mayor is
31 hereby authorized to enter into a contract with National Intergovernmental Purchasing
32 Alliance Company, a Delaware corporation d/b/a OMNIA Partners Public Sector “OMNIA
33 Partners”, for the purpose of establishing membership in OMNIA Partners, and for the
34 further purpose of purchasing products, services, materials and supplies through
35 cooperative purchase agreements administered by OMNIA Partners. Competitive bidding
36 requirements which would otherwise be associated with such purchases are hereby
37 waived.
38

39 Section 2. Any other ordinances and resolutions or portions of ordinances and
40 resolutions inconsistent herewith are hereby repealed, but any ordinances and resolutions
41 or portions of ordinances and resolutions not inconsistent herewith and which have not
42 previously been repealed are hereby ratified and confirmed.
43

44 Section 3. It is found and determined that all formal actions of this Council
45 concerning and relating to the passage of this ordinance were taken in an open meeting of
46 this Council and that all deliberations of this Council and of any committees that resulted
47 in those formal actions were in meetings open to the public, in compliance with all legal
48 requirements including Chapter 107 of the Codified Ordinances.
49

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

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58 Passed: _____

President of Council

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Clerk of Council

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66 Approved _____

Mayor

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68 2/25/19

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3 CITY OF CUYAHOGA FALLS, OHIO

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5 ORDINANCE NO - 2019

6
7 AN ORDINANCE AUTHORIZING THE DIRECTOR OF LAW TO
8 EXECUTE A MODIFICATION OF CONTRACT WITH ROETZEL &
9 ANDRESS, LPA FOR LEGAL SERVICES RELATED TO JOHNSON
10 CONTROLS, INC., MAKING NECESSARY APPROPRIATIONS FOR
11 THE SAME, AND DECLARING AN EMERGENCY.

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

15
16 Section 1. The Director of Law is hereby authorized to execute a modification of contract
17 with Roetzel & Andress, LPA for legal services related to Johnson Controls, Inc.

18
19 Section 2. The Director of Finance is hereby authorized to increase appropriations and to
20 make payment for same as follows:

21			
22	Sewage and Disposal Fund	Other Operations	\$24,000
23	Water Fund	Other Operations	\$16,000
24	Electric Fund	Other Operations	\$38,400
25	Sanitation Fund	Other Operations	\$ 1,600
26			

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

31
32 Section 4. It is found and determined that all formal actions of this Council concerning and
33 relating to the adoption of this ordinance were adopted in an open meeting of this Council and
34 that all deliberations of this Council and of any of its committees that resulted in such formal
35 action were in meetings open to the public, in compliance with all legal requirements including
36 Section 121.22 of the Ohio Revised Code.

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

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46 Passed: _____
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48 President of Council

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52 Clerk of Council

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54 Approved: _____
55 _____
56 Mayor

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4 CITY OF CUYAHOGA FALLS, OHIO

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6 ORDINANCE NO. - 2019

7
8 AN ORDINANCE AUTHORIZING THE DIRECTOR OF
9 PUBLIC SERVICE TO ENTER INTO A CONTRACT OR
10 CONTRACTS WITHOUT COMPETITIVE BIDDING WITH
11 ARRC, INC. FOR THE CONSTRUCTION OF ON-
12 STREET PUBLIC PARKING IN FRONT OF 140
13 PORTAGE TRAIL IN AN AMOUNT NOT TO EXCEED
14 \$125,000.00, AND DECLARING AN EMERGENCY.
15

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

21 WHEREAS, during the reconstruction of the downtown pedestrian mall, Osborn
22 Engineering provided the City estimates and plans to add on-street parking on the
23 south side of Portage Trail, fronting 140 Portage Trail, which estimates and plans
24 provide the basis of the work to be completed by ARRC, Inc.; and
25

26 WHEREAS, the public parking construction should coincide with the timing of
27 the private building construction and landscaping improvements to maintain a
28 continuity of color and design; and
29

30 WHEREAS, AARC, Inc. is in the best position to ensure the coordination of all
31 public and private improvements for a cohesive and attractive appearance along
32 with a cost savings to the City; and
33

34 WHEREAS, to bid this portion of the project will most likely result in a higher
35 cost to the City.
36

37 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga
38 Falls, County of Summit and State of Ohio, that:
39

40 Section 1. The Director of Public Service is hereby authorized to enter into a
41 contract or contracts without competitive bidding with AARC, Inc., in an amount
42 not to exceed \$125,000.00, for the construction of on-street public parking in front
43 of 140 Portage Trail, along with all necessary and incidental appurtenances
44 associated with such improvements.
45

46 Section 2. The Director of Finance is hereby authorized and directed to make
47 payment for same from Capital Projects Fund, line item Capital Outlay.
48

49 Section 3. Any other ordinances and resolutions or portions of ordinances and
50 resolutions inconsistent herewith are hereby repealed, but any ordinances and

51 resolutions or portions of ordinances and resolutions not inconsistent herewith and
52 which have not previously been repealed are hereby ratified and confirmed.

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

60

61 Section 5. This ordinance is hereby declared to be an emergency measure
62 necessary for the preservation of the public peace, health, safety, convenience and
63 welfare of the City of Cuyahoga Falls and the inhabitants thereof, for the reason
64 that it is immediately necessary to permit timely and appropriate development of
65 the property and provided it receives the affirmative vote of two-thirds of the
66 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
68 effect and be in force at the earliest period allowed by law.

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71 Passed: _____

President of Council

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Clerk of Council

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79 Approved _____

Mayor

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3 CITY OF CUYAHOGA FALLS, OHIO

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5 ORDINANCE NO. -2019

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7 AN ORDINANCE AMENDING VARIOUS SECTIONS OF THE CODIFIED
8 ORDINANCES TO CONFORM TO STATE LAW, APPROVING THE 2018
9 REPLACEMENT PAGES TO THE CODIFIED ORDINANCES OF THE CITY
10 OF CUYAHOGA FALLS, AND DECLARING AN EMERGENCY.

11
12 WHEREAS, Article XVIII, Section 3 of the Ohio Constitution provides that municipalities shall have
13 the authority to enforce local police, sanitary and other similar regulations as are not in conflict with
14 general laws, and

15
16 WHEREAS, certain provisions within the Codified Ordinances of the City of Cuyahoga Falls should be
17 amended to conform to current State laws that have been amended, so as to avoid conflict in matters that
18 are not subject to the City’s powers of local self-government; and

19
20 WHEREAS, various ordinances and ordinance amendments of a general and permanent nature have
21 been passed by this Council which should be included in the published Codified Ordinances; and

22
23 WHEREAS, the City has heretofore entered into a contract with the Walter H. Drane Company to
24 prepare and publish such revisions as are approved by this Council,

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

28
29 Section 1. The Ordinances of the City of Cuyahoga Falls, Ohio, of a general and permanent nature,
30 as revised, recodified, rearranged and consolidated into component codes, titles, chapters and sections
31 within the 2018 Replacement Pages to the Codified Ordinances, are hereby approved and adopted.

32
33 Section 2. The following sections and chapters are hereby added, amended or repealed as
34 respectively indicated in order to comply with current State law.

35
36 Traffic Code

- 37
- 38 301.55 Waste Collection Vehicle. (Added)
- 39 303.05 Freeway Use Restricted. (Amended)
- 40 303.991 Committing an Offense While Distracted Penalty. (Added)
- 41 313.01 Obedience to Traffic Control Devices. (Amended)
- 42 313.09 Driver’s Duties Upon Approaching Ambiguous Traffic Signal. (Amended)
- 43 331.01 Driving Upon Right Side of Roadway; Exceptions. (Amended)
- 44 331.02 Passing to Right When Proceeding in Opposite Directions. (Amended)
- 45 331.03 Overtaking, Passing to Left; Driver’s Duties. (Amended)
- 46 331.04 Overtaking and Passing Upon Right. (Amended)
- 47 331.05 Overtaking, Passing to Left of Center. (Amended)
- 48 331.06 Additional Restrictions on Driving upon Left Side of Roadway. (Amended)
- 49 331.07 Hazardous or No Passing Zones. (Amended)
- 50 331.08 Driving in Marked Lanes or Continuous Lines of Traffic. (Amended)
- 51 331.09 Following Too Closely. (Amended)
- 52 331.10 Turning at Intersections. (Amended)
- 53 331.12 “U” Turns Restricted. (Amended)
- 54 331.13 Starting and Backing Vehicles. (Amended)
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Traffic Code (Cont.)

- 331.14 Signals Before Changing Course, Turning or Stopping. (Amended)
- 331.15 Hand and Arm Signals. (Amended)
- 331.16 Right of Way at Intersections. (Amended)
- 331.17 Right of Way When Turning Left. (Amended)
- 331.18 Operation of Vehicle at Yield Signs. (Amended)
- 331.19 Operation of Vehicle at Stop Signs. (Amended)
- 331.20 Emergency or Public Safety Vehicles at Stop Signals or Signs. (Amended)
- 331.22 Driving Onto Roadway From Place Other Than Roadway: Duty to Yield. (Amended)
- 331.23 Driving Onto Roadway From Place Other Than Roadway: Stopping at Sidewalk. (Amended)
- 331.24 Right of Way of Funeral Procession. (Amended)
- 331.26 Driving Upon Street Posted as Closed for Repair. (Amended)
- 331.27 Following and Parking Near Emergency or Safety Vehicles. (Amended)
- 331.28 Driving Over Fire Hose. (Amended)
- 331.29 Driving Through Safety Zone. (Amended)
- 331.30 One-Way Streets and Rotary Traffic Islands. (Amended)
- 331.31 Driving Upon Divided Roadways. (Amended)
- 331.33 Obstructing Intersection, Crosswalk or Grade Crossing. (Amended)
- 331.37 Driving Upon Sidewalks, Street Lawns or Curbs. (Amended)
- 331.40 Stopping at Grade Crossing. (Amended)
- 333.03 Maximum Speed Limits. (Amended)
- 333.031 Approaching a Public Safety Vehicle. (Amended)
- 333.04 Stopping Vehicle. (Amended)
- 333.05 Speed Limitations Over Bridges. (Amended)
- 337.16 Number of Lights. (Amended)
- 371.01 Right of Way in Crosswalk. (Amended)
- 371.02 Right of Way of Blind Person. (Amended)
- 371.07 Right of Way on Sidewalk. (Amended)
- 373.03 Attaching Bicycle or Sled to Vehicle. (Amended)
- 373.04 Riding Bicycles and Motorcycles Abreast. (Amended)
- 373.07 Riding Bicycle on Right Side. (Amended)

General Offenses Code

- 513.01 Drug Abuse Control Definitions. (Amended)
- 513.05 Permitting Drug Abuse. (Amended)
- 545.10 Misuse of Credit Cards. (Amended)
- 549.04 Improperly Handling a Firearm in a Motor Vehicle. (Amended)

Section 3. The complete text of the sections listed above are set forth in full in the current replacement pages to the Codified Ordinances which are hereby attached to this ordinance as Exhibit A. The listing above of each new section by reference to its title shall constitute sufficient publication of new matter contained therein.

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

109 Section 5. This ordinance is hereby declared to be an emergency measure necessary for the
110 preservation of the public peace, health and safety of the Municipality and its inhabitants for the reason
111 that there exists an imperative necessity for the earliest publication and distribution of current
112 Replacement Pages to the officials and residents of the Municipality, so as to facilitate administration,
113 daily operation and avoid practical and legal entanglements, and provided that it receives the affirmative
114 vote of two-thirds of the members elected or appointed to Council, it shall take effect and be in force
115 immediately upon its passage and approval by the Mayor, otherwise, it shall take effect and be in force at
116 the earliest period allowed by law.

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119 Passed: _____

President of Council

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Clerk of Council

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127 Approved: _____

Mayor

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