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3 CITY OF CUYAHOGA FALLS, OHIO

4  
5 ORDINANCE NO. 111 - 2022

6  
7 AN ORDINANCE AUTHORIZING THE MAYOR TO ACCEPT  
8 AN ENVIRONMENTAL PROTECTION REMEDIATION FUND  
9 GRANT FROM THE OHIO ENVIRONMENTAL PROTECTION  
10 AGENCY IN THE AMOUNT OF \$200,000.00 FOR  
11 ENVIRONMENTAL REMEDIATION OF A POND AREA  
12 LOCATED IN THE PRESERVE AT SALT CREEK RUN  
13 DEVELOPMENT; AUTHORIZING THE MAYOR TO ENTER  
14 INTO A CONTRACT OR CONTRACTS WITH PATRIOT  
15 ENGINEERING AND ENVIRONMENTAL, INC. TO  
16 COMPLETE THE WORK ASSOCIATED WITH THE GRANT,  
17 AND DECLARING AN EMERGENCY.

18  
19 WHEREAS, pursuant to Ohio Revised Code (ORC) Chapter 3734, the City of  
20 Cuyahoga Falls is eligible for and has applied to the Ohio Environmental Protection  
21 Agency (Ohio EPA) for program funding to implement an Environmental Protection  
22 Remediation Fund Grant (Grant); and

23  
24 WHEREAS, Buckeye Sports Center’s shooting range operated on the site now  
25 occupied by the Preserve at Salt Creek Run (Preserve) development from 1961 to 1971,  
26 resulting in lead contamination; and

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28 WHEREAS, the site was remediated in 2013 prior to residential development,  
29 however, further remediation of the pond area in the Preserve is necessary; and

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31 WHEREAS, ORC §3734.281 authorizes the Ohio EPA Director and City to enter  
32 into a grant agreement from the environmental protection remediation fund created in  
33 ORC §3734.281 to remediate a substantial threat to public health or safety; and

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35 WHEREAS, the City hired Patriot Engineering and Environmental, Inc. (Patriot) to  
36 provide professional services related to the work associated with the grant, including,  
37 but not limited to, obtaining quotes for environmental remediation related to the pond  
38 area located in the Preserve at Salt Creek Run; and

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40 WHEREAS, it is necessary to enter into these agreements so that work can  
41 commence immediately to meet Ohio EPA’s deadline.

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

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46 Section 1. The Mayor is authorized to enter into an agreement or agreements with  
47 Ohio EPA to accept an Environmental Protection Remediation Fund Grant in the  
48 amount of \$200,000.00 for environmental remediation of a pond area located in the  
49 Preserve at Salt Creek Run development.

51 Section 2. The Mayor is authorized to enter into an agreement or agreements with  
52 Patriot Engineering and Environmental, Inc. to complete the work associated with the  
53 Grant set forth in Section 1 above.

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55 Section 3. The Mayor, City Engineer, Director of Law, Director of Finance and other  
56 necessary City officials are authorized to provide such information and to execute  
57 such other documents and amendments to the agreements and do all other actions as  
58 are necessary for and incidental to carrying out the requirements of this ordinance  
59 and the terms of the agreements.


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61 Section 4. The Director of Finance is hereby authorized to pay the City's share of  
62 the grant project from the Storm Drainage Fund, line item Other Operations.

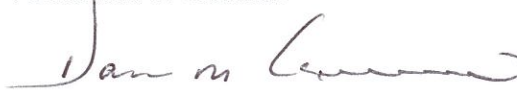
63  
64 Section 5. Any other ordinances or resolutions or portions of ordinances and  
65 resolutions inconsistent herewith be and the same are hereby repealed, but any  
66 ordinances and resolutions not inconsistent herewith and which have not previously  
67 been repealed are hereby ratified and confirmed.

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69 Section 6. It is found and determined that all formal actions of this Council  
70 concerning and relating to the adoption of this ordinance were adopted in an open  
71 meeting of this Council, and that all deliberations of this Council and of any of its  
72 committees that resulted in such formal action, were in meetings open to the public,  
73 in compliance with all legal requirements, to the extent applicable, including Chapter  
74 107 of the Codified Ordinances.

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76 Section 7. This ordinance is hereby declared to be an emergency measure  
77 necessary for the immediate preservation of the public peace, health, safety,  
78 convenience, and welfare of the City of Cuyahoga Falls, and the inhabitants thereof,  
79 and for further reason that this measure is necessary due to the grant deadline, and  
80 this ordinance shall become immediately effective upon receiving the affirmative vote  
81 of two-thirds of all members elected to Council and approval of the Mayor; otherwise it  
82 shall take effect and be in force at the earliest period allowed by law.

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85 Passed: 11-14-2022

  
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President of Council

  
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Clerk of Council

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93 Approved: 11-14-2022

  
\_\_\_\_\_  
Mayor

94  
95 11/14/22

96 \\cf-file04\LDPublic\Council\2022ords\11-14-22\Accepting EPA Ohio Salt Creek  
97 Grant 2022.docx