

NEW LEGISLATION

October 25, 2021

Temp. No.	Introduced	Committee	Description
B-91*	10/25/21	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, 2022, and declaring an emergency.
B-92	10/25/21	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the demolition of structures located at 2844 Audrena Court, and removal of demolition debris, and certifying the cost thereof to the County Fiscal Officer for collection in the manner provided by law, and declaring an emergency.
B-93	10/25/21	Fin	An ordinance authorizing the Mayor to enter into a contract or contracts, without competitive bidding, with GVS Getac, Inc. for the purchase of body and cruiser video cameras and all necessary accessories for use by the Police Department, and declaring an emergency.

* Will be held until department budget hearings are completed

Please Recycle Waste Paper

Temp. No.	Introduced	Committee	Description
B-94	10/25/21	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, without competitive bidding, with Badger Meter for the purchase of meters to be installed at the Ledges at Pine Ridge and Princeton Place developments, and declaring an emergency.
B-95	10/25/21	PI	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, without competitive bidding, with Core and Main for the purchase of water service line construction supplies, and declaring an emergency.
B-96	10/25/21	PI	An ordinance authorizing the Director of Public Service to apply for Federal Surface Transportation Block Grant Funds programmed by the Akron Metropolitan Area Transportation Study, for the resurfacing of Hudson Drive, between Front Street and Graham Road, and declaring an emergency.
B-97	10/25/21	PI	An ordinance authorizing the Director of Public Service to apply for Federal Surface Transportation Block Grant Funds programmed by the Akron Metropolitan Area Transportation Study, for the resurfacing of Bailey Road, between Front Street and Graham Road, and declaring an emergency.

Temp. No.	Introduced	Committee	Description
B-98	10/25/21	PI	An ordinance authorizing the Director of Public Service to apply for Federal Surface Transportation Alternatives Program Funds programmed by the Akron Metropolitan Area Transportation Study, for the Cuyahoga Falls Secondary Line Trail Project, between Broad Boulevard and Front Street, and declaring an emergency.
B-99	10/25/21	PA	An ordinance authorizing the Mayor to enter into a contract or contracts, according to law, for the purchase of certain property known as 57 Cochran Road, and declaring an emergency.
B-100**	10/25/21	CD	Creating the Pine Ridge Tax Increment Financing Incentive District; declaring improvements to the parcels within the Incentive District to be a public purpose and exempt from real property taxation; requiring the owners of those parcels to make service payments in lieu of taxes; establishing a Municipal Public Improvement Tax Increment Equivalent Fund for the deposit of those service payments; specifying the public infrastructure improvements that benefit or serve parcels in the incentive district; and declaring an emergency.

** Public Hearing scheduled for November 1, 2021 at 6:30 p.m.

CALENDAR
October 25, 2021

The following legislation will be up for passage at the Council Meeting on October 25, 2021.

Temp. No.	Introduced	Committee	Description
B-88	10/11/21	PZ	An ordinance accepting the Planning Commission's recommendation for the approval of a conditional zoning certificate and major site plan for the construction of a 4,060 sq. ft. car wash facility for United Car Wash at 2720 Second Street, and declaring an emergency.
B-89	10/11/21	PA	An ordinance amending the Traffic Control File by providing for installation of various traffic control devices, and declaring an emergency.
B-90	10/11/21	PA	A resolution authorizing the Director of Public Service to represent the City of Cuyahoga Falls as a member of the Board of Trustees of American Municipal Power, Inc., and declaring an emergency.

PENDING LEGISLATION

October 25, 2021

Temp. No.	Introduced	Committee	Description
B-88	10/11/21	PZ	An ordinance accepting the Planning Commission's recommendation for the approval of a conditional zoning certificate and major site plan for the construction of a 4,060 sq. ft. car wash facility for United Car Wash at 2720 Second Street, and declaring an emergency.
B-89	10/11/21	PA	An ordinance amending the Traffic Control File by providing for installation of various traffic control devices, and declaring an emergency.
B-90	10/11/21	PA	A resolution authorizing the Director of Public Service to represent the City of Cuyahoga Falls as a member of the Board of Trustees of American Municipal Power, Inc., and declaring an emergency.

2
3 CITY OF CUYAHOGA FALLS, OHIO

4
5 ORDINANCE NO. - 2021

6
7 AN ORDINANCE ESTABLISHING ANNUAL APPROPRIATIONS OF
8 MONEY FOR THE CURRENT EXPENSES, CAPITAL
9 EXPENDITURES AND OTHER EXPENSES OF THE CITY OF
10 CUYAHOGA FALLS FOR THE FISCAL YEAR ENDING DECEMBER
11 31, 2022, AND 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
25 expenses of the City of Cuyahoga Falls for the fiscal year ending December 31, 2022, the sums
26 summarized in Exhibit A, which is attached hereto incorporated herein by reference, are hereby
27 appropriated and 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,
34 and the expenditures authorized therein, and the amount authorized, shall be made in accordance
35 with the line items identified in Exhibit B, and any disbursements within any line item set forth in
36 Exhibit B 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
40 within the fiscal year which exceed in the aggregate seven percent (7%) of the amount originally
41 appropriated in the line item from which the transfer is made, or \$10,000.00, whichever is less,
42 shall be prohibited unless authorized by ordinance or resolution of Council.

43
44 Section 5. Any amounts encumbered in a fiscal year prior to fiscal year 2022 in any and all
45 funds of the City, are hereby re-appropriated for the purpose of expenditure in 2022 or thereafter.

46
47 Section 6. All funds not individually listed in this ordinance but included in the 2022
48 Alternative Tax Budget Information of the City of Cuyahoga Falls and included in the Amended
49 Official Certificate of Estimated Resources for 2022 as issued by the County of Summit Budget
50 Commission are hereby 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
60 the Codified Ordinances and Substitute House Bill 197 passed by the 133rd General Assembly.

3
4 CITY OF CUYAHOGA FALLS, OHIO

5
6 ORDINANCE NO. - 2021

7
8 AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC
9 SERVICE TO ENTER INTO A CONTRACT OR CONTRACTS,
10 ACCORDING TO LAW, FOR THE DEMOLITION OF STRUCTURES
11 LOCATED AT 2844 AUDRENA COURT, AND REMOVAL OF
12 DEMOLITION DEBRIS, AND CERTIFYING THE COST THEREOF
13 TO THE COUNTY FISCAL OFFICER FOR COLLECTION IN THE
14 MANNER PROVIDED BY LAW, AND DECLARING AN
15 EMERGENCY.

16
17 WHEREAS, the Building Official has declared the structures identified in Section 1 below to
18 be a dangerous building within the meaning of Chapter 1343 of the Summit County Codified
19 Ordinances; and

20
21 WHEREAS, the Building Official has provided notice to all owners and interested parties
22 concerned with the buildings identified in Section 1 below, instructing such owners and
23 interested parties as to the repairs required to make the buildings safe, ordering the owners to
24 repair or demolish the buildings accordingly, and informing the owners and interested parties of
25 their right of appeal under Section 1343.07 of said Chapter; and

26
27 WHEREAS, no appeals of the Building Official’s orders have been received; and

28
29 WHEREAS, no remediation of the conditions found by the Building Official have been
30 attempted or accomplished by any of the owners or interested parties.

31
32 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls, County
33 of Summit and State of Ohio, that:

34
35 Section 1. Council hereby finds and determines that the following described structures are
36 insecure, unsafe, and structurally defective within the meaning of Ohio Revised Code Section
37 715.26, and dangerous buildings within the meaning of Chapter 1343 of the Summit County
38 Codified Ordinances:

- 39
40 1) 2844 Audrena Court (structure and detached garage)

41
42 Section 2. The Director of Public Service is authorized to enter into a contract or contracts,
43 according to law, for the demolition of the dangerous structures listed in Section 1 above, and
44 removal of debris therefrom.

45
46 Section 3. The Finance Director is authorized to make payment for same from the Capital
47 Projects Fund, Line Item Capital Outlay.

48
49 Section 4. In accordance with the Ohio Revised Code Section 715.261 the Finance Director
50 is hereby directed to certify the costs of demolition and debris removal to the Clerk of Council
51 who shall then certify the same to the Summit County Fiscal Officer for placement thereof on the
52 tax duplicate together with interest and penalties provided by law.

53
54 Section 5. Any other ordinances and resolutions or portions of ordinances and resolutions
55 inconsistent herewith are hereby repealed, but any ordinances and resolutions or portions of

56 ordinances and resolutions not inconsistent herewith and which have not previously been
57 repealed are hereby ratified and confirmed.

58
59 Section 6. It is found and determined that all formal actions of this Council concerning and
60 relating to the adoption of this ordinance were adopted in an open meeting of this Council and
61 that all deliberations of this Council and of any of its committees that resulted in such formal
62 action were in meetings open to the public, in compliance with all legal requirements including,
63 to the extent applicable, including Chapter 107 of the Codified Ordinances.

64
65 Section 7. This ordinance is hereby declared to be an emergency measure necessary for the
66 preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga
67 Falls and the inhabitants thereof, and provided it receives the affirmative vote of two thirds of
68 the members elected or appointed to Council, it shall take effect and be in force immediately
69 upon its passage and approval by the Mayor; otherwise it shall take effect and be in force at the
70 earliest period allowed by law.

71
72
73 Passed: _____
74 _____
75 President of Council

76
77
78 _____
79 Clerk of Council

80
81 Approved: _____
82 _____
83 Mayor

84 10/11/21
85 \\cf-file01\ldpublic\Council\2021ords\10-11-21\2844 Audrena Ct Demo Ordinance.docx

2
3
4 CITY OF CUYAHOGA FALLS, OHIO

5
6 ORDINANCE NO. - 2021

7
8 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER
9 INTO A CONTRACT OR CONTRACTS, WITHOUT
10 COMPETITIVE BIDDING, WITH GVS GETAC VIDEO FOR THE
11 PURCHASE OR LEASE OF BODY AND CRUISER VIDEO
12 CAMERAS AND ALL NECESSARY ACCESSORIES FOR USE
13 BY THE POLICE DEPARTMENT, AND DECLARING AN
14 EMERGENCY.
15

16 WHEREAS, the Police Department proposes to purchase or lease cruiser and
17 body cameras, and;
18

19 WHEREAS, the cameras will enhance police services, protect police officers and
20 collect valuable video in significant events.
21

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

25 Section 1. The Mayor is hereby authorized to enter into a contract or contracts,
26 without competitive bidding, with GVS Getac Inc., for the purchase or lease of body and
27 cruiser video cameras and all necessary accessories, software, and services.
28

29 Section 2. The Director of Finance is hereby authorized and directed to make
30 payment for same from the Capital Projects Fund, line item Capital Outlay.
31

32 Section 3. Any other ordinances and resolutions or portions of ordinances and
33 resolutions inconsistent herewith are hereby repealed, but any ordinances and
34 resolutions or portions of ordinances and resolutions not inconsistent herewith and
35 which have not previously been repealed are hereby ratified and confirmed.
36

37 Section 4. It is found and determined that all formal actions of this Council
38 concerning and relating to the adoption of this ordinance were adopted in an open
39 meeting of this Council and that all deliberations of this Council and of any of its
40 committees that resulted in such formal action were in meetings open to the public, in
41 compliance with all legal requirements including, to the extent applicable, including
42 Chapter 107 of the Codified Ordinances.
43

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

51
52
53
54
55
56
57
58
59
60
61
62
63
64

Passed: _____

President of Council

Clerk of Council

Approved: _____

Mayor

10/25/21

\\cf-file01\ldpublic\Council\2021ords\10-25-21\Getac Police Cameras 2021.docx

2
3 CITY OF CUYAHOGA FALLS, OHIO

4
5 ORDINANCE NO. - 2021

6
7 AN ORDINANCE AUTHORIZING THE DIRECTOR OF
8 PUBLIC SERVICE TO ENTER INTO A CONTRACT OR
9 CONTRACTS, WITHOUT COMPETITIVE BIDDING,
10 WITH BADGER METER FOR THE PURCHASE OF
11 METERS TO BE INSTALLED AT THE LEDGES AT
12 PINE RIDGE AND PRINCETON PLACE
13 DEVELOPMENTS, AND DECLARING AN
14 EMERGENCY.

15
16 WHEREAS, Badger Meters are used throughout the City for monitoring water
17 usage; and

18
19 WHEREAS it is necessary to maintain continuity with City meters in use; and

20
21 WHEREAS, while no specific expenditure for these meters has exceeded the
22 threshold for the competitive bidding amount this calendar year, collectively
23 these expenditures may soon exceed the competitive bidding amount of \$50,000.

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

27
28 Section 1. The Director of Public Service is hereby authorized to enter into a
29 contract or contracts, without competitive bidding, with Badger Meter for the
30 purchase of meters to be installed at the Ledges at Pine Ridge and Princeton Place
31 developments.

32
33 Section 2. The Director of Finance is hereby authorized to make payment for
34 same from the Water Fund, line item Other Operations.

35
36 Section 3. Any ordinances or resolutions or portions of ordinances and
37 resolutions inconsistent herewith be and the same are hereby repealed, but any
38 ordinances and resolutions not inconsistent herewith and which have not
39 previously been repealed are hereby ratified and confirmed.

40
41 Section 4. It is found and determined that all formal actions of this Council
42 concerning and relating to the passage of this ordinance were taken in an open
43 meeting of this Council and that all deliberations of this Council and of any
44 committees that resulted in those formal actions were in meetings open to the
45 public, in compliance with all legal requirements including Chapter 107 of the
46 Codified Ordinances.

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

54

55

56 Passed: _____

57

President of Council

58

59

60

61

Clerk of Council

62

63

64 Approved: _____

65

Mayor

66

67 10/25/21

68 \\cf-file01\ldpublic\Council\2021ords\10-25-21\Purchase of Badger

69 Meters.docx

2
3 CITY OF CUYAHOGA FALLS, OHIO

4
5 ORDINANCE NO. - 2021

6
7 AN ORDINANCE AUTHORIZING THE DIRECTOR OF
8 PUBLIC SERVICE TO ENTER INTO A CONTRACT OR
9 CONTRACTS, WITHOUT COMPETITIVE BIDDING,
10 WITH CORE AND MAIN FOR THE PURCHASE OF
11 WATER SERVICE LINE CONSTRUCTION SUPPLIES,
12 AND DECLARING AN EMERGENCY.

13
14 WHEREAS, Core & Main has competitive pricing on many required items for
15 water service line installation; and

16
17 WHEREAS, while no specific expenditure for these service line supplies has
18 exceeded the threshold for the competitive bidding amount this calendar year,
19 collectively these expenditures may soon exceed the competitive bidding amount
20 of \$50,000.

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

24
25 Section 1. The Director of Public Service is hereby authorized to enter into a
26 contract or contracts, without competitive bidding, with Core and Main for the
27 purchase of water service line construction supplies.

28
29 Section 2. The Director of Finance is hereby authorized to make payment for
30 same from the Water Fund, line item Other Operations.

31
32 Section 3. Any ordinances or resolutions or portions of ordinances and
33 resolutions inconsistent herewith be and the same are hereby repealed, but any
34 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
38 concerning and relating to the passage of this ordinance were taken in an open
39 meeting of this Council and that all deliberations of this Council and of any
40 committees that resulted in those formal actions were in meetings open to the
41 public, in compliance with all legal requirements including Chapter 107 of the
42 Codified Ordinances.

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

51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66

Passed: _____

President of Council

Clerk of Council

Approved: _____

Mayor

10/25/21

\\cf-file01\ldpublic\Council\2021ords\10-25-21\Core & Main Water Line
Supplies.docx

2
3
4 CITY OF CUYAHOGA FALLS, OHIO

5
6 ORDINANCE NO. - 2021

7
8 AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC
9 SERVICE TO APPLY FOR FEDERAL SURFACE TRANSPORTATION
10 BLOCK GRANT FUNDS PROGRAMMED BY THE AKRON
11 METROPOLITAN AREA TRANSPORTATION STUDY, FOR THE
12 RESURFACING OF HUDSON DRIVE, BETWEEN FRONT STREET
13 AND GRAHAM ROAD, AND DECLARING AN EMERGENCY.
14

15 WHEREAS, the City Engineer has identified the need for and proposes the resurfacing of
16 Hudson Drive between Front Street and Graham Road; and
17

18 WHEREAS, the Akron Metropolitan Area Transportation Study (AMATS) is conducting a
19 competitive grant process under which Federal Surface Transportation Funds may be made
20 available to partially support construction costs for City sponsored projects.
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 authorized to apply for and accept financial
26 assistance in the form of a grant from the U.S. Department of Transportation, through the Akron
27 Metropolitan Area Transportation Study (AMATS), for the purpose of supporting construction
28 costs related to the Project, as follows:
29

30 Project Name: Hudson Drive Resurfacing

31
32 Description: From Front Street to Graham Road, approximately 6,300-feet; resurface
33 roadway including grind and pave three-inches (3") of asphalt pavement, restripe pavement
34 markings and replace traffic loops.
35

36 Estimated Construction Cost: \$958,700.
37

38 Section 2. This Council's authorization is granted with the following understandings:
39

- 40 A. The City will bear one hundred percent (100%) of the cost of preliminary
41 engineering.
- 42 B. The City will bear one hundred percent (100%) of the total cost of those features
43 requested by the City which are not eligible for Federal participation.
- 44 C. The Federal share will assume eighty percent (80%) of the construction cost of the
45 improvement not to exceed \$700,000. The City will be responsible for the local
46 share.
- 47 D. The City of Cuyahoga Falls is in receipt of and acknowledges the applicability of
48 the AMATS "Funding Policy Guidelines" to this funding request.
- 49 E. The Director of Finance be and hereby is authorized and directed to make payment
50 for same from the Capital Projects Fund.

51 Section 3. Any ordinances or resolutions or portions of ordinances and resolutions
52 inconsistent herewith be and the same are hereby repealed, but any ordinances and resolutions
53 not inconsistent herewith and which have not previously been repealed are hereby ratified and
54 confirmed.
55

56 Section 4. It is found and determined that all formal actions of this Council concerning and
57 relating to the adoption of this ordinance were adopted in an open meeting of this Council, and
58 that all deliberations of this Council and of any of its committees that resulted in such formal
59 action, were in meetings open to the public, in compliance with all legal requirements, including
60 Chapter 107 of the Codified Ordinances.
61

62 Section 5. 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
64 Falls and the inhabitants thereof, and provided it receives the affirmative vote of two thirds of
65 the members elected or appointed to Council, it shall take effect and be in force immediately
66 upon its passage and approval by the Mayor; otherwise it shall take effect and be in force at the
67 earliest period allowed by law.
68

69
70
71 Passed: _____
72 _____
73 President of Council
74

75
76 _____
77 Clerk of Council
78
79
80
81 Approved: _____
82 _____
83 Mayor

84 10/25/21
85 \\cf-file01\ldpublic\Council\2021ords\10-25-21\2021 STBG Funds for Hudson Drive
86 Paving.docx

2
3
4 CITY OF CUYAHOGA FALLS, OHIO

5
6 ORDINANCE NO. - 2021

7
8 AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC
9 SERVICE TO APPLY FOR FEDERAL SURFACE TRANSPORTATION
10 BLOCK GRANT FUNDS PROGRAMMED BY THE AKRON
11 METROPOLITAN AREA TRANSPORTATION STUDY, FOR THE
12 RESURFACING OF BAILEY ROAD, BETWEEN FRONT STREET
13 AND GRAHAM ROAD, AND DECLARING AN EMERGENCY.

14
15 WHEREAS, the City Engineer has identified the need for and proposes the resurfacing of Bailey
16 Road between Front Street and Graham Road; and

17
18 WHEREAS, the Akron Metropolitan Area Transportation Study (AMATS) is conducting a
19 competitive grant process under which Federal Surface Transportation Funds may be made
20 available to partially support construction costs for City sponsored projects.

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

24
25 Section 1. The Director of Public Service is authorized to apply for and accept financial
26 assistance in the form of a grant from the U.S. Department of Transportation, through the Akron
27 Metropolitan Area Transportation Study (AMATS), for the purpose of supporting construction
28 costs related to the Project, as follows:

29
30 Project Name: Bailey Road Resurfacing

31
32 Description: From Front Street to Graham Road, approximately 7,400-feet; resurface
33 roadway including grind and pave three-inches (3") of asphalt pavement, restripe pavement
34 markings and replace traffic loops.

35
36 Estimated Construction Cost: \$881,181.

37
38 Section 2. This Council's authorization is granted with the following understandings:

- 39
40 A. The City will bear one hundred percent (100%) of the cost of preliminary
41 engineering.
42 B. The City will bear one hundred percent (100%) of the total cost of those features
43 requested by the City which are not eligible for Federal participation.
44 C. The Federal share will assume eighty percent (80%) of the construction cost of the
45 improvement not to exceed \$700,000. The City will be responsible for the local
46 share.
47 D. The City of Cuyahoga Falls is in receipt of and acknowledges the applicability of
48 the AMATS "Funding Policy Guidelines" to this funding request.
49 E. The Director of Finance be and hereby is authorized and directed to make payment
50 for same from the Capital Projects Fund.

51
52 Section 3. Any ordinances or resolutions or portions of ordinances and resolutions
53 inconsistent herewith be and the same are hereby repealed, but any ordinances and resolutions
54 not inconsistent herewith and which have not previously been repealed are hereby ratified and
55 confirmed.

56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84

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 of 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.

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

Clerk of Council
Approved: _____
Mayor

10/25/21
\\cf-file01\ldpublic\Council\2021ords\10-25-21\2021 STBG Funds for Bailey Road Paving.docx

2
3
4 CITY OF CUYAHOGA FALLS, OHIO

5
6 ORDINANCE NO. - 2021

7
8 AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC
9 SERVICE TO APPLY FOR FEDERAL SURFACE TRANSPORTATION
10 ALTERNATIVES PROGRAM FUNDS PROGRAMMED BY THE
11 AKRON METROPOLITAN AREA TRANSPORTATION STUDY, FOR
12 THE CUYAHOGA FALLS SECONDARY LINE TRAIL PROJECT,
13 BETWEEN BROAD BOULEVARD AND FRONT STREET, AND
14 DECLARING AN EMERGENCY.
15

16 WHEREAS, the City Engineer has identified the need for and proposes the construction of the
17 Cuyahoga Falls Secondary Line Trail between Broad Boulevard and Front Street; and
18

19 WHEREAS, the Akron Metropolitan Area Transportation Study (AMATS) is conducting a
20 competitive grant process under which Federal Surface Transportation Funds may be made
21 available to partially support construction costs for City sponsored projects,
22

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

26 Section 1. The Director of Public Service is authorized to apply for and accept financial
27 assistance in the form of a grant from the U.S. Department of Transportation, through the Akron
28 Metropolitan Area Transportation Study (AMATS), for the purpose of supporting construction
29 costs related to the Project, as follows:
30

31 Project Name: Cuyahoga Falls Secondary Line Trail
32

33 Description: From Broad Boulevard to Front Street, approximately 5,200-feet; replace
34 existing inactive railroad with 10-foot wide asphalt hike & bike trail.
35

36 Estimated Construction Cost: \$893,815.
37

38 Section 2. This Council’s authorization is granted with the following understandings:
39

- 40 A. The City will bear one hundred percent (100%) of the cost of preliminary
41 engineering.
- 42 B. The City will bear one hundred percent (100%) of the total cost of those features
43 requested by the City which are not eligible for Federal participation.
- 44 C. The Federal share will assume eighty percent (80%) of the construction cost of the
45 improvement not to exceed \$700,000. The City will be responsible for the local
46 share.
- 47 D. The City of Cuyahoga Falls is in receipt of and acknowledges the applicability of
48 the AMATS “Funding Policy Guidelines” to this funding request.
- 49 E. The Director of Finance be and hereby is authorized and directed to make payment
50 for same from the Capital Projects Fund.
51

52 Section 3. Any ordinances or resolutions or portions of ordinances and resolutions
53 inconsistent herewith be and the same are hereby repealed, but any ordinances and resolutions
54 not inconsistent herewith and which have not previously been repealed are hereby ratified and
55 confirmed.

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

61
62 Section 5. 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
64 Falls and the inhabitants thereof, and provided it receives the affirmative vote of two thirds of
65 the members elected or appointed to Council, it shall take effect and be in force immediately
66 upon its passage and approval by the Mayor; otherwise it shall take effect and be in force at the
67 earliest period allowed by law.

68
69
70
71 Passed: _____
72 _____
73 President of Council

74
75 Approved: _____
76 _____
77 Clerk of Council

78
79 _____
80 Mayor

81 10/25/21
82 \\cf-file01\ldpublic\Council\2021ords\10-25-21\2021 TAP Funds for Secondary Trail.docx

2
3 CITY OF CUYAHOGA FALLS, OHIO

4
5 ORDINANCE NO. - 2021

6
7 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER
8 INTO A CONTRACT OR CONTRACTS FOR THE
9 PURCHASE OF CERTAIN PROPERTY KNOWN AS 57
10 COCHRAN ROAD, AND DECLARING AN EMERGENCY.

11
12 WHEREAS, the City of Cuyahoga Falls' purchase of this parcel will enhance storm water
13 management in the City.

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

17
18 Section 1. The Mayor is hereby authorized to enter into a contract or contracts for the
19 purchase of certain property known as 57 Cochran Road (Parcel 35-01926).

20
21 Section 2. The Finance Director is hereby authorized to make payment for same from the
22 Storm Water 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 concerning and
30 relating to the passage 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 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.

41
42
43 Passed: _____

President of Council

44
45
46
47 _____
Clerk of Council

48
49
50
51 Approved: _____

Mayor

52
53 10/25/21

2
3 CITY OF CUYAHOGA FALLS

4
5 ORDINANCE NO. -2021

6
7 CREATING THE PINE RIDGE TAX INCREMENT FINANCING
8 INCENTIVE DISTRICT; DECLARING IMPROVEMENTS TO
9 THE PARCELS WITHIN THE INCENTIVE DISTRICT TO BE A
10 PUBLIC PURPOSE AND EXEMPT FROM REAL PROPERTY
11 TAXATION; REQUIRING THE OWNERS OF THOSE PARCELS
12 TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES;
13 ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX
14 INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF
15 THOSE SERVICE PAYMENTS; SPECIFYING THE PUBLIC
16 INFRASTRUCTURE IMPROVEMENTS THAT BENEFIT OR
17 SERVE PARCELS IN THE INCENTIVE DISTRICT; AND
18 DECLARING AN EMERGENCY.

19
20 WHEREAS, this Council desires to facilitate the development of a residential
21 subdivision with approximately 49 single-family homes within the City in order to
22 increase available housing options within the City (the "Project"); and

23
24 WHEREAS, in order to develop the Project, it is necessary to construct certain
25 public infrastructure improvements; and

26
27 WHEREAS, this Council, pursuant to Ohio Revised Code ("ORC") Sections
28 5709.40, 5709.42 and 5709.43 (collectively, the "TIF Act"), is authorized to declare
29 improvements to real property to be a public purpose, exempt those improvements from
30 real property taxation, and require owners of the real property to make service payments
31 in lieu of taxes in an amount equal to such exempted taxes; and

32
33 WHEREAS, to facilitate the development of the Project and pay the associated
34 costs of the necessary public infrastructure improvements from service payments in lieu
35 of taxes, this Council has determined to create the Pine Ridge Incentive District (the
36 "Incentive District") pursuant to the TIF Act, the boundaries of which shall be
37 coextensive with the boundaries of, and will include, the parcels of real property within
38 the Incentive District specifically identified and depicted in Exhibit A attached hereto
39 (as currently or subsequently configured, the "Parcels", with each of those parcels
40 referred to herein individually as a "Parcel"); and

41
42 WHEREAS, notice of this proposed ordinance has been delivered to the Boards
43 of Education of the Hudson City School District and the Six District Educational
44 Compact (each a "School District") in accordance with and within the time periods
45 prescribed in ORC Sections 5709.40 and 5709.83.

46
47 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls,
48 Summit County, Ohio, that:

50 Section 1. Incentive District Findings and Determinations; Creation of Incentive
51 District. This Council hereby: (i) adopts the Economic Development Plan for the
52 Incentive District now on file with the Clerk of the City Council, (ii) accepts and adopts
53 the City Engineer’s certification to this Council and the City Engineer’s findings set forth
54 therein (a) that the public infrastructure serving the Incentive District is inadequate to
55 meet the development needs of the Incentive District as evidenced by the Economic
56 Development Plan and (b) that the Incentive District is less than 300 acres in size and
57 enclosed by a contiguous boundary, (iii) finds and determines that the Project will place
58 additional demand on the Public Infrastructure Improvements, including, without
59 limitation, State Road, Seasons Road and Wyoga Lake Road, (iv) finds and determines
60 that the City sent written notice of the public hearing regarding this ordinance by first
61 class mail to each owner of real property within each proposed Incentive District at least
62 30 days prior to such hearing, which notice included a map of the proposed Incentive
63 District as well as the overlay area required by Ohio Revised Code (“ORC”) Section
64 5709.40(C)(2), (v) finds and determines that this Council has not received a request from
65 the owner of any real property within any proposed Incentive District to exclude that
66 owner’s property from the Incentive District and (vi) finds and determines that notice of
67 this ordinance has been delivered to the Boards of Education of Hudson City School
68 District and the Six District Educational Compact in accordance with and within the
69 time periods prescribed in ORC Sections 5709.40 and 5709.83. This Council further
70 finds that the sum of the taxable value of real property in the Incentive District for tax
71 year 2020 and the taxable value of all real property in the City that would have been
72 taxable in tax year 2020, were it not for the fact that the property was in an existing
73 incentive district and therefore exempt from taxation, does not exceed twenty-five
74 percent of the taxable value of real property within the City for tax year 2020. Pursuant
75 to the TIF Act, this Council creates the Incentive District, the boundaries of which are
76 coextensive with the boundaries of, and include, the Parcels specifically identified and
77 depicted in Exhibit A attached hereto.

78
79 Section 2. Public Infrastructure Improvements. This Council hereby designates the
80 public infrastructure improvements described in Exhibit B (the “Public Infrastructure
81 Improvements”) and any other public infrastructure improvements hereafter designated
82 by ordinance as public infrastructure improvements made, to be made or in the process
83 of being made by the City that benefit or serve, or that once made will benefit or serve,
84 the Parcels.

85
86 Section 3. Life of Incentive District; Authorization of Tax Exemption. The life of the
87 Incentive District commences with the first tax year in which Improvements would first
88 appear on the tax list and duplicate of real and public utility property for Parcels within
89 the Incentive District were it not for the exemption granted in this ordinance but shall
90 commence no earlier than tax year 2023 and ends on the earlier of (a) 10 years after
91 such commencement or (b) the date on which the City can no longer require service
92 payments in lieu of taxes, all in accordance with the requirements of the TIF Act (the
93 “Incentive District Life”).

94
95 Pursuant to and in accordance with the provisions of ORC Section 5709.40(C), this
96 Council hereby declares that the increase in assessed value of each Parcel subsequent
97 to the effective date of this ordinance (which increase in assessed value is hereinafter
98 referred to as the “Improvement,” as defined in ORC Section 5709.40(A)) is a public

99 purpose, with 75% of such Improvement to each Parcel exempt from taxation for the
100 Incentive District Life for the Incentive District.
101

102 Section 4. Service Payments and Property Tax Rollback Payments. Pursuant to ORC
103 Section 5709.42, the owner of each Parcel is hereby required to make annual service
104 payments in lieu of taxes with respect to the Improvement to that Parcel to the Summit
105 County Fiscal Officer (the "County Fiscal Officer") on or before the final dates for
106 payment of real property taxes. Each service payment in lieu of taxes, including any
107 penalties and interest at the then current rate established for real property taxes
108 (collectively, the "Service Payments"), will be charged and collected in the same manner
109 and in the same amount as the real property taxes that would have been charged and
110 payable against the Improvement if it were not exempt from taxation pursuant to Section
111 3 of this ordinance. The Service Payments, and any other payments with respect to
112 each Improvement that are received by the County Fiscal Officer in connection with the
113 reduction required by ORC Sections 319.302, 321.24, 323.152 and 323.156, as the
114 same may be amended from time to time, or any successor provisions thereto as the
115 same may be amended from time to time (the "Property Tax Rollback Payments"), will
116 be deposited and distributed in accordance with Section 6 of this ordinance.
117

118 Section 5. TIF Fund. This Council hereby establishes the Pine Ridge Incentive
119 District Municipal Public Improvement Tax Increment Equivalent Fund (the "TIF Fund").
120 The TIF Fund shall be maintained in the custody of the City and shall receive all
121 distributions to be made to the City pursuant to Section 6 of this ordinance. Those
122 Service Payments and Property Tax Rollback Payments received by the City with respect
123 to the Improvement of each Parcel and so deposited pursuant to the TIF Act shall be
124 used solely for the purposes authorized in the TIF Act and this ordinance (as it may be
125 amended or supplemented). The TIF Fund shall remain in existence so long as such
126 Service Payments and Property Tax Rollback Payments are collected and used for the
127 aforesaid purposes, after which time the TIF Fund shall be dissolved and any incidental
128 surplus funds remaining therein transferred to the City's General Fund, all in
129 accordance with the TIF Act.
130

131 Section 6. Distribution of Funds. Pursuant to the TIF Act, during the Incentive
132 District Life for the Incentive District, the County Fiscal Officer is requested to distribute
133 all Service Payments and Property Tax Rollback Payments to the City for further deposit
134 into the TIF Fund for payment of costs of the Public Infrastructure Improvements,
135 including, without limitation, debt charges on any notes or bonds issued to pay or
136 reimburse finance costs or costs of those Public Infrastructure Improvements. Such
137 distributions required under this Section are requested to be made at the same time
138 and in the same manner as real property tax distributions.
139

140 Section 7. Further Authorizations. This Council hereby authorizes and directs the
141 Mayor, the Director of Law, the Director of Finance, and the Community Development
142 Director, or other appropriate officers of the City to deliver a copy of this ordinance to
143 the Ohio Department of Development and to make such arrangements as are necessary
144 and proper for collection of the Service Payments. This Council further authorizes the
145 Mayor, the Director of Law, the Director of Finance and the Community Development
146 Director, or other appropriate officers of the City to prepare and sign all agreements and

147 instruments and to take any other actions as may be appropriate to implement this
148 ordinance.
149

150 Section 8. Open Meetings. This Council finds and determines that all formal actions
151 of this Council and any of its committees concerning and relating to the passage of this
152 ordinance were taken in an open meeting of this Council or any of its committees, and
153 that all deliberations of this Council and any of its committees that resulted in those
154 formal actions were in meetings open to the public, all in compliance with the law
155 including ORC Section 121.22.
156

157 Section 9. Effective Date. This ordinance is declared to be an emergency measure
158 necessary for the immediate preservation of the public peace, health and safety, and for
159 the further reason that this ordinance is required to be immediately effective in order to
160 enable the City to timely enter into contracts related to the timely development of the
161 Incentive District and related public infrastructure improvements; wherefore, this
162 ordinance shall be in full force and effect immediately upon its passage.
163
164
165

166
167 Passed: _____, 2021

President of Council

Clerk of Council

170
171
172
173 Approved: _____, 2021

Mayor

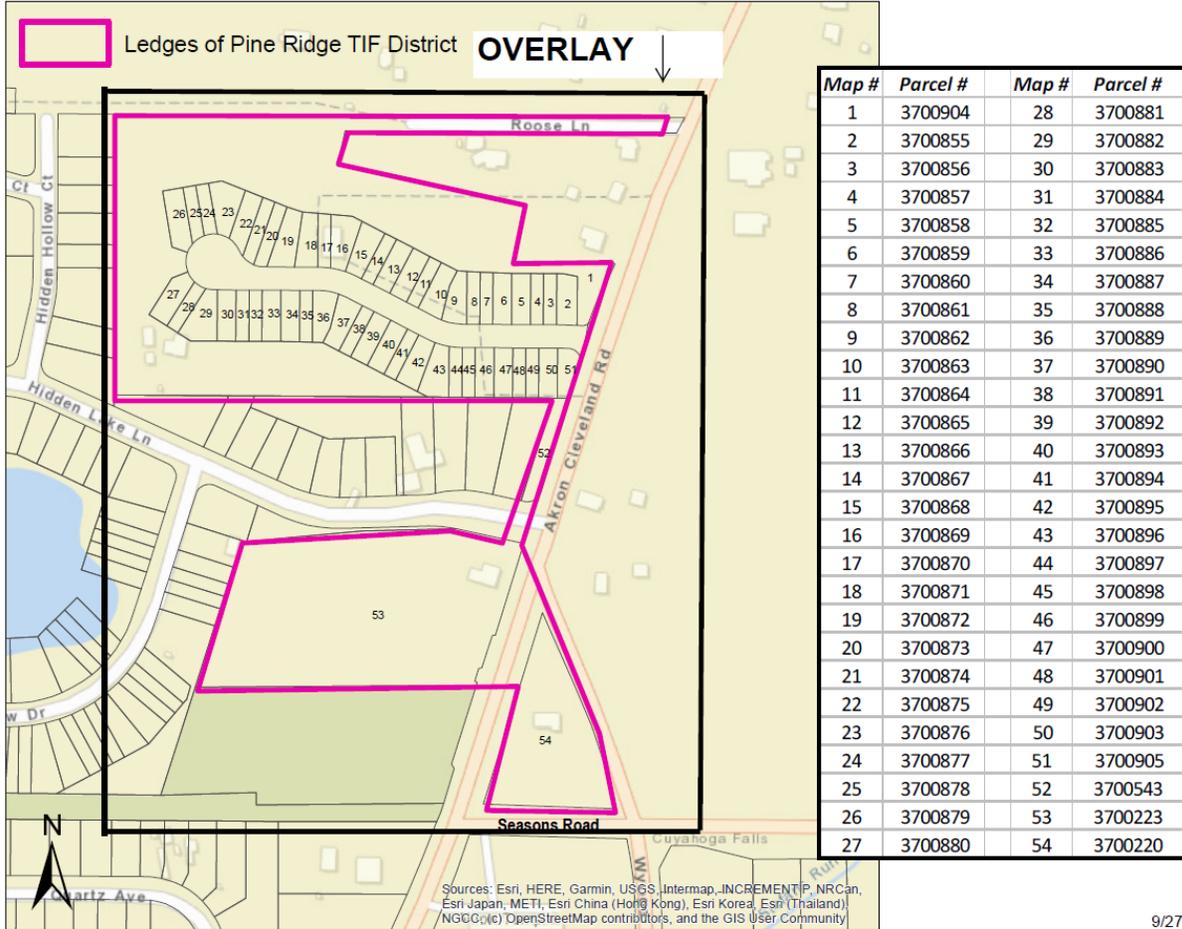
174
175 10/25/21

176 \\cf-file01\ldpublic\Council\2021ords\10-25-21\Princeton Place Apartments .40(B)
177 TIF.DOCX

EXHIBIT A

MAP OF THE INCENTIVE DISTRICT

The following parcels of real estate situated in the City of Cuyahoga Falls are included in the Incentive District shown on the following map. The Parcel numbers included on the map are as of September 1, 2021, and are included for ease of reference only:



9/27/21

EXHIBIT B
PUBLIC INFRASTRUCTURE IMPROVEMENTS

The Public Infrastructure Improvements consist of any “public infrastructure improvement” defined under Section 5709.40(A)(7) of the Ohio Revised Code and that directly benefits or serves parcels in the Incentive Districts and specifically include, but are not limited to, any of the following improvements that will benefit or serve parcels in the Incentive Districts and all related costs of those permanent improvements (including, but not limited to, those costs listed in Section 133.15(B) of the Ohio Revised Code):

- **Stormwater.** Construction, reconstruction and installation of stormwater and flood remediation projects and facilities, including such projects and facilities on private property when determined to be necessary for public health, safety and welfare, including but not limited to the construction and installation of storm water sewers throughout the proposed development;
- **Roadways.** Construction, reconstruction, extension, opening, improving, widening, grading, draining, curbing or changing of the lines and traffic patterns of roads, highways, streets, intersections, bridges (both roadway and pedestrian), sidewalks, bikeways, medians and viaducts accessible to and serving the public, and providing signage (including traffic signage and informational/promotional signage), lighting systems, signalization, and traffic controls, and all other appurtenances thereto, including but not limited to the construction, reconstruction, widening, improving, grading, draining and resurfacing of, and installation of traffic controls along, State Road, Seasons Road and Wyoga Lake Road and a traffic study of State Road, Seasons Road and Wyoga Lake Road and related areas;
- **Water/Sewer.** Construction, reconstruction or installation of public utility improvements (including any underground municipally owned utilities), storm and sanitary sewers (including necessary site grading therefore), water and fire protection systems, and all appurtenances thereto;
- **Environmental/Health.** Implementation of environmental remediation measures necessary to enable the Project and the construction of public health, including but not limited to preservation of wetlands and flood plain management in the areas around the proposed development, dam modifications and improvements, any dredging of waterways in the Incentive District, streambank erosion protection and renovation and related environmental studies and remediation;
- **Utilities.** Construction, reconstruction or installation of gas, electric and communication service facilities and all appurtenances thereto;
- **Demolition.** Demolition, including demolition on private property when determined to be necessary for public health, safety and welfare;

- **Streetscape/Landscape.** Construction or installation of streetscape and landscape improvements including trees, tree grates, signage, curbs, sidewalks, scenic fencing, street and sidewalk lighting, trash receptacles, benches, newspaper racks, burial of overhead utility lines and related improvements, together with all appurtenances thereto, including, but not limited to streetscape improvements in conjunction with and along the roadway improvements described in “Roadways” above,;
- **Real Estate.** Acquisition of real estate or interests in real estate (including easements) (a) necessary to accomplish any of the foregoing improvements, or (b) in aid of industry, commerce, distribution or research; and
- **Professional Services.** Engineering, consulting, legal, administrative, and other professional services associated with the planning, design, acquisition, construction and installation of the foregoing improvements and real estate.