

**NEW LEGISLATION**

November 22, 2021

<b>Temp. No.</b>	<b>Introduced</b>	<b>Committee</b>	<b>Description</b>
B-105	11/22/21	PZ	An ordinance authorizing the Mayor to enter into a License Agreement with E&J Inc, for the purpose of constructing and maintaining a sign in the City Right of Way located at 1561 Akron-Peninsula Road, and declaring an emergency.
B-106	11/22/21	Fin	To create a Tax Increment Financing Area encompassing certain parcels of real property in the area generally located along Front Street and 2nd Street each between Chestnut Boulevard and Sackett Avenue; to declare improvements to those parcels to be a public purpose and exempt from real property taxation; to require the owners of those parcels to make service payments in lieu of taxes; to establish a tax increment equivalent fund for the deposit of the remainder of those service payments; authorizing school compensation payments; and to declare an emergency.

<b>Temp. No.</b>	<b>Introduced</b>	<b>Committee</b>	<b>Description</b>
B-107	11/22/21	Fin	An ordinance authorizing the Mayor to enter into a real estate purchase agreement with PJT Pointe West, LLC, according to law, in a total amount not to exceed \$300,000.00, utilizing Community Development Block Grant funds, for the purchase of certain real property known as 1863 Second Street (parcel 02-08369), 1869 Second Street (parcel 02-00900), and 1877 Second Street (parcel 02-00535), together with an agreement for the demolition of existing blighted structures, and declaring an emergency.
B-108	11/22/21	Fin	An ordinance authorizing the Mayor to enter into a contract or contracts for the purchase of certain real property known as 1816 Front Street (parcel 02-12842) in an amount not to exceed \$300,000.00, and declaring an emergency.
B-109	11/22/21	Fin	An ordinance authorizing the Mayor to enter into a contract or contracts for the sale of certain real property known as 1704 Front Street (parcel 02-04691), and declaring an emergency.

<b>Temp. No.</b>	<b>Introduced</b>	<b>Committee</b>	<b>Description</b>
B-110	11/22/21	Fin	An ordinance approving and authorizing the execution of a development agreement between the City and the Summit County Land Reutilization Corporation concerning the development of certain real property located in the city, the acceptance of a declaration of covenants and imposition of continuing priority lien relating to the imposition of a minimum service payment obligation on the Summit County Land Reutilization Corporation and declaring an emergency.
B-111	11/22/21	Fin	An ordinance authorizing the Mayor to enter into a contract with Fidelity Security Insurance Company and/or its subsidiary EyeMed Vision Care for the administration of the City's self-insured employee vision care services insurance plans, for a period not to exceed three years, and declaring an emergency.
B-112	11/22/21	Fin	An ordinance authorizing the Mayor to enter into a contract or contracts with Medical Mutual Services, LLC for the administration of the City's self-insured employee medical plans, and for stop-loss insurance coverage related to said plans, for a period not to exceed one year, and declaring an emergency.

<b>Temp. No.</b>	<b>Introduced</b>	<b>Committee</b>	<b>Description</b>
B-113	11/22/21	Fin	An ordinance authorizing the Mayor to enter into a contract or contracts with Pro-Flex Administrators, LLC., for the administration of the Section 125 Flexible Spending Account Plan, Health Reimbursement Account Plan, Health Savings Account Plan, Retiree Medical Reimbursement Account Plans and COBRA Services, for a period not to exceed three years, and declaring an emergency.
B-114	11/22/21	Fin	An ordinance authorizing the Mayor to enter into a contract or contracts, without competitive bidding, with NEOGOV for human resources and payroll management software and related services for a period not to exceed three years, and declaring an emergency.
B-115	11/22/21	PA	An ordinance establishing the maximum hiring age for original appointments to police officer at forty (40) years of age at the time of examination, and declaring an emergency.

<b>Temp. No.</b>	<b>Introduced</b>	<b>Committee</b>	<b>Description</b>
B-116	11/22/21	PA	<p>An ordinance authorizing the Mayor to enter into a Cooperative Agreement with the County of Summit, the City of Akron, the City of Fairlawn, the City of Stow and the City of Tallmadge whereby the County will acquire, design, construct, furnish, maintain and finance a Joint PSAP Building and authorizing the Mayor to enter into those agreements defined in the Cooperative Agreement, including but not limited to, an Intergovernmental Agreement for the establishment of a Council of Governments with the County of Summit, the City of Fairlawn, the City of Stow and the City of Tallmadge, for the purpose of operating a consolidated primary PSAP, and a guarantee agreement, lease agreement, and a joint use agreement for the use and operation of the joint PASP building located in the City of Tallmadge, and declaring an emergency.</p>

**CALENDAR**

November 22, 2021

The following legislation will be up for passage at the Council Meeting on November 22, 2021.

<b>Temp. No.</b>	<b>Introduced</b>	<b>Committee</b>	<b>Description</b>
B-102	11/8/21	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 5,550 sq. ft. car wash facility for Sgt. Clean Car Wash, and declaring an emergency.
B-103	11/8/21	PI	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the purchase and installation of CO2 fire suppression systems for electric generators, and declaring an emergency.
B-104	11/8/21	PA	An ordinance authorizing the Parks and Recreation Board to apply for and accept a grant from the Ohio Department of Natural Resources Division of Parks and Watercraft, and declaring an emergency.

## PENDING LEGISLATION

November 22, 2021

<b>Temp. No.</b>	<b>Introduced</b>	<b>Committee</b>	<b>Description</b>
B-102	11/8/21	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 5,550 sq. ft. car wash facility for Sgt. Clean Car Wash, and declaring an emergency.
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-103	11/8/21	PI	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the purchase and installation of CO2 fire suppression systems for electric generators, and declaring an emergency.
B-104	11/8/21	PA	An ordinance authorizing the Parks and Recreation Board to apply for and accept a grant from the Ohio Department of Natural Resources Division of Parks and Watercraft, and declaring an emergency.

\* Will not be discussed in Committee until department budget hearings are completed

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<b>Temp. No.</b>	<b>Introduced</b>	<b>Committee</b>	<b>Description</b>
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 held on November 1, 2021 at 6:30 p.m. Legislation will be held for 30 days from Hearing and discussed in committee at a later date

2  
3 CITY OF CUYAHOGA FALLS, OHIO

4  
5 ORDINANCE NO. - 2021

6  
7 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A  
8 LICENSE AGREEMENT WITH E&J INC, FOR THE PURPOSE OF  
9 CONSTRUCTING AND MAINTAINING A SIGN IN THE CITY RIGHT  
10 OF WAY LOCATED AT 1561 AKRON-PENINSULA ROAD, AND  
11 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 Mayor is hereby authorized to enter into a license agreement with E&J Inc.,  
17 for the purpose of constructing and maintaining a sign in the City Right of Way located at 1561  
18 Akron-Peninsula Road, Akron, OH 44313. The license agreement shall contain such terms and  
19 conditions as are necessary in the opinion of the Director of Law to protect the public interest.

20  
21 Section 2. 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 3. It is found and determined that all formal actions of this Council concerning and  
27 relating to the adoption of this ordinance were adopted in an open meeting of this Council and  
28 that all deliberations of this Council and of any of its committees that resulted in such formal  
29 action were in meetings open to the public, in compliance with all legal requirements including  
30 Chapter 107 of the Codified Ordinances.

31  
32 Section 4. 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 provided it receives the affirmative vote of two-thirds of the members elected or  
35 appointed to Council, it shall take effect and be in force immediately upon its passage and  
36 approval by the Mayor; otherwise it shall take effect and be in force at the earliest period allowed  
37 by law.

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

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President of Council

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Clerk of Council

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

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Mayor

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50 11/22/21

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4 CITY OF CUYAHOGA FALLS

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6 ORDINANCE NO. - 2021

7  
8 AN ORDINANCE TO CREATE A TAX INCREMENT FINANCING  
9 AREA ENCOMPASSING CERTAIN PARCELS OF REAL PROPERTY  
10 IN THE AREA GENERALLY LOCATED ALONG FRONT STREET  
11 AND 2<sup>ND</sup> STREET EACH BETWEEN CHESTNUT BOULEVARD  
12 AND SACKETT AVENUE; TO DECLARE IMPROVEMENTS TO  
13 THOSE PARCELS TO BE A PUBLIC PURPOSE AND EXEMPT  
14 FROM REAL PROPERTY TAXATION; TO REQUIRE THE OWNERS  
15 OF THOSE PARCELS TO MAKE SERVICE PAYMENTS IN LIEU OF  
16 TAXES; TO ESTABLISH A TAX INCREMENT EQUIVALENT FUND  
17 FOR THE DEPOSIT OF THE REMAINDER OF THOSE SERVICE  
18 PAYMENTS; AUTHORIZING SCHOOL COMPENSATION  
19 PAYMENTS; AND TO DECLARE AN EMERGENCY.  
20  
21

22 WHEREAS, the City has determined to facilitate the redevelopment of the parcels of real  
23 property generally located along Front Street and 2<sup>nd</sup> Street each between Chestnut Boulevard  
24 and Sackett Avenue (collectively, the “Project”), all located in the City, and has entered into an  
25 Development Agreement with the Summit County Land Reutilization Corporation (the  
26 “Developer”) for the Project, by which the City agreed to establish tax increment financing (“TIF”)  
27 areas on those parcels pursuant to Section 5709.40(B) of the Ohio Revised Code; and  
28

29 WHEREAS, in support of the redevelopment plan for the Project established in the  
30 Development Agreement, the City desires to establish a TIF area that includes the Parcels (as  
31 defined in Section 1) on which the Project will be developed; and  
32

33 WHEREAS, Ohio Revised Code Sections (“ORC”) 5709.40, 5709.42, and 5709.43  
34 (collectively, the “TIF Act”) authorize this Council, by ordinance, to declare the improvement to  
35 parcels of real property located within the City to be a public purpose and exempt from  
36 taxation, require the owner of each parcel to make service payments in lieu of taxes, establish a  
37 municipal public improvement tax increment equivalent fund for the deposit of those service  
38 payments, and specify the purposes for which money in that fund will be expended; and  
39

40 WHEREAS, since a portion of the Parcels will be used for residential purposes as defined by  
41 ORC 5709.40, and in order to declare residential improvements to be a public purpose under  
42 that ORC 5709.40, such Parcels must be located in a “blighted area” of an “impacted city”,  
43 each as defined in ORC 1.08 and 1728.01; and  
44

45 WHEREAS, the Department of Community Development has conducted a blight  
46 assessment and study of the Parcels, which assessment and study and is dated November 16,  
47 2021 (the “Blight Study”), which study concluded that the parcels are a “blighted area” as that  
48 term is defined in ORC 1.08 and 1728.01, and that assessment and study and those findings  
49 have been reviewed and accepted by the City and submitted to this Council; and  
50

51 WHEREAS, the Director of the Ohio Department of Development has certified Cuyahoga  
52 Falls to be an “impacted city” within the meaning of ORC 5709.41 and 1728.01, and that  
53 certification remains in effect; and

54 WHEREAS, to facilitate the desired redevelopment of the Parcels, this Council has  
55 determined that it is necessary and appropriate and in the best interest of the City to exempt  
56 from taxation one hundred percent (100%) of the improvement to each Parcel as permitted and  
57 provided in ORC 5709.40(B), as applicable, for up to thirty (30) years and to simultaneously  
58 direct and require the current and future owners of each Parcel (each individually an “Owner”  
59 and collectively the “Owners”) to make annual Service Payments (as defined in Section 5 of this  
60 Ordinance) in lieu of real property tax payments, in the same amount as they would have made  
61 real property tax payments except for the exemption provided by this Ordinance; and  
62

63 WHEREAS, notice of this proposed ordinance has been delivered to the Boards of  
64 Education of the Cuyahoga Falls City School District and the Six District Educational Compact  
65 (collectively, the “School District”) in accordance with and within the time periods prescribed in  
66 ORC Sections 5709.40 and 5709.83; and  
67

68 WHEREAS, the City has determined that a portion of the Service Payments shall be paid  
69 directly to the School Districts in an amount equal to the real property taxes that each school  
70 district would have been paid if the improvement to each Parcel located within those school  
71 districts had not been exempt from taxation pursuant to this Ordinance.  
72

73 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls, Summit  
74 County, Ohio, that:  
75

76 Section 1. Parcels. The real property subject to this ordinance is identified and depicted on  
77 Exhibit A (as currently or subsequently configured, the “Parcels”, with each individual parcel a  
78 “Parcel”).  
79

80 Section 2. Blight and Impacted City. On the basis of the Blight Study, this Council hereby  
81 finds that (i) the Parcels are within a “blighted area” within the meaning of ORC 1.08, 1728.01  
82 and 5709.40, and (ii) the City is an “impacted city” within the meaning of ORC 1728.01.  
83

84 Section 3. Public Infrastructure Improvements. This Council hereby designates the public  
85 infrastructure improvements described in Exhibit B (the “Public Infrastructure Improvements”)  
86 and any other public infrastructure improvements hereafter designated by ordinance as public  
87 infrastructure improvements made, to be made or in the process of being made by the City that  
88 benefit or serve, or that once made will benefit or serve, the Parcels.  
89

90 Section 4. Exemption. This Council hereby finds and determines that one hundred percent  
91 (100%) of the increase in assessed value of each Parcel subsequent to the effective date of this  
92 ordinance (which increase in assessed value is hereinafter referred to as the “Improvement” as  
93 defined in ORC 5709.40(A)) is hereby declared to be a public purpose and exempt from taxation  
94 for a period commencing on the date an Improvement to that Parcel first appears on the tax list  
95 and duplicate were it not for the exemption granted by this ordinance, which shall commence no  
96 earlier than tax year 2023, and ending on the earlier of (a) thirty (30) years after such  
97 commencement or (b) the date on which the City can no longer require service payments in lieu  
98 of taxes, all in accordance with the requirements of the TIF Act.  
99

100 Section 5. Service Payments. As provided in ORC 5709.42, the owner of each Parcel is  
101 hereby required to make service payments in lieu of taxes with respect to the Improvement  
102 allocable to each Parcel to the Summit County Fiscal Officer on or before the final dates for  
103 payment of real property taxes. The service payments in lieu of taxes will be charged and  
104 collected in the same manner and in the same amount as the real property taxes that would have  
105 been charged and collected against that Improvement if it were not exempt from taxation  
106 pursuant to Section 4, including any penalties and interest (collectively, the “Service Payments”).  
107 The Service Payments, and any other payments with respect to each Improvement that are

108 received in connection with the reduction required by ORC 319.302, 321.24, 323.152 and  
109 323.156, as the same may be amended from time to time, or any successor provisions thereto as  
110 the same may be amended from time to time (the "Property Tax Rollback Payments"), will be  
111 deposited and distributed in accordance with Section 7.  
112

113 Section 6. TIF Fund. This Council establishes, pursuant to and in accordance with the  
114 provisions of ORC 5709.43, the South Front Street Public Improvement Tax Increment  
115 Equivalent Fund (the "TIF Fund"), into which the Service Payments and Property Tax Rollback  
116 Payments collected with respect to the Parcels will be deposited. The TIF Fund will be  
117 maintained in the custody of the City. The City may use amounts deposited into the TIF Fund  
118 only for the purposes authorized in the TIF Act and this ordinance (as it may be amended). The  
119 TIF Fund will remain in existence so long as the Service Payments and Property Tax Rollback  
120 Payments are collected and used for the aforesaid purposes, after which time the TIF Fund will  
121 be dissolved and any surplus funds remaining therein transferred to the City's General Fund, all  
122 in accordance with ORC 5709.43.  
123

124 Section 7. Distributions; Payment of Costs. Pursuant to the TIF Act, the Summit County  
125 Fiscal Officer is requested to distribute the Service Payments and Property Tax Rollback  
126 Payments as follows:  
127

128 (a) To each School District, an amount equal to the amount the School District would  
129 otherwise receive as real property tax payments (including the applicable portion of any Property  
130 Tax Rollback Payments) derived from the Improvement to each Parcel if the Improvement had not  
131 been exempt from taxation pursuant to this ordinance.  
132

133 (b) To the City, all remaining amounts for further deposit into the TIF Fund for  
134 payment of costs of the Public Infrastructure Improvements, including, without limitation, debt  
135 charges on any notes or bonds issued to pay or reimburse finance costs or costs of those Public  
136 Infrastructure Improvements.  
137

138 All distributions required under this Section are requested to be made at the same time  
139 and in the same manner as real property tax distributions. The City shall make any  
140 distributions to the extent not made by the Summit County Fiscal Officer.  
141

142 Section 8. Further Authorizations. This Council hereby authorizes and directs the Mayor,  
143 the Director of Law, the Director of Finance, and the Community Development Director, or  
144 other appropriate officers of the City to deliver a copy of this ordinance to the Ohio Department  
145 of Development and to make such arrangements as are necessary and proper for collection of  
146 the Service Payments. This Council further authorizes the Mayor, the Director of Law, the  
147 Director of Finance and the Community Development Director, or other appropriate officers of  
148 the City to prepare and sign all agreements and instruments and to take any other actions as  
149 may be appropriate to implement this ordinance.  
150

151 Section 9. Effective Date. This ordinance is declared to be an emergency measure  
152 necessary for the immediate preservation of the public peace, health and safety, and for the  
153 further reason that this ordinance is required to be immediately effective in order to enable the  
154 City to timely enter into contracts related to the timely redevelopment of the Parcels and related  
155 Public Infrastructure Improvements; wherefore, this ordinance shall be in full force and effect  
156 immediately upon its passage.  
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Passed: \_\_\_\_\_, 2021

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President of Council

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Clerk of Council

Approved: \_\_\_\_\_, 2021

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Mayor

11/22/21

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.40(B).DOCX

**EXHIBIT A**

IDENTIFICATION AND MAP OF THE PARCELS

The following parcels of real estate situated in the City of Cuyahoga Falls are identified and depicted on the following map and constitute part of this Exhibit A. The parcel numbers are as of October 20, 2021, and are included for ease of reference only:

02-04691

02-04667

02-04666

02-04665

02-04668

02-04818

02-04819

02-04817



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 the Parcels and specifically include, but are not limited to, any of the following improvements that will benefit or serve the Parcels 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 including the public roads to be constructed throughout the development;
- **Parks.** Construction or reconstruction of one or more public parks, including grading, trees and other park plantings, park accessories and related improvements, multi-use trails and bridges, together with all appurtenances thereto, including, without limitation, improvements to parkland and multi-use trails within or proximate to the TIF area;
- **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, improving, grading, draining and resurfacing of, and installation of sidewalks along Front Street, 2<sup>nd</sup> Street, Chestnut Boulevard, Sackett Avenue, and along the public roads to be constructed throughout the development;
- **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, including but not limited to construction and installation of sanitary sewers along Front Street, 2<sup>nd</sup> Street, Chestnut Boulevard, Sackett Avenue, and along the public roads to be constructed throughout the development;
- **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 and along Front Street, 2<sup>nd</sup> Street, Chestnut Boulevard and Sackett Avenue, dam modifications and improvements, any dredging of waterways in the TIF area, 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, and including but not limited to lighting along Front Street, 2<sup>nd</sup> Street, Chestnut Boulevard, Sackett Avenue, and the other new streets to be constructed throughout the development;
- **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; including, but not limited to, the purchase of parkland; 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.

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4 CITY OF CUYAHOGA FALLS, OHIO

5  
6 ORDINANCE NO. - 2021

7  
8 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER  
9 INTO A REAL ESTATE PURCHASE AGREEMENT WITH PJT  
10 POINTE WEST, LLC, ACCORDING TO LAW, IN A TOTAL  
11 AMOUNT NOT TO EXCEED \$300,000.00, UTILIZING  
12 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS,  
13 FOR THE PURCHASE OF CERTAIN REAL PROPERTY  
14 KNOWN AS 1863 SECOND STREET (PARCEL 02-08369),  
15 1869 SECOND STREET (PARCEL 02-00900), AND 1877  
16 SECOND STREET (PARCEL 02-00535), TOGETHER WITH  
17 AN AGREEMENT FOR THE DEMOLITION OF EXISTING  
18 BLIGHTED STRUCTURES, AND DECLARING AN  
19 EMERGENCY.  
20

21 WHEREAS, the City of Cuyahoga Falls is the recipient of Community Development Block Grant  
22 (“CDBG”) funds through the Department of Housing and Urban Development; and  
23

24 WHEREAS, CDBG funds are to be utilized to achieve decent housing, a suitable living environment,  
25 and expanded economic opportunities for low-to-moderate income individuals; and  
26

27 WHEREAS, CDBG funds can be utilized to acquire property, demolish blighted properties; and  
28

29 WHEREAS, the City of Cuyahoga Falls wishes to purchase the real property known as 1863 Second  
30 Street (Parcel 02-08369), 1869 Second Street (Parcel 02-00900), and 1877 Second Street (Parcel 02-  
31 00535) from PJT Pointe West, LLC, in a total amount not to exceed \$300,000.00, with CDBG funds; and  
32

33 WHEREAS, the City of Cuyahoga Falls wishes to enter into a CDBG subrecipient agreement with  
34 the Summit County Land Reutilization Corporation for the demolition of three blighted structures on  
35 the real property known as 1863 Second Street (Parcel 02-08369), 1869 Second Street (Parcel 02-  
36 00900), and 1877 Second Street (Parcel 02-00535).  
37

38 NOW THEREFORE, BE IT ORDAINED, by the Council of the City of Cuyahoga Falls, County of  
39 Summit, and State of Ohio, that:  
40

41 Section 1. That the Mayor is hereby authorized to enter into a real estate purchase agreement or  
42 agreements with PJT Pointe West, LLC, for the purchase of real property known as 1863 Second Street  
43 (Parcel 02-08369), 1869 Second Street (Parcel 02-00900), and 1877 Second Street (Parcel 02-00535),  
44 with CDBG funds, in a total amount not to exceed \$300,000.00.  
45

46 Section 2. That the Mayor is hereby authorized to enter into a CDBG subrecipient agreement or  
47 agreements with the Summit County Land Reutilization Corporation for the demolition of blighted  
48 structures on the real property known as 1863 Second Street (Parcel 02-08369), 1869 Second Street  
49 (Parcel 02-00900), and 1877 Second Street (Parcel 02-00535).  
50

51 Section 3. The Director of Finance is hereby authorized to make payment for same from CDBG  
52 Fund, line item Other Operations  
53

54 Section 4. That Council further authorizes the Mayor, Director of Finance, Director of Community  
55 Development, Director of Law and any other city officials, individually and/or collectively as may be  
56 appropriate, to prepare and execute such other documents and do other things as are necessary for and  
57 incidental to carrying out the requirements of this ordinance.

58 Section 5. That any ordinances or resolutions or portions of ordinances and resolutions inconsistent  
59 herewith be and the same are hereby repealed, but any ordinances and resolutions not inconsistent  
60 herewith and which have not previously been repealed are hereby ratified and confirmed.  
61

62 Section 6. That it is found and determined that all formal actions of this Council concerning and  
63 relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all  
64 deliberations of this Council and of any of its committees that resulted in such formal action, were in  
65 meetings open to the public, in compliance with all legal requirements, to the extent applicable,  
66 including Chapter 107 of the Codified Ordinances.  
67

68 Section 7. That this ordinance is hereby declared to be an emergency measure necessary for the  
69 preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga Falls  
70 and the inhabitants thereof, and provided it receives the affirmative vote of two thirds of the members  
71 elected or appointed to Council, it shall take effect and be in force immediately upon its passage and  
72 approval by the Mayor; otherwise it shall take effect and be in force at the earliest period allowed by  
73 law.  
74

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

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President of Council

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Clerk of Council

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

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Mayor

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87 11/22/21

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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 PURCHASE  
9 OF CERTAIN REAL PROPERTY KNOWN AS 1816 FRONT  
10 STREET (PARCEL 02-12842) IN AN AMOUNT NOT TO  
11 EXCEED \$300,000.00, AND DECLARING AN  
12 EMERGENCY.

13  
14 WHEREAS, the City of Cuyahoga Falls wishes to purchase the real property known as 1816 Front  
15 Street (Parcel 02-12842), in a total amount not to exceed \$300,000.00, from Falls River Phase II, LLC.

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

19  
20 Section 1. That the Mayor is hereby authorized to enter into a real estate purchase agreement with  
21 Falls River Phase II, LLC, for the purchase of real property known as 1816 Front Street (Parcel 02-  
22 12842), in an amount not to exceed \$300,000.00.

23  
24 Section 2. The Director of Finance is hereby authorized to increase appropriations in the Capital  
25 Projects Fund, line item Capital Outlay by \$300,000 and to make payment from same.

26  
27 Section 3. That Council further authorizes the Mayor, Director of Finance, Director of Community  
28 Development, Director of Law and any other city officials, individually and/or collectively as may be  
29 appropriate, to prepare and execute such other documents and do other things as are necessary for and  
30 incidental to carrying out the requirements of this legislation consistent with the terms of the attached  
31 Agreement and corresponding Application.

32  
33 Section 4. That any ordinances or resolutions or portions of ordinances and resolutions  
34 inconsistent herewith be and the same are hereby repealed, but any ordinances and resolutions not  
35 inconsistent herewith and which have not previously been repealed are hereby ratified and confirmed.

36  
37 Section 5. That 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 that all  
39 deliberations of this Council and of any of its committees that resulted in such formal action, were in  
40 meetings open to the public, in compliance with all legal requirements, to the extent applicable,  
41 including Chapter 107 of the Codified Ordinances.

42  
43 Section 6. That 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 Falls  
45 and the inhabitants thereof, and provided it receives the affirmative vote of two thirds of the members  
46 elected or appointed to Council, it shall take effect and be in force immediately upon its passage and  
47 approval by the Mayor; otherwise it shall take effect and be in force at the earliest period allowed by  
48 law.

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51 Passed: \_\_\_\_\_  
52 \_\_\_\_\_  
53 President of Council

54 \_\_\_\_\_  
55 Clerk of Council

56  
57 Approved: \_\_\_\_\_  
58 \_\_\_\_\_  
59 Mayor

60 11/22/21

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 SALE OF  
9 CERTAIN REAL PROPERTY KNOWN AS 1704 FRONT  
10 STREET (PARCEL 02-04691), AND DECLARING AN  
11 EMERGENCY.

12  
13 WHEREAS, this Council adopted Resolution 16-2012 supporting the Summit County Land  
14 Reutilization Corporation as an entity to acquire, renovate, rehab, demolish and otherwise acquire real  
15 property that is abandoned, vacant or blighted and to put the same back into productive use and tax  
16 status; and

17  
18 WHEREAS, the City of Cuyahoga Falls has been designated as an “Impacted City” through the Ohio  
19 Department of Development on October 7, 2021 and with said designation, the State of Ohio approved  
20 a development plan for remediation and revitalization of a brownfield property known as 1704 Front  
21 Street; and

22  
23 WHEREAS, the City of Cuyahoga Falls has successfully remediated the brownfield contaminants at  
24 the real property known as 1704 Front Street (Parcel 02-04691); and

25  
26 WHEREAS, the City of Cuyahoga Falls wishes to sell the real property known as 1704 Front Street  
27 (Parcel 02-04691) to the Summit County Land Reutilization Corporation, in an amount not to exceed  
28 \$1.00, for the redevelopment of the aforementioned real property;

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

32  
33 Section 1. That the Mayor is hereby authorized to enter into a real estate purchase agreement with  
34 the Summit County Land Reutilization Corporation, for the sale of the real property known as 1704  
35 Front Street (Parcel 02-04691), in a total amount not to exceed \$1.00, for the redevelopment of the  
36 aforementioned real property.

37  
38 Section 2. That Council further authorizes the Mayor, Director of Finance, Director of Community  
39 Development, Director of Law and any other city officials, individually and/or collectively as may be  
40 appropriate, to prepare and execute such other documents and do other things as are necessary for  
41 and incidental to carrying out the requirements of this legislation.

42  
43 Section 3. That any ordinances or resolutions or portions of ordinances and resolutions inconsistent  
44 herewith be and the same are hereby repealed, but any ordinances and resolutions not inconsistent  
45 herewith and which have not previously been repealed are hereby ratified and confirmed.

46  
47 Section 4. That it is found and determined that all formal actions of this Council concerning and  
48 relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all  
49 deliberations of this Council and of any of its committees that resulted in such formal action, were in  
50 meetings open to the public, in compliance with all legal requirements, to the extent applicable,  
51 including Chapter 107 of the Codified Ordinances.  
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4 CITY OF CUYAHOGA FALLS, OHIO

5  
6 ORDINANCE NO. - 2021

7  
8 AN ORDINANCE APPROVING AND AUTHORIZING THE  
9 EXECUTION OF A DEVELOPMENT AGREEMENT BETWEEN THE  
10 CITY AND THE SUMMIT COUNTY LAND REUTILIZATION  
11 CORPORATION CONCERNING THE DEVELOPMENT OF CERTAIN  
12 REAL PROPERTY LOCATED IN THE CITY, THE ACCEPTANCE OF A  
13 DECLARATION OF COVENANTS AND IMPOSITION OF  
14 CONTINUING PRIORITY LIEN RELATING TO THE IMPOSITION OF  
15 A MINIMUM SERVICE PAYMENT OBLIGATION ON PROPERTY TO  
16 BE DEVELOPED BY THE SUMMIT COUNTY LAND REUTILIZATION  
17 CORPORATION, AND DECLARING AN EMERGENCY.

18  
19 WHEREAS, Summit County Land Reutilization Corporation, an Ohio land reutilization  
20 corporation duly organized and validly existing under Chapter 1724 of the Ohio Revised Code  
21 (the "Developer") desires to develop approximately 2.63 acres of real property in the City located  
22 on South Front Street (the "Site"); and

23  
24 WHEREAS, the Developer intends to cause the construction of 50 townhouse units on the  
25 Site (the "Project"); and

26  
27 WHEREAS, over \$1.48 million of public infrastructure improvements are anticipated to be  
28 necessary to fully develop the Site and Project (the "Public Infrastructure"); and

29  
30 WHEREAS, the Developer has requested that the City create a 30-year, 100% tax increment  
31 financing exemption on the parcels within the Site (the "Parcels") to enable the development of  
32 the Public Infrastructure; and

33  
34 WHEREAS, the City and the Developer desire to enter into a Development Agreement to  
35 provide for the construction of the Public Infrastructure and the development of the Site and  
36 the Project; and

37  
38 WHEREAS, the City has determined to impose, and the Developer has agreed to the  
39 imposition of, a minimum service payment obligation on the Parcels, to ensure that sufficient  
40 service payments are available by the City to pay the costs of the Public Infrastructure or to  
41 pay debt service on any notes or bonds issued by the City to pay the costs of the Public  
42 Infrastructure.

43  
44 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls, Summit  
45 County, Ohio, that:

46  
47 Section 1. Development Agreement. The Development Agreement by and between the City  
48 and the Developer, in the form presently on file with the Clerk of Council, providing for, among  
49 other things, the obligations of the City with respect to the construction of the Public  
50 Improvements and the obligations of the Developer with respect to the development of the Site  
51 is hereby approved and authorized with any changes therein and amendments thereto not  
52 inconsistent with this Ordinance and not substantially adverse to this City and which shall be  
53 approved by the Mayor. The Mayor, for and in the name of this City, is hereby authorized to  
54 execute that Development Agreement and approve the character of any changes and any

55 amendments thereto as consistent with this Ordinance and not substantially adverse to the  
56 City, as evidenced conclusively by his execution of that Development Agreement.

57  
58 Section 2. Declaration. The declaration of covenants for the imposition of a minimum  
59 service payment obligation (the “Declaration”), in the form presently on file with the Clerk of  
60 Council, providing for, among other things, the payment of minimum service payments by the  
61 Developer, as the owner of the Site, is hereby approved and authorized with any changes  
62 therein and amendments thereto as the owner of the site, not inconsistent with this Ordinance  
63 and not substantially adverse to this City and which shall be approved by the Mayor. The  
64 Mayor, for and in the name of this City, is hereby authorized to approve and accept the  
65 Declaration and approve the character of any changes and any amendments thereto as  
66 consistent with this Ordinance and not substantially adverse to the City, as evidenced  
67 conclusively by his execution of that Declaration.

68  
69 Section 3. Authorizations. This Council further hereby authorizes and directs the Mayor,  
70 the Director of Law, the Director of Finance, the Clerk of Council, or other appropriate officers  
71 of the City to prepare and sign all agreements and instruments and to take any other actions  
72 as may be appropriate to implement this Ordinance and the transactions referenced or  
73 contemplated in this Ordinance, the Development Agreement and the Declaration referred to in  
74 Sections 1 and 2.

75  
76 Section 4. Open Meetings. This Council finds and determines that all formal actions of this  
77 Council and any of its committees concerning and relating to the passage of this ordinance were  
78 taken in an open meeting of this Council or any of its committees, and that all deliberations of  
79 this Council and any of its committees that resulted in those formal actions were in meetings  
80 open to the public, all in compliance with the law including ORC 121.22.

81  
82 Section 5. Effective Date. This ordinance is declared to be an emergency measure  
83 necessary for the immediate preservation of the public peace, health and safety, and for the  
84 further reason that this ordinance is required to be immediately effective in order to ensure that  
85 the construction of the Public Infrastructure and the development of the Site can occur in an  
86 effective and expeditious manner in order to eliminate the current blight conditions on the Site;  
87 wherefore, this ordinance shall be in full force and effect immediately upon its passage.

88  
89  
90 Passed: \_\_\_\_\_

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President of Council

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Clerk of Council

95  
96 Approved: \_\_\_\_\_

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Mayor

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98 11/22/21

99 \\cf-file01\ldpublic\Council\2021ords\11-22-21\Testa Development Agreement and  
100 Declaration.DOCX

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3 CITY OF CUYAHOGA FALLS, OHIO

4  
5 ORDINANCE NO. - 2021

6  
7 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A  
8 CONTRACT WITH FIDELITY SECURITY INSURANCE COMPANY  
9 AND/OR ITS SUBSIDIARY EYEMED VISION CARE FOR THE  
10 ADMINISTRATION OF THE CITY'S SELF-INSURED EMPLOYEE  
11 VISION CARE SERVICES INSURANCE PLANS, FOR A PERIOD NOT  
12 TO EXCEED THREE YEARS, AND DECLARING AN EMERGENCY.  
13

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

16  
17 Section 1. The Mayor is hereby authorized to enter into a contract or contracts with Fidelity  
18 Security Insurance Company and/or its subsidiary EyeMed Vision Care, on the basis of its final  
19 proposals dated July 31, 2020, for the professional services necessary to conduct the administration  
20 of the City's self-insured employee vision care services insurance plans, for a contract period not to  
21 exceed three years.  
22

23 Section 2. The Director of Finance is hereby authorized to pay approved invoices for work based  
24 upon the Contract, from the Self-Insurance Fund, line item Other Operations.  
25

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

30 Section 4. It is found and determined that all formal actions of this Council concerning and  
31 relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that  
32 all deliberations of this Council and of any of its committees that resulted in such formal action, were  
33 in meetings open to the public, in compliance with all legal requirements, to the extent applicable,  
34 including Chapter 107 of the Codified Ordinances.  
35

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

42  
43 Passed: \_\_\_\_\_

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President of Council

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48 Clerk of Council

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

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Mayor

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53 11/22/21

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4 CITY OF CUYAHOGA FALLS, OHIO

5  
6 ORDINANCE NO. - 2021

7  
8 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A  
9 CONTRACT OR CONTRACTS WITH MEDICAL MUTUAL  
10 SERVICES, LLC FOR THE ADMINISTRATION OF THE CITY'S  
11 SELF-INSURED EMPLOYEE MEDICAL PLANS, AND FOR STOP-  
12 LOSS INSURANCE COVERAGE RELATED TO SAID PLANS, FOR  
13 A PERIOD NOT TO EXCEED ONE YEAR, AND DECLARING AN  
14 EMERGENCY.

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

19  
20 Section 1. The Mayor is hereby authorized to enter into a contract or contracts with Medical  
21 Mutual Services, LLC, for the professional services necessary to conduct the administration of the  
22 City's self-insured employee medical plans, and for stop-loss insurance coverage related to said  
23 plans, for a period not to exceed one year.

24  
25 Section 2. The Director of Finance is hereby authorized to pay approved invoices for work based  
26 upon the Contract, from the Self-Insurance Fund, line item Other Operations.

27  
28 Section 3. Any other ordinances or resolutions or portions of ordinances and resolutions  
29 inconsistent herewith are hereby repealed, but any ordinances and resolutions not inconsistent  
30 herewith and which have not previously been 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 that  
34 all deliberations of this Council and of any of its committees that resulted in such formal action,  
35 were in meetings open to the public, in compliance with all legal requirements, to the extent  
36 applicable, including Chapter 107 of the Codified Ordinances.

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 provided it receives the affirmative vote of two-thirds of the members elected or appointed  
41 to Council, it shall take effect and be in force immediately upon its passage and approval by the  
42 Mayor; otherwise it shall take effect and be in force at the earliest period allowed by law.

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

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President of Council

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Clerk of Council

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

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Mayor

55  
56 11/22/21

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3 CITY OF CUYAHOGA FALLS, OHIO

4  
5 ORDINANCE NO. - 2021

6  
7 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A  
8 CONTRACT OR CONTRACTS WITH PRO-FLEX ADMINISTRATORS, LLC.,  
9 FOR THE ADMINISTRATION OF THE SECTION 125 FLEXIBLE SPENDING  
10 ACCOUNT PLAN, HEALTH REIMBURSEMENT ACCOUNT PLAN, HEALTH  
11 SAVINGS ACCOUNT PLAN, RETIREE MEDICAL REIMBURSEMENT  
12 ACCOUNT PLANS AND COBRA SERVICES, FOR A PERIOD NOT TO  
13 EXCEED THREE YEARS, AND DECLARING AN EMERGENCY.  
14

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

18  
19 Section 1. The Mayor is hereby authorized to enter into a contract or contracts with Pro-Flex  
20 Administrators, LLC., for the professional services necessary to conduct the administration of the Section  
21 125 Flexible Spending Account Plan, Health Reimbursement Account Plan, Health Savings Account Plan,  
22 Retiree Medical Reimbursement Account Plans and COBRA Services, for contract periods not to exceed  
23 three years.  
24

25 Section 2. The Director of Finance is hereby authorized to pay approved invoices for work based upon  
26 the Contract, from the Self-Insurance Fund, line item Other Operations.  
27

28 Section 3. Any other ordinances or resolutions or portions of ordinances and resolutions inconsistent  
29 herewith are hereby repealed, but any ordinances and resolutions not inconsistent herewith and which  
30 have not previously been repealed are hereby ratified and confirmed.  
31

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

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

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

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President of Council

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Clerk of Council

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

\_\_\_\_\_  
Mayor

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57  
58 11/22/21

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4 CITY OF CUYAHOGA FALLS, OHIO

5 ORDINANCE NO. - 2021

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7  
8 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A  
9 CONTRACT OR CONTRACTS, WITHOUT COMPETITIVE BIDDING, WITH  
10 NEOGOV FOR HUMAN RECOURCES AND PAYROLL MANAGEMENT  
11 SOFTWARE AND RELATED SERVICES FOR A PERIOD NOT TO EXCEED  
12 THREE YEARS, AND DECLARING AN EMERGENCY.  
13

14 WHEREAS, NEOGOV provides recruit module platform services, that includes electronic centralized  
15 applicant tracking, screening, advertising, and new hire onboarding; and  
16

17 WHEREAS, NEOGOV’s software is compatible with modules used in the Human Resources and Payroll  
18 Departments, and its implementation will streamline their operations.  
19

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

23 Section 1. The Mayor is hereby authorized to enter into a contract or contracts, without competitive  
24 bidding, with NEOGOV for human resources and payroll management software and related services for a  
25 3-year period.  
26

27 Section 2. The Director of Finance is hereby authorized to make payment for same from the General  
28 Fund, Human Resources Department, line item Other Operations.  
29

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

34 Section 4. It is found and determined that all formal actions of this Council concerning and relating  
35 to the passage of this ordinance were taken in an open meeting of this Council and that all deliberations of  
36 this Council and of any committees that resulted in those formal actions were in meetings open to the  
37 public, in compliance with all legal requirements including Chapter 107 of the Codified Ordinances.  
38

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

45  
46 Passed: \_\_\_\_\_

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President of Council

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51 Clerk of Council

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

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Mayor

55  
56 11/22/21

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4 CITY OF CUYAHOGA FALLS, OHIO

5  
6 ORDINANCE NO. - 2021

7  
8 AN ORDINANCE ESTABLISHING THE MAXIMUM HIRING AGE FOR  
9 ORIGINAL APPOINTMENTS TO POLICE OFFICER AT FORTY (40) YEARS OF  
10 AGE AT THE TIME OF EXAMINATION, AND DECLARING AN EMERGENCY.

11  
12 WHEREAS, effective September 30, 1996, in the Age Discrimination in Employment Act Amendments, 29  
13 U.S.C. Section 623(j), and pursuant to Section 4112.02(M)(5) of the Ohio Revised Code, a municipality may  
14 establish a maximum hiring age for original appointments as a Police Officer; and

15  
16 WHEREAS, the City of Cuyahoga Falls Police Department wishes to raise the maximum hiring age for  
17 original appointments as a Police Officer to forty (40) years of age at the time of examination to increase the  
18 number of quality applicants.

19  
20 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls, County of Summit  
21 and State of Ohio, that:

22  
23 Section 1. That Council hereby establishes the maximum hiring age for original appointments as a Police  
24 Officer at forty (40) years of age at the time of examination.

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

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

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

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

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President of Council

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Clerk of Council

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

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Mayor

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57 11/22/21

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4 CITY OF CUYAHOGA FALLS, OHIO

5  
6 ORDINANCE NO. - 2021

7  
8 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A  
9 COOPERATIVE AGREEMENT WITH THE COUNTY OF SUMMIT,  
10 THE CITY OF AKRON, THE CITY OF FAIRLAWN, THE CITY OF  
11 STOW AND THE CITY OF TALLMADGE WHEREBY THE COUNTY  
12 WILL ACQUIRE, DESIGN, CONSTRUCT, FURNISH, MAINTAIN  
13 AND FINANCE A JOINT PSAP BUILDING AND AUTHORIZING  
14 THE MAYOR TO ENTER INTO THOSE AGREEMENTS DEFINED  
15 IN THE COOPERATIVE AGREEMENT, INCLUDING BUT NOT  
16 LIMITED TO, AN INTERGOVERNMENTAL AGREEMENT FOR  
17 THE ESTABLISHMENT OF A COUNCIL OF GOVERNMENTS  
18 WITH THE COUNTY OF SUMMIT, THE CITY OF FAIRLAWN, THE  
19 CITY OF STOW AND THE CITY OF TALLMADGE, FOR THE  
20 PURPOSE OF OPERATING A CONSOLIDATED PRIMARY PSAP,  
21 AND A GUARANTEE AGREEMENT, LEASE AGREEMENT, AND A  
22 JOINT USE AGREEMENT FOR THE USE AND OPERATION OF  
23 THE JOINT PSAP BUILDING LOCATED IN THE CITY OF  
24 TALLMADGE, AND DECLARING AN EMERGENCY.  
25  
26

27 WHEREAS, the County of Summit, City of Akron, City of Cuyahoga Falls, City of Fairlawn,  
28 and City of Stow each operate separate primary Public Safety Answering Points (“PSAPs”) through  
29 which they dispatch emergency calls to public safety forces, both within their communities and  
30 for other political subdivisions for which they have contracts to provide dispatch services,  
31 including the City of Tallmadge (the “Contracted Dispatch Communities”); and  
32

33 WHEREAS, the County of Summit, City of Cuyahoga Falls, City of Fairlawn and City of Stow  
34 desire to consolidate the operations of their separate PSAPs into a consolidated PSAP serving  
35 those communities and the Contracted Dispatch Communities; and  
36

37 WHEREAS, to effectuate the consolidation of operations of their separate PSAPs, the County  
38 of Summit, City of Cuyahoga Falls, City of Fairlawn and City of Stow, together with the City of  
39 Tallmadge, desire to form and become members of the Summit Area Regional Council of  
40 Governments (“COG”), that shall be responsible for the ongoing operation, staffing, funding and  
41 governance of a consolidated primary PSAP (“COG PSAP”); and  
42

43 WHEREAS, the County of Summit is the owner of certain real estate located at 630 North  
44 Avenue, Tallmadge, Ohio 44278, identified in the Summit County Records as Parcel No. 6010570  
45 (“Joint PSAP Site”), which consists of 6.143 acres of real property and improvements, including  
46 parking facilities, outbuildings and a 35,769 square foot single-story building (“Joint PSAP  
47 Building”); and  
48

49 WHEREAS, the County of Summit, City of Cuyahoga Falls, City of Fairlawn, City of Stow and  
50 City of Tallmadge desire that the COG operate the COG PSAP at the Joint PSAP Site and within  
51 the Joint PSAP Building; and  
52

53 WHEREAS, the City of Akron further desires to relocate and operate its separate PSAP  
54 (“Akron PSAP”) at the Joint PSAP Site and within the Joint PSAP Building; and  
55

56 WHEREAS, the County further desires to utilize a portion of the Joint PSAP Building for the  
57 operation of the Summit County Regional 800 MHz Regional Radio System (“SCA8RRS”) and  
58

59 WHEREAS, to effectuate these transactions, the County of Summit, City of Akron, City of  
60 Cuyahoga Falls, City of Fairlawn, City of Stow and City of Tallmadge (“Cooperative Parties”) desire  
61 to enter into a Cooperative Agreement (“Cooperative Agreement”) to provide for the following:

- 62 i. With the exception of the City of Akron, the Cooperative Parties shall enter into an  
63 Intergovernmental Agreement (“Intergovernmental Agreement”) and take all other steps,  
64 including the adoption of bylaws, necessary to establish and organize the COG; and  
65
- 66 ii. The County shall undertake (a) improvements to the Joint PSAP Site, including parking  
67 lot improvements and security fencing and other security improvements, (b) renovations  
68 and improvements of the Joint PSAP Building, and (c) acquisition and installation of  
69 furniture, fixtures and equipment in the Joint PSAP Building, and the installation of a  
70 radio tower upon the Joint PSAP Site, all for the support of the COG PSAP, the City of  
71 Akron PSAP, and the SCA8RRS (collectively, the “Joint PSAP Project”); and  
72
- 73 iii. The parties shall allocate amongst the COG, City of Akron and the County of Summit the  
74 proportionate share for each entity of the costs borne by the County to undertake the  
75 Joint PSAP Project based on the amount of space within the Joint PSAP Building to be  
76 used by each entity; and  
77
- 78 a. The County of Summit and the COG shall enter into a lease agreement for the lease  
79 of space for the COG PSAP in the Joint PSAP Building, and the recovery from the  
80 COG of a proportionate share of the County’s costs in undertaking the Joint PSAP  
81 Project (“COG Lease”); and  
82
- 83 b. The County of Summit and City of Akron shall enter into a lease agreement for the  
84 lease of space for the Akron PSAP in the Joint PSAP Building, and the recovery from  
85 Akron of a proportionate share of the County’s costs in undertaking the Joint PSAP  
86 Project (“Akron Lease”); and  
87
- 88 iv. Ongoing, the County shall provide certain services pertaining to the Joint PSAP Site and  
89 Joint PSAP Building such as repair, maintenance, custodial and snow plowing services,  
90 lawn care and landscaping, the costs of which shall be recovered as set forth in the COG  
91 Lease and Akron Lease; and  
92
- 93 v. The County, COG and City of Akron shall enter into a Joint Use Agreement, which shall  
94 accompany the aforementioned leases, and which shall govern the shared use of the  
95 Joint PSAP Site and Joint PSAP Building; and  
96
- 97 vi. The City of Cuyahoga Falls, City of Fairlawn, City of Stow, and City of Tallmadge shall  
98 each enter into an agreement with the County of Summit, whereby each guarantees  
99 payment by the COG of a proportionate share of the base rent, additional rent, and any  
100 other costs owed by the COG to the County of Summit pursuant to the COG Lease (“COG  
101 Members Guaranty Agreement”); and  
102
- 103 vii. The Akron Lease shall contain provisions whereby the City of Akron guarantees  
104 repayment of a proportionate share of base rent, additional rent and any other costs owed  
105 by the City of Akron to the County pursuant to the Akron Lease; and  
106
- 107 viii. The County and the COG shall enter into an IT and GIS Services Agreement whereby the  
108 County shall provide information technology and geographic information services to the  
109 COG for the operation of the COG PSAP; and  
110
- 111 ix. Such other agreements as set forth and agreed to by the Cooperative Parties in the  
112 Cooperative Agreement; and  
113

114 WHEREAS, after reviewing all pertinent information, this Council finds and determines that  
115 it is necessary and in the best interest of the City of Cuyahoga Falls to authorize the Mayor to  
116 execute the Cooperative Agreement to authorize the creation of the COG, and to authorize the  
117 Mayor to execute the agreements set forth in the Cooperative Agreement, including, but not  
118 limited to the COG Intergovernmental Agreement, COG Lease, Joint Use Agreement, and COG  
119 Members Guaranty Agreement.

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

122  
123 Section 1. The Mayor is hereby authorized to enter into a Cooperative Agreement, as  
124 described above and set forth in Exhibit A, attached hereto and incorporated by reference, with  
125 such modifications and revisions as shall be in furtherance of the purposes set forth in the  
126 Cooperative Agreement and not substantially adverse to the City, all of which shall be  
127 conclusively evidenced by the execution thereof by the Mayor.

128  
129 Section 2. The Mayor is hereby further authorized to execute all other documents and  
130 agreements set forth in the Cooperative Agreement, including, but not limited to, the COG  
131 Intergovernmental Agreement, COG Lease Agreement, Joint Use Agreement, and COG Members  
132 Guaranty Agreement, all with such modifications and revisions as shall be in furtherance of the  
133 purposes set forth in the Cooperative Agreement and those agreements and not substantially  
134 adverse to the City, all of which shall be conclusively evidenced by the execution thereof by the  
135 Mayor.

136  
137 Section 3. Consistent with the Cooperative Agreement and COG Intergovernmental  
138 Agreement, this Council hereby authorizes the creation of the Summit Area Regional Council of  
139 Governments, pursuant to Chapter 167 of the Ohio Revised Code, and further authorizes the  
140 Mayor to execute the Intergovernmental Agreement and take all actions necessary to organize the  
141 COG.

142  
143 Section 4. The Mayor, Director of Law, Director of Public Service, Director of Finance and any  
144 other necessary City officials are hereby authorized to provide such information and to execute  
145 such other documents and do all other actions as are necessary for and incidental to carrying out  
146 the requirements of this ordinance and the terms of the Agreements.

147  
148 Section 5. Any ordinances or resolutions or portions of ordinances and resolutions  
149 inconsistent herewith are hereby repealed, but any ordinances and resolutions not inconsistent  
150 herewith and which have not previously been repealed are hereby ratified and confirmed.

151  
152 Section 6. It is found and determined that all formal actions of this Council concerning and  
153 relating to the passage of this ordinance were taken in an open meeting of this Council and that  
154 all deliberations of this Council and of any committees that resulted in those formal actions were  
155 in meetings open to the public, in compliance with all legal requirements including Chapter 107  
156 of the Codified Ordinances.

157  
158 Section 7. This ordinance is hereby declared to be an emergency measure necessary for the  
159 preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga  
160 Falls and the inhabitants thereof, and provided it receives the affirmative vote of two-thirds of the  
161 members elected or appointed to Council, it shall take effect and be in force immediately upon its  
162 passage and approval by the Mayor; otherwise it shall take effect and be in force at the earliest  
163 period allowed by law.

164  
165  
166 Passed: \_\_\_\_\_  
167 \_\_\_\_\_  
168 President of Council

169  
170  
171 \_\_\_\_\_  
172 Clerk of Council

173  
174 Approved: \_\_\_\_\_  
175 \_\_\_\_\_  
176 Mayor

176 11/22/21

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