

**NEW LEGISLATION**

February 26, 2024

<b>Temp. No.</b>	<b>Introduced</b>	<b>Committee</b>	<b>Description</b>
A-27	2/26/24	SEE	An ordinance authorizing the Mayor to enter into a NOPEC Energized Community Grant Agreement with Northeast Ohio Public Energy Council, Inc. for energy efficiency or energy infrastructure projects, and declaring an emergency.
A-28	2/26/24	CD	A resolution authorizing the Mayor to apply for the Ohio Department of Natural Resources Clean Ohio Trails Fund Grant and to obligate funds for the required match to construct phase II of the Mud Brook Greenway, and declaring an emergency.
A-29	2/26/24	PI	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the construction of on-site utility pole storage at the new electric department building and warehouse, and declaring an emergency.
A-30	2/26/24	PI	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, with DLZ Ohio, Inc., for professional engineering services related to the design and relocation of the main trunk sewer located within the Gorge Metro Park, and declaring an emergency.

A-31	2/26/24	CD	An ordinance authorizing the Mayor to enter into a permit agreement with Front & Center LTD to use a portion of city property for the purpose of constructing and maintaining a deck at property located at 2225 Front Street, and declaring an emergency.
A-32	2/26/24	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the purchase of a new electric department line truck, and declaring an emergency.
A-33	2/26/24	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the purchase of furniture for the new electric department building and declaring an emergency.
A-34	2/26/24	PI	An ordinance authorizing the Parks and Recreation Board to enter into a contract or contracts, without competitive bidding, with Dan Guardo Contracting, Inc., for the Water Works Family Aquatic Center pool surface refinish project, and declaring an emergency.
A-35	2/26/24	PZ	An ordinance accepting the recommendation of the Planning Commission for the construction of a medical office building for Pediatrics of Akron, partnering with Akron Children's Hospital, located at 1625 Portage Trail, and declaring an emergency.

**CALENDAR**

February 26, 2024

The following legislation will be up for passage at the Council Meeting on February 26, 2024.

<b>Temp. No.</b>	<b>Introduced</b>	<b>Committee</b>	<b>Description</b>
A-22	2/12/24	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the construction of a new Street Department Warehouse at 3159 Northampton Road, and declaring an emergency.
A-23	2/12/24	Fin	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 authorizing the Director of Public Service to enter into a contract or contracts for pavement preservation on various streets within the City, and declaring an emergency.
A-24	2/12/24	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the replacement of the roofs at the Electric Department, Street Department, Water Treatment Plant, and the Water Stock Room in the City of Cuyahoga Falls, and declaring an emergency.
A-25	2/12/24	Fin	An ordinance amending sections 945.02, 945.04, 945.06, and 945.14 of the Codified Ordinances, relating to the City Cemetery, and declaring an emergency.

A-26

2/12/24

PA

A resolution expressing support for and urging the passage of the Woodridge Local School District Levy, at the election held on March 19, 2024, and declaring an emergency.

**PENDING LEGISLATION**

February 26, 2024

<b>Temp. No.</b>	<b>Introduced</b>	<b>Committee</b>	<b>Description</b>
A-22	2/12/24	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the construction of a new Street Department Warehouse at 3159 Northampton Road, and declaring an emergency.
A-23	2/12/24	Fin	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 authorizing the Director of Public Service to enter into a contract or contracts for pavement preservation on various streets within the City, and declaring an emergency.
A-24	2/12/24	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the replacement of the roofs at the Electric Department, Street Department, Water Treatment Plant, and the Water Stock Room in the City of Cuyahoga Falls, and declaring an emergency.
A-25	2/12/24	Fin	An ordinance amending sections 945.02, 945.04, 945.06, and 945.14 of the Codified Ordinances, relating to the City Cemetery, and declaring an emergency.

<b>Temp. No.</b>	<b>Introduced</b>	<b>Committee</b>	<b>Description</b>
A-26	2/12/24	PA	A resolution expressing support for and urging the passage of the Woodridge Local School District Levy, at the election held on March 19, 2024, and declaring an emergency.

2  
3 CITY OF CUYAHOGA FALLS, OHIO

4  
5 ORDINANCE NO. - 2024

6  
7 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A  
8 NOPEC ENERGIZED COMMUNITY GRANT AGREEMENT WITH  
9 NORTHEAST OHIO PUBLIC ENERGY COUNCIL, INC. FOR  
10 ENERGY EFFICIENCY OR ENERGY INFRASTRUCTURE  
11 PROJECTS, AND DECLARING AN EMERGENCY.

12  
13 WHEREAS, the City of Cuyahoga Falls is a member of the Northeast Ohio Public Energy  
14 Council (“NOPEC”) and is eligible for the NOPEC Energized Community Grant for 2024, as  
15 provided for in the NOPEC grant program guidelines.

16  
17 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls, County  
18 of Summit, and State of Ohio, that:

19  
20 Section 1. The Mayor is hereby authorized to enter into a NOPEC Energized Community  
21 Grant Agreement with NOPEC, Inc. for energy efficiency or energy infrastructure projects. The  
22 Mayor, Director of Public Service, Director of Law, and other necessary City officials are  
23 authorized to provide such other information and to execute such other documents, and do all  
24 other actions as are necessary for and incidental to carrying out the requirements of this  
25 ordinance and the terms of the Grant Agreement.

26  
27 Section 2. Any other 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 3. 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  
33 that all deliberations of this Council and of any of its committees that resulted in such formal  
34 action, were in meetings open to the public, in compliance with all legal requirements, to the  
35 extent applicable, including Chapter 107 of the Codified Ordinances.

36  
37 Section 4. 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  
40 the members elected or appointed to Council, it shall take effect and be in force immediately  
41 upon its passage and approval by the Mayor; otherwise it shall take effect and be in force at the  
42 earliest period allowed by law.

43 Passed: \_\_\_\_\_

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

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Clerk of Council

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51 Approved: \_\_\_\_\_

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Mayor

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53 2/26/2024

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4 CITY OF CUYAHOGA FALLS, OHIO

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6 RESOLUTION NO. - 2024

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9 A RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR THE  
10 OHIO DEPARTMENT OF NATURAL RESOURCES CLEAN OHIO  
11 TRAILS FUND GRANT AND TO OBLIGATE FUNDS FOR THE  
12 REQUIRED MATCH TO CONSTRUCT PHASE II OF THE MUD  
13 BROOK GREENWAY, AND DECLARING AN EMERGENCY.  
14

15  
16 WHEREAS, the State of Ohio, through the Ohio Department of Natural Resources,  
17 administers financial assistance for public recreation purposes through the Clean Ohio Trails  
18 Fund (COTF); and

19  
20 WHEREAS, the City of Cuyahoga Falls desires financial assistance through the COTF  
21 Program to construct Phase II of the Mud Brook Greenway consisting of a trail from Bath Road,  
22 through the Mill Pond area, to State Road; and

23  
24 WHEREAS, the maximum grant available from the Ohio Department of Natural Resources  
25 COTF Program is \$500,000; and

26  
27 WHEREAS, the grant requires a minimum cost share match of 25% of the total project cost.

28  
29 NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cuyahoga Falls, County  
30 of Summit and State of Ohio, that:

31  
32 Section 1. The Mayor is authorized to apply for a grant from the Ohio Department of Natural  
33 Resources COTF Program to construct Phase II of the Mud Brook Greenway.  
34

35  
36 Section 2. The Mayor and the Director of Community Development are hereby authorized to  
37 execute and file an application with the Ohio Department of Natural Resources and to provide  
38 all information and documentation required to become eligible for possible funding assistance.

39  
40 Section 3. The City of Cuyahoga Falls agrees to obligate the funds required to complete the  
41 proposed project and become eligible for reimbursement under the terms and conditions of the  
42 COTF Program.

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

48  
49 Section 5. It is found and determined that all formal actions of this Council concerning and  
50 relating to the adoption of this resolution were adopted in an open meeting of this Council and  
51 that all deliberations of this Council and of any of its committees that resulted in such formal  
52 action were in meetings open to the public, in compliance with all legal requirements including  
53 Chapter 107 of the Codified Ordinances.  
54



55        Section 6. This resolution is hereby declared to be an emergency measure necessary for the  
56 preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga  
57 Falls and the inhabitants thereof, and provided it receives the affirmative vote of two-thirds of  
58 the members elected or appointed to Council, it shall take effect and be in force immediately  
59 upon its passage and approval by the Mayor; otherwise it shall take effect and be in force at the  
60 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

74 2/26/2024  
C:\Users\Falatok\Downloads\Resolution -Mud Brook Phase 2 revised-02-15-24.doc

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3 CITY OF CUYAHOGA FALLS, OHIO

4  
5 ORDINANCE NO. - 2024

6  
7 AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC  
8 SERVICE TO ENTER INTO A CONTRACT OR CONTRACTS,  
9 ACCORDING TO LAW, FOR THE CONSTRUCTION OF ON-SITE  
10 UTILITY POLE STORAGE AT THE NEW ELECTRIC DEPARTMENT  
11 BUILDING AND WAREHOUSE, AND DECLARING AN  
12 EMERGENCY.

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

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 construction of on-site utility pole storage at the new Electric  
19 Department building and warehouse at 222 Cochran Road.

20  
21 Section 2. The Director of Finance is hereby authorized to make payment for same from the  
22 Electric Fund, line-item Capital Outlay.

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

28  
29 Section 4. 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, to the  
33 extent applicable, including Chapter 107 of the Codified Ordinances.

34  
35 Section 5. 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 the inhabitants thereof, and provided it receives the affirmative vote of two thirds of  
38 the members elected or appointed to Council, it shall take effect and be in force immediately  
39 upon its passage and approval by the Mayor; otherwise it shall take effect and be in force at the  
40 earliest period allowed by law.

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43 Passed: \_\_\_\_\_  
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45 President of Council

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48 Clerk of Council

49 Approved: \_\_\_\_\_  
50 \_\_\_\_\_  
51 Mayor

2  
3 CITY OF CUYAHOGA FALLS, OHIO

4  
5 ORDINANCE NO. - 2024

6  
7 AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC  
8 SERVICE TO ENTER INTO A CONTRACT OR CONTRACTS,  
9 ACCORDING TO LAW, WITH DLZ OHIO, INC., FOR  
10 PROFESSIONAL ENGINEERING SERVICES RELATED TO THE  
11 DESIGN AND RELOCATION OF THE MAIN TRUNK SEWER  
12 LOCATED WITHIN THE GORGE METRO PARK, AND DECLARING  
13 AN EMERGENCY.

14  
15 WHEREAS, the City followed the procedures set forth in the Ohio Revised Code Sections  
16 153.65 to 153.73 in selecting a professional engineering design services firm to assist with the  
17 design and relocation of the main truck sewer located within the Gorge Metro Park; and

18  
19 WHEREAS, after review of all the proposals submitted to the City, DLZ Ohio, Inc. was selected  
20 as the most qualified for the project.

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

24  
25 Section 1. The Director of Public Service is hereby authorized to enter into a contract or  
26 contracts, according to law, with DLZ Ohio, Inc., for professional engineering services related to  
27 the design and relocation of the main trunk sewer located within the Gorge Metro Park.

28  
29 Section 2. The Director of Finance is hereby authorized and directed to make payment for  
30 same from the Sanitary Sewer Fund, line-item Capital Outlay.

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

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

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

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Passed: \_\_\_\_\_

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President of Council

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Clerk of Council

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

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Mayor

2/26/2024

[\\cf-file04\LDPublic\Council\2022ords\10-24-22\DLZGorge Sanitary Sewer Overflow Plan.docx](file:///C:/file04/LDPublic/Council/2022ords/10-24-22/DLZGorge%20Sanitary%20Sewer%20Overflow%20Plan.docx)

2  
3 CITY OF CUYAHOGA FALLS, OHIO

4  
5 ORDINANCE NO. - 2024

6  
7 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A  
8 PERMIT AGREEMENT WITH FRONT & CENTER LTD TO USE A  
9 PORTION OF CITY PROPERTY FOR THE PURPOSE OF  
10 CONSTRUCTING AND MAINTAINING A DECK AT PROPERTY  
11 LOCATED AT 2225 FRONT STREET, AND DECLARING AN  
12 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 Mayor is hereby authorized to enter into a permit agreement with Front &  
18 Center LTD to use a portion of City property for the purpose of constructing and maintaining a  
19 deck used for outdoor seating at property located at 2225 Front St. (Parcel No. 02-188225). The  
20 proposed construction is depicted in the site plan attached hereto as Exhibit "A".

21  
22 Section 2. Any other ordinances and resolutions or portions of ordinances and resolutions  
23 inconsistent herewith are hereby repealed, but any ordinances and resolutions or portions of  
24 ordinances and resolutions not inconsistent herewith and which have not previously been  
25 repealed are hereby ratified and confirmed.

26  
27 Section 3. It is found and determined that all formal actions of this Council concerning and  
28 relating to the adoption of this ordinance 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 4. 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 provided it receives the affirmative vote of two-thirds of the members elected or  
36 appointed to Council, it shall take effect and be in force immediately upon its passage and  
37 approval by the Mayor; otherwise it shall take effect and be in force at the earliest period allowed  
38 by law.

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41 Passed: \_\_\_\_\_

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President of Council

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Clerk of Council

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47 Approved: \_\_\_\_\_

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Mayor

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49 2/26/24

50 [\\cf-file04\LDPublic\Council\2024ords\2-26-2024\A-31 Cashmere Cricket Encroachment](#)  
51 [Plan.docx](#)



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3 CITY OF CUYAHOGA FALLS, OHIO

4  
5 ORDINANCE NO. - 2024

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 A NEW ELECTRIC  
10 DEPARTMENT LINE TRUCK, AND DECLARING AN EMERGENCY.

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

14  
15 Section 1. The Director of Public Service is hereby authorized to enter into a contract or  
16 contracts, according to law, for the purchase of a new Electric Department Line Truck.

17  
18 Section 2. The Director of Finance is hereby authorized to increase appropriations in the  
19 Electric Fund, line-item Capital Outlay by \$413,000 and to make payment from the same.

20  
21 Section 3. Any other ordinances and resolutions or portions of ordinances and resolutions  
22 inconsistent herewith are hereby repealed, but any ordinances and resolutions or portions of  
23 ordinances and resolutions not inconsistent herewith and which have not previously been  
24 repealed are hereby ratified and confirmed.

25  
26 Section 4. It is found and determined that all formal actions of this Council and concerning  
27 and relating to the adoption of this ordinance were adopted in an open meeting of this Council,  
28 and that all deliberations of this Council and of its committees that resulted in such formal  
29 action, were in meetings open to the public, in compliance with all legal requirements, to the  
30 extent applicable, including Chapter 107 of the Codified Ordinances.

31  
32 Section 5. This ordinance is hereby declared to be an emergency measure necessary for the  
33 preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga  
34 Falls and the inhabitants thereof, and provided it receives the affirmative vote of two-thirds of  
35 the members elected or appointed to Council, it shall take effect and be in force immediately  
36 upon its passage and approval by the Mayor; otherwise it shall take effect and be in force at the  
37 earliest period allowed by law.

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

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45 Clerk of Council

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48 Approved: \_\_\_\_\_  
49 \_\_\_\_\_  
50 Mayor

51 2/26/24

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4 CITY OF CUYAHOGA FALLS, OHIO

5  
6 ORDINANCE NO. - 2024

7  
8 AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC  
9 SERVICE TO ENTER INTO A CONTRACT OR CONTRACTS,  
10 ACCORDING TO LAW, FOR THE PURCHASE OF FURNITURE FOR  
11 THE NEW ELECTRIC DEPARTMENT BUILDING AND DECLARING  
12 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 furniture for the new electric department  
19 building. The prices have been obtained using State Contract.

20  
21 Section 2. The Director of Finance is hereby authorized to make payment for the same from  
22 the Electric Fund line-item Capital Outlay.

23  
24 Section 3. 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 4. It is found and determined that all formal actions of this Council and concerning  
30 and relating to the adoption of this ordinance were adopted in an open meeting of this Council,  
31 and that all deliberations of this Council and of its committees that resulted in such formal  
32 action, were in meetings open to the public, in compliance with all legal requirements, to the  
33 extent applicable, including Chapter 107 of the Codified Ordinances.

34  
35 Section 5. 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 the inhabitants thereof, and provided it receives the affirmative vote of two-thirds of  
38 the members elected or appointed to Council, it shall take effect and be in force immediately  
39 upon its passage and approval by the Mayor; otherwise it shall take effect and be in force at the  
40 earliest period allowed by law.

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42 Passed: \_\_\_\_\_  
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44 President of Council

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47 Clerk of Council

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

52 2/26/24



2 Presented by the Administration  
3 upon recommendation of the  
4 Parks and Recreation Board

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6 CITY OF CUYAHOGA FALLS, OHIO

7  
8 ORDINANCE NO. - 2024

9  
10 AN ORDINANCE AUTHORIZING THE PARKS AND RECREATION  
11 BOARD TO ENTER INTO A CONTRACT OR CONTRACTS,  
12 WITHOUT COMPETITIVE BIDDING, WITH DAN GUARDO  
13 CONTRACTING, INC., FOR THE WATER WORKS FAMILY AQUATIC  
14 CENTER POOL SURFACE REFINISH PROJECT, AND DECLARING  
15 AN EMERGENCY.

16  
17 WHEREAS, the pool surface at Water Works Family Aquatic Center is now over 20 years old  
18 and is reaching its effective life cycle; and

19  
20 WHEREAS, Dan Guardo Contracting, Inc. will complete the resurfacing in an expedited man-  
21 ner, ensuring the resurfacing project will occur in months when Water Works Family Aquatic  
22 Center is closed so that there is no disruption to the seasonal operations; and

23  
24 WHEREAS, Dan Guardo Contracting, Inc. has completed several pool resurfacing projects at  
25 Water Works Family Aquatic Center and the Natatorium and has expertise in Diamond Brite pool  
26 resurfacing; and

27  
28 WHEREAS, Dan Guardo Contracting, Inc. has completed the previous phases of the project  
29 and would be completing the last section of the resurfacing project; and

30  
31 WHEREAS, the resurfacing, with proper application and maintenance, will afford the pool  
32 surface another 20 years of life expectancy.

33  
34 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls, County  
35 of Summit and State of Ohio, that:

36  
37 Section 1. The Parks and Recreation Board is hereby authorized to enter into a contract or  
38 contracts, without competitive bidding, with Dan Guardo Contracting, Inc., for the Water Works  
39 Family Aquatic Center pool surface refinish project.

40  
41 Section 2. The Finance Director is hereby authorized to make payment for the same from the  
42 Recreation Levy Fund, line-item Capital Outlay.

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

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

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Clerk of Council

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

2/26/24  
\\cf-file04\LDPublic\Council\2024ords\2-26-2024\A-34 WW Pool Refinish Legislation  
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5 CITY OF CUYAHOGA FALLS, OHIO

6  
7 ORDINANCE NO. - 2024

8  
9 AN ORDINANCE ACCEPTING THE RECOMMENDATION OF THE  
10 PLANNING COMMISSION FOR THE CONSTRUCTION OF A  
11 MEDICAL OFFICE BUILDING FOR PEDIATRICS OF AKRON,  
12 PARTNERING WITH AKRON CHILDREN’S HOSPITAL, LOCATED  
13 AT 1625 PORTAGE TRAIL, AND DECLARING AN EMERGENCY.

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

17  
18 WHEREAS, on February 21, 2024, the Planning Commission recommended the approval of a  
19 major site plan for the construction of a new 8,934 sq. ft. medical office building for Pediatrics of  
20 Akron, partnering with Akron Children’s Hospital; and

21  
22 WHEREAS, such approval is given subject to all Planning Commission findings and provisions  
23 contained in Project File MSP-24-00002; and

24  
25 WHEREAS, such approval is necessary to determine that the site plan is satisfactory, serves  
26 the public interest, and is acceptable for recording.

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

30  
31 Section 1. That the City Council approves the major site plan for the construction of a new  
32 8,934 sq. ft. medical office building for Pediatrics of Akron, partnering with Akron Children’s  
33 Hospital. The approved site plan is depicted in Attachment “A” and is fully described in Project File  
34 MSP-24-00002.

35  
36 Section 2. That any other ordinances or resolutions or portions of ordinances and resolutions  
37 inconsistent herewith be and the same are hereby repealed, but any ordinances and resolutions  
38 not inconsistent herewith and which have not previously been repealed are hereby ratified and  
39 confirmed.

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

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

54  
55  
56 Passed: \_\_\_\_\_  
57 \_\_\_\_\_  
58 President of Council

59  
60 \_\_\_\_\_  
61 Clerk of Council

62  
63  
64 Approved: \_\_\_\_\_  
65 \_\_\_\_\_  
66 Mayor

67 2/26/24

