

2
3 CITY OF CUYAHOGA FALLS, OHIO

4
5 ORDINANCE NO. 86 - 2017

6
7 AN ORDINANCE AUTHORIZING THE CITY OF CUYAHOGA
8 FALLS TO TRANSFER REAL PROPERTY FORMERLY KNOWN AS
9 THE MUD RUN GUN CLUB TO THE COMMUNITY
10 IMPROVEMENT CORPORATION OF CUYAHOGA FALLS TO
11 FACILITATE THE REDEVELOPMENT OF THE PROPERTY, AND
12 DECLARING AN EMERGENCY.

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15 WHEREAS, pursuant to Chapter 1724 of the Ohio Revised Code, and as authorized by
16 Resolution No. 40-1970, the Community Improvement Corporation of Cuyahoga Falls, Ohio (CIC)
17 was duly designated by the City of Cuyahoga Falls, Ohio as the City's agency for industrial,
18 commercial, and civic development in the City of Cuyahoga Falls; and

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20 WHEREAS, one of the many goals of the CIC is to strive for assisting the economic growth
21 in the Cuyahoga Falls community; and

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23 WHEREAS, under Ohio Revised Code Chapter 1724, the City of Cuyahoga Falls may
24 designate the CIC as its agent in order to sell, lease, transfer or dispose of property; and

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26 WHEREAS, in 1999, the City acquired property located at 333 Pleasant Meadow
27 Boulevard, Cuyahoga Falls Ohio (P.N.35-01540); and

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29 WHEREAS, a Phase I Environmental Assessment of the property was not completed prior
30 to the City's acquisition which precludes the City's eligibility for US EPA Brownfield Cleanup
31 Grant funds; and

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33 WHEREAS, Phase I and Phase II Assessments, as well as a remediation investigation,
34 have since been completed and if the property transfers to the CIC, as a non-profit entity, the CIC
35 would be eligible to receive these cleanup grant funds; and

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37 WHEREAS, to be eligible to receive a cleanup grant, the applicant must be the sole owner
38 of the site that is the subject of its cleanup grant proposal and must own the site by November
39 16, 2017; and

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41 WHEREAS, the City and its public partners have already invested over \$50,000 in the
42 planning and design of the trail network including assessing and planning for the remediation of
43 the former Mud Run Gun Club; and

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45 WHEREAS, cleanup of the former Mud Run Gun Club site under this grant is expected to
46 remediate contamination and health and safety hazards; provide trails for the surrounding
47 communities; provide additional natural resource protection; provide recreation opportunities
48 within the Mill Pond-Mud Brook Greenway; and create a one mile trail connecting existing
49 regional bike lanes of State Road and proposed regional bike lanes/trails on Wyoga Lake Road;
50 and

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52 WHEREAS, the EPA cleanup grant will also enable the City to restore lost economic
53 benefits including: eliminate blight and return the former Mud Run Gun Club property to a
54 productive use that generates benefit for the community in the form of alternative transportation
55 and recreation venues; create an atmosphere that supports adaptive reuse of blighted property
56 within the community and the City at large; and encourage robust collaboration between the
57 public and private development sector to complete projects that drive equitable and mutual
58 benefit for both parties; and

60 WHEREAS, achieving these goals may act as a catalyst for launching elements of local
61 plans and, as such, redevelopment of brownfields located in Cuyahoga Falls is a high priority in
62 order to create jobs, restore lost tax revenues, and achieve economic benefits.

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

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67 Section 1. The real property described in Exhibit A, attached hereto and made a part of
68 this Ordinance, is hereby determined to be not required by the City of Cuyahoga Falls for its
69 purposes.

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71 Section 2. The use of the above described parcel for redevelopment will assist in
72 promoting the general welfare of the people of Cuyahoga Falls, Ohio by providing economic
73 development opportunities, protecting the public health and safety, and providing recreational
74 opportunities within the Mill Pond-Mud Brook Greenway.

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76 Section 3. The Mayor, Director of Community Development, Director of Law, and other
77 City officials, as appropriate, be and are hereby authorized to execute, certify and/or furnish
78 other such documents and do all other actions as are necessary to transfer the property to the
79 Community Improvement Corporation of Cuyahoga Falls for purposes set forth in this ordinance.

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81 Section 4. Any other ordinances and resolutions or portions of ordinances and
82 resolutions inconsistent herewith are hereby repealed, but any ordinances and resolutions or
83 portions of ordinances and resolutions not inconsistent herewith and which have not previously
84 been repealed are hereby ratified and confirmed.

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86 Section 5. It is found and determined that all formal actions of this Council concerning
87 and relating to the adoption of this ordinance were adopted in an open meeting of this Council
88 and that all deliberations of this Council and of any of its committees that resulted in such formal
89 action were in meetings open to the public, in compliance with all legal requirements including
90 Chapter 107 of the Codified Ordinances.

91
92 Section 6. This ordinance is hereby declared to be an emergency measure necessary for
93 the preservation of the public peace, health, safety, convenience and welfare of the City of
94 Cuyahoga Falls and the inhabitants thereof, and provided it receives the affirmative vote of
95 two-thirds of the members elected or appointed to Council, it shall take effect and be in force
96 immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in
97 force at the earliest period allowed by law.

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100 Passed: 11-13-17



President of Council



Clerk of Council

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108 Approved: 11-14-2017



Mayor

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111 11/6/17

112 O:\2017ords\Transfer of Mud Run Gun Club to CIC.doc

B-93

EXHIBIT A

Situated in the City of Cuyahoga Falls, County of Summit and State of Ohio: And being a part of Original Lot 6 in said City and further described as follows: Beginning at an iron pipe found at the northwesterly corner of said O.L. 6; Thence S $88^{\circ} 13' 05''$ E 390.19 feet along the northerly line of O.L. 6 to an iron bar set in said northerly line; Thence South 628.07 feet parallel to the westerly line of said O.L. 6 to an iron bar set at the southeasterly corner of the parcel herein described; Thence N $86^{\circ} 50' 05''$ W 390.60 feet parallel to the Grantor's southerly line to an iron bar set in the westerly line of said O.L. 6; Thence North 618.64 feet along the westerly line of said O.L. 6 to the place of beginning and containing 5.5809 acres of land as surveyed in April, 1977 by Kenneth W. Jensen, Registered Surveyor No. 4869.

PPN NO. NH-00023-04-017.000

PM NO. 35-01540

Property commonly known as: 333 Pleasant Meadow Lane, Cuyahoga Falls, Ohio