

2
3 CITY OF CUYAHOGA FALLS, OHIO

4
5 ORDINANCE NO. 36 - 2022

6
7 AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AN
8 AGREEMENT WITH DANT CLAYTON FOR THE REPLACEMENT OF
9 SEATING IN THE DOWNTOWN AMPHITHEATER, LOCATED AT
10 2085 FRONT STREET, IN AN AMOUNT NOT TO EXCEED
11 \$58,900.00 AND MAKING THE NECESSARY APPROPRIATIONS
12 FOR THE SAME, AND DECLARING AN EMERGENCY.
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14 WHEREAS, the City of Cuyahoga Falls published a joint Request for Quotes for the Cuyahoga
15 Falls Downtown Amphitheater Seating Project; and
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17 WHEREAS, the seating modules in the Downtown Amphitheater, located at 2085 Front
18 Street, are over 18 years old and are reaching the end of their effective life cycle; and
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20 WHEREAS, the City receives Community Development Block Grant ("CDBG") funds from the
21 Department of Housing and Urban Development; and
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23 WHEREAS, CDBG funds can be used to assist with ADA compliant renovations and
24 modifications of public facilities and a portion of the new seating will be ADA compliant; and
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26 WHEREAS, the City of Cuyahoga Falls wishes to enter into an agreement with Dant Clayton,
27 in an amount not to exceed \$58,900.00.
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29 NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Cuyahoga Falls,
30 County of Summit, State of Ohio, that:
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32 Section 1. The Mayor is authorized to enter into an Agreement with Dant Clayton in an
33 amount not to exceed \$58,900.00 for the replacement of seating in the Downtown Amphitheater,
34 located at 2085 Front Street.
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36 Section 2. The Director of Finance is hereby authorized to increase appropriations in the
37 Community Development Block Grant Fund, CDBG, line item Capital Outlay and reduce
38 appropriations in the Community Development Block Grant Fund, CDBG, line item Other
39 Operations by \$31,650.00.
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41 Section 3. Furthermore, the Director of Finance is authorized to make payment from the
42 Recreation Levy Fund, Parks and Recreation Department, line item Capital Outlay in the amount
43 of \$27,250.00, and from the Community Development Block Grant Fund, CDBG, line item Other
44 Operations in the amount of \$31,650.00.
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46 Section 4. The Mayor, Director of Finance, Director of Community Development, Director of
47 Law, and any other public officials, individually and/or collectively as may be appropriate, are
48 authorized to prepare and execute such other documents and do all other things as are necessary
49 or incidental to carrying out the intent and/or requirements of this legislation.
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51 Section 5. Any ordinance or resolutions or portions of ordinances and resolutions
52 inconsistent herewith are hereby repealed, but any ordinances and resolutions not inconsistent
53 herewith and which have not previously been repealed are hereby ratified and confirmed.

54 Section 6. It is found and determined that all formal actions of this Council concerning and
55 relating to the adoption of this ordinance were adopted in an open meeting of this Council and
56 that all deliberations of this Council and of any of its committees that resulted in such formal
57 action were in meetings open to the public, in compliance with all legal requirements, to the
58 extent applicable, including Chapter 107 of the Codified Ordinances.
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60 Section 7. This ordinance is hereby declared to be an emergency measure necessary of the
61 preservation of the public peace, health, safety, convenience, and welfare of the City of Cuyahoga
62 Falls and the inhabitants thereof, and provided it receives the affirmative vote of two thirds of
63 the members elected or appointed to Council, it shall take effect and be in force immediately
64 upon its passage and approval by the Mayor; otherwise it shall take effect and be in force at the
65 earliest period allowed by law.
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68 Passed: 4-25-2022
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President of Council



Clerk of Council

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76 Approved: 4-25-2022
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Mayor

78 4/11/22