

**NEW LEGISLATION**

October 10, 2022

| <b>Temp. No.</b> | <b>Introduced</b> | <b>Committee</b> | <b>Description</b>   |
|------------------|-------------------|------------------|--|
| A-106            | 10/10/22          | Fin              | An ordinance authorizing the Director of Public Service to enter into a contract or contracts, with Independent Diesel Services to repair the CF1 #6 diesel generator located at 2550 Bailey Road and declaring an emergency.  |
| A-107            | 10/10/22          | Fin              | An ordinance authorizing the Director of Finance to enter into a contract or contracts, without competitive bidding, with Wichert Insurance Services, Inc. for the professional services necessary to manage the City's Risk Management and Insurance Program and for the purchase of public entity insurance coverages, and declaring an emergency. |
| A-108            | 10/10/22          | Fin              | An ordinance authorizing the Mayor to enter into a real estate purchase agreement for the sale of certain real property known as 1863 Second Street, 1869 Second Street, and 1877 Second Street, and declaring an emergency.   |
| A-109            | 10/10/22          | Fin              | An ordinance amending Ordinance 36-2022 to authorize the Mayor to enter into a modification of Contract No. 8542 with Dant Clayton, making the necessary appropriations for the same, and declaring an emergency.  |

| <b>Temp. No.</b> | <b>Introduced</b> | <b>Committee</b> | <b>Description</b>   |
|------------------|-------------------|------------------|--|
| A-110            | 10/10/22          | PA               | An ordinance amending Chapter 181, Contracts and Competitive Bidding, of the Codified Ordinances of Cuyahoga Falls, Ohio to update the definition of lowest and best bid, and declaring an emergency.  |
| A-111            | 10/10/22          | PA               | An ordinance amending the Traffic Control File by providing for installation of various traffic control devices, and declaring an emergency.   |
| A-112            | 10/10/22          | CD               | An ordinance authorizing the Mayor to enter into an agreement with the Community Improvement Corporation of Cuyahoga Falls to administer a Brownfield Remediation Grant, appropriating the necessary funds to administer the grant, and declaring an emergency.                                      |
| A-113            | 10/10/22          | CD               | An ordinance designating the Community Improvement Corporation of Cuyahoga Falls as an agency of the City under Ohio Revised Code Section 1724.10, authorizing the execution of an agreement and plan for industrial, commercial, distribution and research development, and declaring an emergency. |
| A-114            | 10/10/22          | CD               | An ordinance authorizing a grant to the Community Improvement Corporation of Cuyahoga Falls and authorizing the execution of a grant agreement with the Community Improvement Corporation of Cuyahoga Falls, and declaring an emergency.   |

**CALENDAR**

October 10, 2022

The following legislation will be up for passage at the Council Meeting on October 10, 2022.

| <b>Temp. No.</b> | <b>Introduced</b> | <b>Committee</b> | <b>Description</b>  |
|------------------|-------------------|------------------|---|
| A-102            | 9/26/22           | Fin              | A resolution accepting the amounts and rates of taxation as certified by the Summit County Budget Commission, authorizing the necessary tax levies, certifying such authorization to the County Fiscal Officer, and declaring an emergency.   |
| A-103            | 9/26/22           | Fin              | An ordinance providing for supplemental appropriations for operational expenditures of the City of Cuyahoga Falls in the general fund, law department, and declaring an emergency.  |
| A-104            | 9/26/22           | 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 721 Chestnut Boulevard, 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. |
| A-105            | 9/26/22           | Fin              | An ordinance authorizing the Director of Public Service to enter into a contract or contracts with Bell Equipment for the purchase of a leaf vacuum truck for use in the Street Division, and declaring an emergency.   |

## PENDING LEGISLATION

October 10, 2022

| <b>Temp. No.</b> | <b>Introduced</b> | <b>Committee</b> | <b>Description</b>  |
|------------------|-------------------|------------------|---|
| A-68             | 6/27/22           | Fin              | An ordinance authorizing the Director of Public Service to enter into a contract or contracts, without competitive bidding, for the purchase of services, materials, supplies, and equipment for use in the Water Division in 2022, making the necessary appropriations for the same, and declaring an emergency.   |
| A-102            | 9/26/22           | Fin              | A resolution accepting the amounts and rates of taxation as certified by the Summit County Budget Commission, authorizing the necessary tax levies, certifying such authorization to the County Fiscal Officer, and declaring an emergency.   |
| A-103            | 9/26/22           | Fin              | An ordinance providing for supplemental appropriations for operational expenditures of the City of Cuyahoga Falls in the general fund, law department, and declaring an emergency.  |
| A-104            | 9/26/22           | 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 721 Chestnut Boulevard, 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>Temp. No.</b> | <b>Introduced</b> | <b>Committee</b> | <b>Description</b>  |
|------------------|-------------------|------------------|---|
| A-105            | 9/26/22           | Fin              | An ordinance authorizing the Director of Public Service to enter into a contract or contracts with Bell Equipment for the purchase of a leaf vacuum truck for use in the Street Division, and declaring an emergency. |

2  
3 CITY OF CUYAHOGA FALLS, OHIO

4  
5 ORDINANCE NO. - 2022

6  
7 AN ORDINANCE AUTHORIZING THE DIRECTOR OF  
8 PUBLIC SERVICE TO ENTER INTO A CONTRACT OR  
9 CONTRACTS, WITH INDEPENDENT DIESEL  
10 SERVICES TO REPAIR THE CF1 #6 DIESEL  
11 GENERATOR LOCATED AT 2550 BAILEY ROAD AND  
12 DECLARING AN EMERGENCY.

13  
14 WHEREAS, the CF1 #6 diesel generator failed during use for peaking  
15 generation on June 22, 2022; and

16  
17 WHEREAS, the engine’s top end of the #6 diesel generator was disassembled  
18 for inspection; and

19  
20 WHEREAS, the repairs to the CF1 #6 diesel generator were found to be  
21 extensive and unable to be completed with previously allocated funds; and

22  
23 WHEREAS, Independent Diesel Services is qualified to make repairs of this  
24 nature and was the only bidder for a public bid opened on September 28, 2022.

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

28  
29 Section 1. The Director of Public Service is hereby authorized to enter into a  
30 contract or contracts with Independent Diesel Services to repair the CF1 #6 diesel  
31 generator located at 2550 Bailey Road.

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

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 adoption of this ordinance were adopted in an  
43 open meeting of this Council and that all deliberations of this Council and of any  
44 of its committees that resulted in such formal action were in meetings open to  
45 the public, in compliance with all legal requirements, to the extent applicable,  
46 including Chapter 107 of the Codified Ordinances.

47  
48 Section 5. This ordinance is hereby declared to be an emergency measure  
49 necessary for the preservation of the public peace, health, safety, convenience  
50 and welfare of the City of Cuyahoga Falls and the inhabitants thereof, and

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

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

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

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Clerk of Council

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

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\_\_\_\_\_  
Mayor

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10/10/22

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\\cf-file01\ldpublic\Council\2022ords\10-10-22\CF1 #6 Diesel

69

Generator.docx

2  
3 CITY OF CUYAHOGA FALLS, OHIO

4  
5 ORDINANCE NO. - 2022

6  
7 AN ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO  
8 ENTER INTO A CONTRACT OR CONTRACTS, WITHOUT  
9 COMPETITIVE BIDDING, WITH WICHERT INSURANCE SERVICES,  
10 INC. FOR THE PROFESSIONAL SERVICES NECESSARY TO MANAGE  
11 THE CITY'S RISK MANAGEMENT AND INSURANCE PROGRAM AND  
12 FOR THE PURCHASE OF PUBLIC ENTITY INSURANCE COVERAGES,  
13 AND DECLARING AN EMERGENCY.

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

17  
18 Section 1. The Director of Finance is hereby authorized to enter into a contract or contracts,  
19 without competitive bidding, with Wichert Insurance Services, Inc., for the professional services  
20 necessary to manage the City's risk management and insurance program, including purchase of  
21 comprehensive public entity insurance coverages, for a period of one year.

22  
23 Section 2. The Director of Finance is hereby authorized and directed to make payment for same  
24 from funds properly appropriated to the various departments of the City for these purposes, according  
25 to an apportionment of costs as between the departments.

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

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

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

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45 Passed: \_\_\_\_\_  
46 \_\_\_\_\_  
47 President of Council

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49 \_\_\_\_\_  
50 Clerk of Council

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52  
53 Approved: \_\_\_\_\_  
54 \_\_\_\_\_  
55 Mayor

56 10/10/22



2  
3 CITY OF CUYAHOGA FALLS, OHIO

4  
5 ORDINANCE NO. -2022

6  
7 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER  
8 INTO A REAL ESTATE PURCHASE AGREEMENT FOR THE  
9 SALE OF CERTAIN REAL PROPERTY KNOWN AS 1863  
10 SECOND STREET, 1869 SECOND STREET, AND 1877  
11 SECOND STREET, AND DECLARING AN EMERGENCY.  
12

13 WHEREAS, this Council adopted Resolution 16-2012 supporting the Summit  
14 County Land Reutilization Corporation as an entity to acquire, renovate, rehabilitate,  
15 demolish, and otherwise acquire real property that is abandoned, vacant, or blighted  
16 and to put the same back into productive use and tax status; and  
17

18 WHEREAS, this Council adopted Ordinance 105-2021 on December 13, 2022,  
19 authorizing the Mayor to enter into a purchase agreement with PJT Pointe West, LLC  
20 and a CDBG subrecipient agreement with the Summit County Land Reutilization  
21 Corporation for the remediation and demolition of the structures located on the real  
22 property known as 1863 Second Street (Parcel 02-08369), 1869 Second Street (Parcel  
23 02-00900), and 1877 Second Street (Parcel 02-00535); and  
24

25 WHEREAS, the Summit County Land Reutilization Corporation has successfully  
26 remediated and demolished the structures located at 1863 Second Street (Parcel 02-  
27 08369), 1869 Second Street (Parcel 02-00900), and 1877 Second Street (Parcel 02-  
28 00535); and  
29

30 WHEREAS, the City of Cuyahoga Falls wishes to sell the real property known as  
31 1863 Second Street (Parcel 02-08369), 1869 Second Street (Parcel 02-00900), and 1877  
32 Second Street (Parcel 02-00535) to the Summit County Land Reutilization Corporation,  
33 in an amount not to exceed \$3.00, for the redevelopment of the aforementioned real  
34 property;  
35

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

39 Section 1. The Mayor is authorized to enter into a real estate purchase agreement  
40 with the Summit County Land Reutilization Corporation, for the sale of the real property  
41 known as 1863 Second Street (Parcel 02-08369), 1869 Second Street (Parcel 02-00900),  
42 and 1877 Second Street (Parcel 02-00535), in a total amount not to exceed \$3.00, for  
43 the redevelopment of the aforementioned property.  
44

45 Section 2. Council further authorizes the Mayor, Director of Finance, Director of  
46 Community Development, Director of Law and any other city officials, individually  
47 and/or collectively as may be appropriate, to prepare and execute such other documents  
48 and do other things as are necessary for and incidental to carrying out the requirements  
49 of this ordinance.

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

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

62        Section 5. This ordinance is hereby declared to be an emergency measure necessary  
63 for the preservation of the public peace, health, safety, convenience and welfare of the  
64 City of Cuyahoga Falls and the inhabitants thereof, and provided it receives the  
65 affirmative vote of two thirds of the members elected or appointed to Council, it shall  
66 take effect and be in force immediately upon its passage and approval by the Mayor;  
67 otherwise it shall take effect and be in force at the earliest period allowed by law.  
68

69  
70 Passed: \_\_\_\_\_  
71 \_\_\_\_\_  
72 President of Council

73  
74 \_\_\_\_\_  
75 Clerk of Council  
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78 Approved: \_\_\_\_\_  
79 \_\_\_\_\_  
80 Mayor

81 10/10/22  
82 \\CF-FILE01\ldpublic\Council\2022ords\10-10-22\Second Street Homes Sale to  
Land Bank.docx

2  
3 CITY OF CUYAHOGA FALLS, OHIO

4  
5 ORDINANCE NO. - 2022

6  
7 AN ORDINANCE AMENDING ORDINANCE 36-2022 TO  
8 AUTHORIZE THE MAYOR TO ENTER INTO A  
9 MODIFICATION OF CONTRACT NO. 8542 WITH DANT  
10 CLAYTON AND MAKING THE NECESSARY  
11 APPROPRIATIONS FOR THE SAME, AND DECLARING  
12 AN EMERGENCY.

13  
14 WHEREAS, the original Dant Clayton quote did not include seatbacks for the  
15 benching seating portion of this project which are necessary for this venue.

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

19  
20 Section 1. The Mayor is hereby authorized to enter into a modification of  
21 Contract No. 8542 with Dant Clayton, in an amount not to exceed \$10,000.00.  
22 The total contract price after modification as authorized herein shall not exceed  
23 \$68,900.

24  
25 Section 2. The Director of Finance is hereby authorized to increase  
26 appropriations in the Community Development Block Grant Fund, CDBG, line  
27 item Capital Outlay and reduce Community Development Block Grant Fund,  
28 CDBG, line item Other Operations by \$10,000, and make payment from the  
29 Community Development Block Grant Fund, CDBG, line item Capital Outlay.

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

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

42  
43 Section 5. This ordinance is hereby declared to be an emergency measure  
44 necessary of the preservation of the public peace, health, safety, convenience,  
45 and welfare of the City of Cuyahoga Falls and the inhabitants thereof, and

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

50

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

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

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\_\_\_\_\_  
Clerk of Council

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

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Mayor

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10/10/22

\\CF-FILE01\ldpublic\Council\2022ords\10-10-22\Amend Ord 36-2022

Amphitheater Seating.docx

2  
3 CITY OF CUYAHOGA FALLS, OHIO

4  
5 ORDINANCE NO. - 2022

6  
7 AN ORDINANCE AMENDING CHAPTER 181, CONTRACTS  
8 AND COMPETITIVE BIDDING, OF THE CODIFIED  
9 ORDINANCES OF CUYAHOGA FALLS, OHIO TO UPDATE  
10 THE DEFINITION OF LOWEST AND BEST BID, AND  
11 DECLARING AN EMERGENCY.  
12

13 WHEREAS, the City of Cuyahoga Falls is required by law to award certain  
14 contracts to the lowest and best bidders; and  
15

16 WHEREAS, the City Council of Cuyahoga Falls, based upon its experience,  
17 discretion, and consideration of other objective evidence, has determined that quality of  
18 workmanship, efficient operation, safety, and timely completion of projects are not  
19 necessarily insured by awarding a construction project to the lowest bidder; and  
20

21 WHEREAS, the City Council of Cuyahoga Falls has determined that the “lowest  
22 and best” bidder for purchase of goods or a construction project must be identified by  
23 use of the several factors in addition the dollar amount of the bid.  
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. Chapter 181, Contracts and Competitive Bidding, of the Codified  
29 Ordinances of the City of Cuyahoga Falls is hereby is hereby supplemented as follow  
30 (new text double underlined; deleted text in ~~strikethrough~~):  
31

32 181.08 LOCAL PREFERENCE.

33 (a) In determining the lowest and best bid for supplies, commodities,  
34 materials, equipment, furnishings or general services, the Board of Control shall  
35 exercise a preference for local bidders as provided herein. The local preference shall  
36 also apply to contracts for the building, repair or renovation of public buildings or  
37 improvements.  
38

39 (b) Bidders having established their principal place of business, defined as a  
40 business with a significant economic and physical presence in Cuyahoga Falls for two  
41 successive calendar years prior to the bid opening date, shall be preferred as lowest and  
42 best if their bids does not exceed by more than three percent (3%), with an upper limit  
43 of ten thousand dollars (\$10,000), the apparent lowest and best bid.  
44

45 (c) To qualify for local preference, bidders shall state on the bid documents  
46 their principal place of business, the business address where work will be administered  
47 (post office boxes will not be accepted in lieu of a street address) and the date of  
48 establishment. Each bidder shall have only one principal place of business.  
49

50 (d) Local preferences shall not be applied as provided herein for any bids  
51 where prohibited by federal or state laws or regulations.  
52

53 (e) Local preferences shall only be applied in considering the lowest and best  
54 bid. ~~and shall not waive or nullify evaluation of which bidders are responsive and~~  
55 ~~responsible.~~ In no event shall any preference granted herein exceed a maximum of three  
56 percent (3%) or ten thousand dollars (\$10,000), whichever is less.  
57

58 (f) The City shall indicate in all its invitations to bid and specification for all  
59 public contractors for supplies, equipment and materials, excluding construction  
60 contracts and contracts financed in whole or in part by contributions or loans from any  
61 agency of the State of Ohio or United States Government, that it shall apply a local bid  
62 preference as outlined in this section in the evaluation and award of bids received.  
63

#### 64 181.09 Lowest and Best Bid Defined

65

66 (a) The City will award contracts to the lowest and best bidder. The following factors are  
67 significant in determining whether a bid is the lowest and best bid and may be  
68 considered and applied by city officials, in their discretion, when determining the lowest  
69 and best bid for supplies, commodities, materials, equipment, furnishings or  
70 construction, renovation, maintenance, repair, businesses or general services.  
71

- 72 1. The bidder's familiarity with the project.
- 73 2. Adequacy of the equipment for the project.
- 74 3. The bidder's record on similar projects.
- 75 4. The bidder's experience in the relevant field in the preceding twelve  
76 months, including the original contract price for each job undertaken  
77 and the cost of any change order and overruns.
- 78 5. The bidder's compliance with deadlines.
- 79 6. The bidder's prior performance on any project taken for the City of  
80 Cuyahoga Falls.
- 81 7. The bidder's financial solvency.
- 82 8. Whether the bidder has ever sued or been sued by a public entity over  
83 a public project.
- 84 9. The bidder's bonding record.
- 85 10. The bidder's compliance record with, and maintenance of,  
86 unemployment and workers' compensation laws for all employees.
- 87 11. The bidder's compliance record with, and maintenance of, federal and  
88 state wage laws for all employees.
- 89 12. The bidder's compliance record with, and maintenance of, the Fair Labor  
90 Standards Act for all employees.
- 91 13. The bidder's compliance record with, and maintenance of, Occupational  
92 Safety and Health Administration regulations for all employees.
- 93 14. The experience, training, and skill of the bidder's workforce in writing.
- 94 15. The number of years the bidder has been in the relevant businesses.
- 95 16. The continuity of the bidder's workforce.
- 96 17. The bidder's past compliance with employee drug testing.

- 97 18. Past compliance with local and state income tax laws.  
98 19. The bidder's participation in a state accredited apprenticeship program  
99 when it is required by Ohio prevailing wage law.  
100 20. Any other factor determined to be relevant.

101  
102 (b) Bid specifications shall contain provisions conforming to Section (a) of this chapter.  
103 Evidence of the factors they wish to be considered is the responsibility of the bidder.

104  
105 (c) City Officials may reject any or all bids, or parts of bids, for any reason if acceptance  
106 is not in the best interest of the City.

107  
108 Section 2. Any other ordinances or resolutions or portions of ordinances and  
109 resolutions inconsistent herewith are hereby repealed, but any ordinances and  
110 resolutions not inconsistent herewith and which have not previously been repealed are  
111 hereby ratified and confirmed.

112  
113 Section 3. That it is found and determined that all formal actions of this Council  
114 concerning and relating to the adoption of this ordinance were adopted in an open  
115 meeting of this Council, and that all deliberations of this Council and any of its  
116 committees that resulted in such formal action, were in meetings open to the public, in  
117 compliance with all legal requirements to the extent applicable, including Chapter 107  
118 of the Codified Ordinances.

119  
120 Section 4. This ordinance is hereby declared to be an emergency measure necessary  
121 for the preservation of the public peace, health, safety, convenience and welfare of the  
122 City of Cuyahoga Falls and the inhabitants thereof, and provided it receives the  
123 affirmative vote of two-thirds of the members elected or appointed to Council, it shall  
124 take effect and be in force immediately upon its passage and approval by the Mayor;  
125 otherwise it shall take effect and be in force at the earliest period allowed by law.

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128 Passed: \_\_\_\_\_  
129 \_\_\_\_\_  
130 President of Council

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133 \_\_\_\_\_  
134 Clerk of Council

135  
136 Approved \_\_\_\_\_  
137 \_\_\_\_\_  
138 Mayor

139 10/10/22  
140 \\CF-FILE01\ldpublic\Council\2022ords\10-10-22\Amend Cod Ord 181.08 Local  
Preference and 181.09 Lowest and Best Bid Defined.docx

3  
4 CITY OF CUYAHOGA FALLS, OHIO

5  
6 ORDINANCE NO. - 2022

7  
8 AN ORDINANCE AMENDING THE TRAFFIC CONTROL  
9 FILE BY PROVIDING FOR INSTALLATION OF  
10 VARIOUS TRAFFIC CONTROL DEVICES, AND  
11 DECLARING AN EMERGENCY.  
12

13 WHEREAS, site-specific traffic control regulations of the City are established  
14 and maintained in the "Traffic Control File," a document established and  
15 maintained by the Chief of Police pursuant to Chapter 305 of the Codified  
16 Ordinances; and  
17

18 WHEREAS, Section 305.02 of said Chapter requires that amendments to the  
19 Traffic Control File be made only through legislation passed by City Council.  
20

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

24 Section 1. Upon the recommendation of the Traffic Committee, the Traffic  
25 Control File is hereby amended as follows:  
26

- 27 1. Remove signage including any prohibitions relating to the permanently  
28 closed St. Joseph School on Broad Boulevard, 2nd Street, 3rd Street and  
29 Falls Avenue
- 30 2. Remove the "No Parking" signs on the north side of Falls Avenue between  
31 4th Street and 5th Street, and replace with "No parking; school drop-  
32 off/pick-up only" signage
- 33 3. Remove the "No Parking" signs on 5th Street and replace with "School  
34 Bus Parking Only" signage from the intersection of 5th Street and Falls  
35 Avenue and 180 feet north  
36

37 Section 2. The Chief of Police is hereby authorized and directed to note in  
38 the Traffic Control File the proper legends.  
39

40 Section 3. The Mayor is hereby authorized and directed to cause the  
41 installation or removal of the proper signage reflecting the above amendments.  
42

43 Section 4. Any other ordinances and resolutions or portions of ordinances  
44 and resolutions inconsistent herewith are hereby repealed but any ordinances  
45 and resolutions or portions of ordinances and resolutions not inconsistent  
46 herewith and which have not been previously repealed are hereby ratified and  
47 confirmed.  
48

49 Section 5. It is found and determined that all formal actions of this Council  
50 concerning and relating to the adoption of this ordinance were adopted in an



51 open meeting of this Council and that all deliberations of this Council and of any  
52 of its committees that resulted in such formal action were in meetings open to  
53 the public, in compliance with all legal requirements, to the extent applicable,  
54 including Chapter 107 of the Codified Ordinances.  
55

56 Section 6. This ordinance is hereby declared to be an emergency measure  
57 necessary for the preservation of the public peace, health, safety, convenience  
58 and welfare of the City of Cuyahoga Falls and the inhabitants thereof and  
59 provided it receives the affirmative vote of two-thirds of the members elected or  
60 appointed to Council, it shall take effect and be in force immediately upon its  
61 passage and approval by the Mayor; otherwise it shall take effect and be in force  
62 at the earliest period allowed by law.  
63

64  
65 Passed: \_\_\_\_\_  
66 \_\_\_\_\_  
67 President of Council  
68

69  
70 \_\_\_\_\_  
71 Clerk of Council  
72

73 Approved: \_\_\_\_\_  
74 \_\_\_\_\_  
75 Mayor

76 10/10/22  
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2  
3 CITY OF CUYAHOGA FALLS, OHIO

4  
5 ORDINANCE NO. - 2022

6  
7 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN  
8 AGREEMENT WITH THE COMMUNITY IMPROVEMENT  
9 CORPORATION OF CUYAHOGA FALLS TO ADMINISTER A  
10 BROWNFIELD REMEDIATION GRANT, APPROPRIATING THE  
11 NECESSARY FUNDS TO ADMINISTER THE GRANT, AND  
12 DECLARING AN EMERGENCY.  
13

14 WHEREAS, the Community Improvement of Cuyahoga Falls (CIC) is the owner of real  
15 property located at 333 Pleasant Meadow Boulevard, Cuyahoga Falls, Ohio, that was once the  
16 former home of the Mud Run Gun Club. The property contains environmental contaminants,  
17 such as lead and arsenic, that must be remediated in order to put this property to use for the  
18 residents of Cuyahoga Falls; and  
19

20 WHEREAS, the CIC applied for a Brownfield Remediation Grant (“Grant”) administered  
21 through the State of Ohio, Department of Development and was granted an award of One Million  
22 Forty-four Thousand Five Hundred Forty-nine and no/100 Dollars (\$1,044,549.00); and  
23

24 WHEREAS, to implement the Grant, City Council passed Resolution No. 6-2022 on May 16,  
25 2022 to authorize the grant and commit the City to the required 25% local match of the total  
26 project costs; and  
27

28 WHEREAS, in order to facilitate the Grant administered through the State, the City needs  
29 to appropriate One Million Three Hundred-Ninety-Two Thousand Seven Hundred Thirty-two and  
30 no/100 Dollars (\$1,392,732.00); and  
31

32 WHEREAS, the CIC will reimburse the City the costs of carrying out the Grant minus the  
33 City’s required match amount, for a total amount to be reimbursed of One Million Forty-four  
34 Thousand Five Hundred Forty-nine and no/100 Dollars (\$1,044,549.00);  
35

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

39 Section 1. The Mayor is hereby authorized to execute an Agreement with the Community  
40 Improvement Corporation of Cuyahoga Falls, in order to administer a Brownfield Remediation  
41 Grant for the real property located at 333 Pleasant Meadow Boulevard, Cuyahoga Falls, Ohio.  
42

43 Section 2. The Mayor, Community Development Director, Director of Law, Director of  
44 Finance, and any other necessary City officials are authorized to provide such information and  
45 to execute such other documents and amendments, and do all other actions as are necessary  
46 for and incidental to carrying out the requirements of this ordinance and terms of the Grant.  
47

48 Section 3. The Director of Finance is hereby authorized to appropriate \$1,392,732.00 and  
49 make payment for the same from Capital Projects Fund, Line Item Capital Outlay.  
50

51 Section 4. Any other ordinances or resolutions or portions of ordinances and resolutions  
52 inconsistent herewith are hereby repealed, but any ordinances and resolutions not inconsistent  
53 herewith and which have not previously been repealed are hereby ratified and confirmed.



2  
3 CITY OF CUYAHOGA FALLS, OHIO

4  
5 ORDINANCE NO. - 2022

6  
7 AN ORDINANCE DESIGNATING THE COMMUNITY  
8 IMPROVEMENT CORPORATION OF CUYAHOGA FALLS AS  
9 AN AGENCY OF THE CITY UNDER OHIO REVISED CODE  
10 SECTION 1724.10 AUTHORIZING THE EXECUTION OF AN  
11 AGREEMENT AND PLAN FOR INDUSTRIAL, COMMERCIAL,  
12 DISTRIBUTION AND RESEARCH DEVELOPMENT; AND  
13 DECLARING AN EMERGENCY.  
14

15 WHEREAS, Section 13 of Article VIII of the Ohio Constitution provides that, to  
16 create and preserve jobs and employment opportunities and to improve the economic  
17 welfare of the people of the State, it is in the public interest and a proper public purpose  
18 for a municipal corporation, its agencies or instrumentalities, or corporations not for  
19 profit designated by such municipal corporation as its agency or instrumentality, to  
20 perform the acts and exercise the powers therein provided; and  
21

22 WHEREAS, pursuant to Chapter 1724, Ohio Revised Code as it may hereinafter  
23 be amended (herein called the "Act"), there has been formed a corporation known as  
24 "Community Improvement Corporation of Cuyahoga Falls", a corporation not for profit  
25 as recorded on the Records of Incorporation and Miscellaneous Filings of the Secretary  
26 of State of the State of Ohio; and  
27

28 WHEREAS, the City previously designated the Community Improvement  
29 Corporation of Cuyahoga Falls as agent for the City for the sole purpose of advancing,  
30 encouraging and promoting the industrial, economic, commercial and civic development  
31 of the City; and  
32

33 WHEREAS, there are substantial and pressing problems including but not  
34 limited to the development and encouragement of industry, commerce, distribution and  
35 research within the confines of this City, which problems may best be solved by and  
36 with the assistance of said corporation; and  
37

38 WHEREAS, it is hereby found and determined that the policy of this City is to  
39 promote the health, safety, morals and general welfare of its inhabitants through the  
40 designation by ordinance of a community improvement corporation as the agency of the  
41 City for industrial, commercial, distribution and research development in the City; and  
42

43 WHEREAS, any political subdivision which has designated a community  
44 improvement corporation as such agency may enter into an agreement with said  
45 corporation to provide any one or more services specified by Chapter 1724, Ohio Revised  
46 Code; and  
47

48 WHEREAS, this Council has determined that it would be in the best interests of  
49 the City to approve and authorize the execution of an Agreement and Plan for Industrial,

50 Commercial, Distribution and Research Development (the “*Agreement and Plan*”), all  
51 pursuant to Section 1724.10, Ohio Revised Code.

52  
53 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga  
54 Falls, Summit County, that:

55  
56 Section 1. The Community Improvement Corporation of Cuyahoga Falls is hereby  
57 designated as the agency of the City, for the industrial, commercial, distribution and  
58 research development of the City of Cuyahoga Falls, Ohio.

59  
60 Section 2. The form of Agreement and Plan for Industrial, Commercial,  
61 Distribution and Research Development by and between this City and the Community  
62 Improvement Corporation of Cuyahoga Falls, in the form presently on file with the Clerk  
63 of Council, is hereby approved and authorized with changes therein not inconsistent  
64 with this Ordinance and not substantially adverse to this City and which shall be  
65 approved by the Mayor, Director of Law and Director of Finance. The Mayor, Director  
66 of Law and Director of Finance, for and in the name of this City, are hereby authorized  
67 to execute the Agreement and Plan, provided further that the approval of changes  
68 thereto by those officials, and their character as not being substantially adverse to the  
69 City, shall be evidenced conclusively by the execution thereof.

70  
71 Section 3. This Council finds and determines that all formal actions of this  
72 Council and any of its committees concerning and relating to the adoption of this  
73 Ordinance were taken in an open meeting of this Council or committees, and that all  
74 deliberations of this Council and any of its committees that resulted in those formal  
75 actions were in meetings open to the public, all in compliance with the law.

76  
77 Section 4. This ordinance is declared to be an emergency measure necessary for  
78 the immediate preservation of the public peace, health and safety of the City, and for  
79 the further reason that this ordinance is required to be immediately effective in order to  
80 grant funds to the Community Improvement Corporation of Cuyahoga Falls for its  
81 programs to encourage the industrial, commercial, distribution and research  
82 development within the City and to provide for the health and welfare of the City  
83 residents; wherefore, this ordinance shall be in full force and effect immediately upon  
84 its passage and approval by the Mayor, otherwise it shall take effect and be in force at  
85 the earliest period allowed by law.

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88 Passed: \_\_\_\_\_  
89 \_\_\_\_\_  
90 President of Council

91 \_\_\_\_\_  
92 Clerk of Council

93  
94 Approved: \_\_\_\_\_  
95 \_\_\_\_\_  
96 Mayor

2  
3 CITY OF CUYAHOGA FALLS, OHIO

4  
5 ORDINANCE NO. - 2022

6  
7 AN ORDINANCE AUTHORIZING A GRANT TO THE  
8 COMMUNITY IMPROVEMENT CORPORATION OF  
9 CUYAHOGA FALLS AND AUTHORIZING THE EXECUTION  
10 OF A GRANT AGREEMENT WITH THE COMMUNITY  
11 IMPROVEMENT CORPORATION OF CUYAHOGA FALLS;  
12 AND DECLARING AN EMERGENCY.  
13

14 WHEREAS, Section 13 of Article VIII of the Ohio Constitution provides that, to  
15 create and preserve jobs and employment opportunities and to improve the economic  
16 welfare of the people of the State, it is in the public interest and a proper public purpose  
17 for a municipal corporation, its agencies or instrumentalities, or corporations not for  
18 profit designated by such municipal corporation as its agency or instrumentality, to  
19 perform the acts and exercise the powers therein provided; and  
20

21 WHEREAS, pursuant to Chapter 1724, Ohio Revised Code as it may hereinafter  
22 be amended, there has been formed a corporation known as “Community Improvement  
23 Corporation of Cuyahoga Falls”, a corporation not for profit as recorded on the Records  
24 of Incorporation and Miscellaneous Filings of the Secretary of State of the State of Ohio;  
25 (the “CIC”) and  
26

27 WHEREAS, the City previously designated the Community Improvement  
28 Corporation of Cuyahoga Falls as agent for the City for the sole purpose of the  
29 development and encouragement of industry, commerce, distribution and research in  
30 the City; and  
31

32 WHEREAS, this Council has determined that it would be in the best interests of  
33 the City to provide a grant to the CIC for the creation of a revolving loan program and to  
34 enter into a grant agreement with the CIC.  
35

36 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga  
37 Falls, Summit County, that:  
38

39 Section 1. This Council hereby authorizes a grant in the amount of \$2,000,000 to be  
40 provided to the CIC for the creation and operation of a revolving loan program in support  
41 of economic development and job creation within the City and in compliance with the  
42 purposes set forth in Article VIII, Section 13 of the Ohio Constitution and Chapter 1724  
43 of the Ohio Revised Code.  
44

45 Section 2. The form of Grant Agreement by and between this City and the CIC, in the  
46 form presently on file with the Clerk of Council, is hereby approved and authorized with  
47 changes therein not inconsistent with this Ordinance and not substantially adverse to  
48 this City and which shall be approved by the Mayor, Director of Law and Director of  
49 Finance. The Mayor, Director of Law and Director of Finance, for and in the name of  
50 this City, are hereby authorized to execute the Grant Agreement, provided further that

51 the approval of changes thereto by those officials, and their character as not being  
52 substantially adverse to the City, shall be evidenced conclusively by the execution  
53 thereof.

54  
55 Section 3. The Director of Finance is hereby authorized and directed to make  
56 payment for same from the General Fund, General Administration, line item Other  
57 Operations.

58 Section 4. This Council finds and determines that all formal actions of this Council  
59 and any of its committees concerning and relating to the adoption of this Ordinance  
60 were taken in an open meeting of this Council or committees, and that all deliberations  
61 of this Council and any of its committees that resulted in those formal actions were in  
62 meetings open to the public, all in compliance with the law.

63  
64 Section 5. This ordinance is declared to be an emergency measure necessary for the  
65 immediate preservation of the public peace, health and safety of the City, and for the  
66 further reason that this ordinance is required to be immediately effective in order to  
67 grant funds to the Community Improvement Corporation of Cuyahoga Falls for its  
68 programs to encourage the industrial, commercial, distribution and research  
69 development within the City and to provide for the health and welfare of the City  
70 residents; wherefore, this ordinance shall be in full force and effect immediately upon  
71 its passage and approval by the Mayor, otherwise it shall take effect and be in force at  
72 the earliest period allowed by law.

73  
74  
75 Passed: \_\_\_\_\_  
76 \_\_\_\_\_  
77 President of Council

78 \_\_\_\_\_  
79 Clerk of Council

80  
81 Approved: \_\_\_\_\_  
82 \_\_\_\_\_  
83 Mayor

84 10/10/22  
85 \\CF-FILE01\ldpublic\Council\2022ords\10-10-22\CIC Grant and Grant Agreement  
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