

NEW LEGISLATION

July 14, 2014

Temp. No.	Introduced	Committee	Description
A-71	7/14/14	Fin	An ordinance providing for the issuance and sale of Notes in the aggregate principal amount of \$500,000, in anticipation of the issuance of Bonds, for the purpose of paying costs of widening State Road from Graham Road to Quick Road by constructing sidewalks, bike lanes, curbs, storm water management improvements, signalization and street lighting and other improvements, and declaring an emergency.
A-72	7/14/14	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts without competitive bidding with ATT for special phone circuits, and declaring an emergency.
A-73	7/14/14	Fin	An ordinance authorizing the Director of Public Service to enter into a contract without competitive bidding with Siemens Industry, Inc. for the purchase and installation of equipment for the 23KV Upgrade Project for use by the Electric Department, and declaring an emergency.
A-74	7/14/14	PI	A resolution consenting to the repair of the Bailey Road Bridge over State Route 8 within the City of Cuyahoga Falls, by the State of Ohio, and declaring an emergency.
A-75	7/14/14	PA	An ordinance amending Part Nine of the Codified Ordinances of the City of Cuyahoga Falls by the amendment of Section 933.121(a), and declaring an emergency.
A-76	7/14/14	PA	An ordinance authorizing the Mayor to enter into a contract or contracts, according to law, to allow Don Sitts Auto Sales, Inc. access to the City's

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rights of way, and declaring an emergency.

A-77 7/14/14 PA

An ordinance establishing compensation levels for non-bargaining employees of the City of Cuyahoga Falls for calendar years 2014, and 2015, and declaring an emergency.

A-78 7/14/14 PA

An ordinance authorizing the purchase of the Mill Pond Property owned by First Akron Development Corporation to assist in redevelopment by Menard's to create job and employment opportunities, to protect open space and to create recreational and storm water management opportunities; and declaring an emergency.

CALENDAR

July 14, 2014

The following legislation will be up for passage at the Council Meeting on July 14, 2014.

Temp. No.	Introduced	Committee	Description
A-61	6/23/14	P&Z	An ordinance authorizing the Director of Public Service to issue an encroachment permit to McDonalds Real Estate Co. for the purpose of constructing and maintaining a business identification sign in a portion of Graham Road Circle right of way and declaring an emergency.
A-62	6/23/14	P&Z	An ordinance authorizing the vacation plat for sections of Portage Trail and Second Street associated with building encroachments at 140 Portage Trail and an amendment to an access agreement for Parcel 02-07052 and declaring an emergency.
A-64	6/23/14	Fin	An ordinance providing for the issuance and sale of Notes in the aggregate principal amount of \$6,600,000, in anticipation of the issuance of Bonds, for the purpose of revitalizing the State Road redevelopment area by acquiring, clearing and improving certain properties in that area, and declaring an emergency.
A-65	6/23/14	PA	An ordinance authorizing Administration to enter into a contract or contracts after obtaining proposals for energy efficiency programs, and declaring an emergency.
A-67	6/23/14	PA	An ordinance amending the Traffic Control File by providing for installation of various traffic control devices, and declaring an emergency.
A-68	6/23/14	PA	An ordinance authorizing the Mayor to enter into an agreement with the Ohio Patrolmen's Benevolent Association effective January 1, 2014, and declaring an emergency.

A-69 6/23/14 PA

An ordinance authorizing the Mayor to enter into an agreement with the Ohio Patrolmen's Benevolent Association effective January 1, 2014, and declaring an emergency.

A-70 6/23/14 CD

A resolution accepting the recommendations of the Tax Incentive Review Council and the Community Reinvestment Area Housing Council concerning enterprise zone and community reinvestment area tax exemption agreements within the City of Cuyahoga Falls, and declaring an emergency.

PENDING LEGISLATION

July 14, 2014

Temp. No.	Introduced	Committee	Description
A-51	5/12/14	PA	An ordinance amending Ordinance 95-2004 which implemented Sections 3735.65 through 3735.70 of the Ohio Revised Code, and established and described the boundaries of a Community Reinvestment Area in the City of Cuyahoga Falls, and declaring an emergency.
A-61	6/23/14	P&Z	An ordinance authorizing the Director of Public Service to issue an encroachment permit to McDonalds Real Estate Co. for the purpose of constructing and maintaining a business identification sign in a portion of Graham Road Circle right of way and declaring an emergency.
A-62	6/23/14	P&Z	An ordinance authorizing the vacation plat for sections of Portage Trail and Second Street associated with building encroachments at 140 Portage Trail and an amendment to an access agreement for Parcel 02-07052 and declaring an emergency.
A-63	6/23/14	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for overhead line clearance services including tree maintenance, tree and brush removal services, and mowing, for a period not to exceed two years, and declaring an emergency.
A-64	6/23/14	Fin	An ordinance providing for the issuance and sale of Notes in the aggregate principal amount of \$6,600,000, in anticipation of the issuance of Bonds, for the purpose of revitalizing the State Road redevelopment area by acquiring, clearing and improving certain properties in that area, and declaring an emergency.

A-65	6/23/14 PA	An ordinance authorizing Administration to enter into a contract or contracts after obtaining proposals for energy efficiency programs, and declaring an emergency.
A-67	6/23/14 PA	An ordinance amending the Traffic Control File by providing for installation of various traffic control devices, and declaring an emergency.
A-68	6/23/14 PA	An ordinance authorizing the Mayor to enter into an agreement with the Ohio Patrolmen's Benevolent Association effective January 1, 2014, and declaring an emergency.
A-69	6/23/14 PA	An ordinance authorizing the Mayor to enter into an agreement with the Ohio Patrolmen's Benevolent Association effective January 1, 2014, and declaring an emergency.
A-70	6/23/14 CD	A resolution accepting the recommendations of the Tax Incentive Review Council and the Community Reinvestment Area Housing Council concerning enterprise zone and community reinvestment area tax exemption agreements within the City of Cuyahoga Falls, and declaring an emergency.

2
3
4 CITY OF CUYAHOGA FALLS, OHIO

5
6 ORDINANCE NO. -2014

7
8 AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE
9 OF NOTES IN THE AGGREGATE PRINCIPAL AMOUNT OF
10 \$500,000, IN ANTICIPATION OF THE ISSUANCE OF BONDS,
11 FOR THE PURPOSE OF PAYING COSTS OF WIDENING STATE
12 ROAD FROM GRAHAM ROAD TO QUICK ROAD BY
13 CONSTRUCTING SIDEWALKS, BIKE LANES, CURBS, STORM
14 WATER MANAGEMENT IMPROVEMENTS, SIGNALIZATION
15 AND STREET LIGHTING AND OTHER IMPROVEMENTS, AND
16 DECLARING AN EMERGENCY.
17
18

19 WHEREAS, pursuant to Ordinance No. 58-2013 passed September 9, 2013, a note in
20 anticipation of bonds in the amount of \$1,000,000 dated September 24, 2013 (the “Outstanding
21 Note”), was issued for the purpose of paying costs of widening State Road from Graham Road to
22 Quick Road by constructing sidewalks, bike lanes, curbs, storm water management improvements,
23 signalization and street lighting and other improvements (the “Improvement”), to mature on
24 September 24, 2014; and
25

26 WHEREAS, this Council finds and determines that the City should retire the Outstanding
27 Note with the proceeds of the Notes described in Section 3 and other funds available to the City;
28 and

29 WHEREAS, the Director of Finance as fiscal officer of this City has certified to this
30 Council that the estimated life or period of usefulness of the Improvement described in
31 Section 1 is at least five years, the estimated maximum maturity of the Bonds described
32 in Section 1 is 20 years, and the maximum maturity of the Notes described in Section 3 is
33 September 25, 2032;
34

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

38 Section 1. It is necessary to issue bonds of this City in the aggregate principal
39 amount of \$500,000 (the “Bonds”) to pay costs of the Improvement.
40

41 Section 2. The Bonds shall be dated September 1, 2015, shall bear interest at the
42 now estimated rate of six percent (6%) per year, payable semiannually until the principal
43 amount is paid, and are estimated to mature in 20 annual principal installments on
44 December 1 of each year that are in such amounts that the total principal and interest
45 payments on the Bonds in any fiscal year in which principal is payable are substantially
46 equal. The first principal payment of the Bonds is estimated to be December 1, 2016.
47

48 Section 3. It is necessary to issue and this Council determines that notes in the
49 aggregate principal amount of \$500,000 (the “Notes”) shall be issued in anticipation of the

50 issuance of the Bonds and to retire, together with other funds available to the City, the
51 Outstanding Note and to pay financing costs of the issuance of the Notes. The Notes shall
52 be dated their date of issuance and shall mature one year from the date of issuance,
53 provided that the date of issuance shall not be later than September 24, 2014, and further
54 provided that the Director of Finance may, if it is determined to be necessary or advisable
55 to the sale of the Notes, establish a maturity date that is up to 15 days less than one year
56 from the date of issuance by setting forth that maturity date in a final terms certificate in
57 accordance with Section 6 of this Ordinance (the "Final Terms Certificate"). The Notes
58 shall bear interest at a rate or rates not to exceed six percent (6%) per year (computed on
59 the basis of a 360-day year consisting of twelve 30-day months), payable at maturity and
60 until the principal amount is paid or payment is provided for. The rate of interest on the
61 Notes shall be determined by the Director of Finance in the Final Terms Certificate.

62
63 Section 4. The principal of and interest on the Notes shall be payable in lawful
64 money of the United States of America, and shall be payable, without deduction for services
65 of the City's paying agent, at the office of a bank or trust company designated by the
66 Director of Finance in the Final Terms Certificate after determining that the payment at
67 that bank or trust company will not endanger the funds or securities of the City and that
68 proper procedures and safeguards are available for that purpose (the "Paying Agent").
69

70 Section 5. The Notes shall be signed by the Mayor and Director of Finance, in the
71 name of the City and in their official capacities, provided that one of those signatures may
72 be a facsimile. The Notes shall be issued in the denominations and numbers as requested
73 by Stifel, Nicolaus & Company, Incorporated (the "Original Purchaser") and approved by
74 the Director of Finance in the Final Terms Certificate, and the entire principal amount may
75 be represented by a single note, may be issued as fully registered securities (for which the
76 Director of Finance will serve as note registrar), and may be issued in book entry or other
77 uncertificated form in accordance with Section 9.96 and Chapter 133 of the Revised Code
78 if it is determined by the Director of Finance that issuance of the Notes in that form will
79 facilitate the sale and delivery of the Notes. The Notes shall not have coupons attached,
80 shall be numbered as determined by the Director of Finance and shall express upon their
81 faces the purpose, in summary terms, for which they are issued and that they are issued
82 pursuant to this Ordinance.
83

84 The Notes may be issued to any securities depository (a "Depository") that is a
85 clearing agency under federal law operating and maintaining, with any participants
86 contracting with a Depository under a book entry system and includes security brokers
87 and dealers, banks and trust companies, and clearing corporations or otherwise
88 ("Participants"), a system (a "book entry system") under which (i) the ownership of
89 beneficial interests in the Notes and the principal of, and interest on, the Notes may be
90 transferred only through a book entry, and (ii) a single physical Note certificate is issued
91 by the City and payable only to a Depository or its nominee, with such Notes "immobilized"
92 in the custody of the Depository or its agent for that purpose. If, and as long as a book
93 entry system is utilized, (i) the Notes may be issued in the form of a single Note made
94 payable to the Depository or its nominee and immobilized in the custody of the Depository
95 or its agent for that purpose; (ii) the beneficial owners in book entry form shall have no
96 right to receive the Notes in the form of physical securities or certificates; (iii) ownership of
97 beneficial interests in book entry form shall be shown by book entry on the system
98 maintained and operated by the Depository and its Participants, and transfers of the
99 ownership of beneficial interests shall be made only by book entry by the Depository and

100 its Participants; and (iv) the Notes as such shall not be transferable or exchangeable,
101 except for transfer to another Depository or to another nominee of a Depository, without
102 further action by the City.

103
104 If any Depository determines not to continue to act as a Depository for the Notes for
105 use in a book entry system, the Director of Finance may attempt to establish a securities
106 depository/book entry relationship with another qualified Depository. If the Director of
107 Finance does not or is unable to do so, the Director of Finance, after making provision for
108 notification of the beneficial owners by the then Depository and any other arrangements
109 deemed necessary, shall permit withdrawal of the Notes from the Depository, and shall
110 cause the Notes in bearer or payable form to be signed by the officers authorized to sign
111 the Notes and delivered to the assigns of the Depository or its nominee, all at the cost and
112 expense (including any costs of printing), if the event is not the result of City action or
113 inaction, of those persons requesting such issuance.

114
115 The Director of Finance is also hereby authorized and directed, to the extent
116 necessary or required, to enter into any agreements determined necessary in connection
117 with the book entry system for the Notes, after determining that the signing thereof will
118 not endanger the funds or securities of the City.

119
120 Section 6. The Notes shall be sold to the Original Purchaser at a purchase price of
121 not less than par of the principal amount thereof plus accrued interest by the Director of
122 Finance in accordance with law and the provisions of this Ordinance. The note purchase
123 agreement by and between the City and the Original Purchaser (the "Note Purchase
124 Agreement") now on file with the Clerk of this Council is now approved, and the Director
125 of Finance is authorized to sign and deliver, on behalf of the City, the Note Purchase
126 Agreement with such changes that are not inconsistent with the provisions of this
127 Ordinance, are not materially adverse to the interests of the City and are approved by the
128 Director of Finance. That any such changes to the Note Purchase Agreement are not
129 materially adverse to the interests of the City and approved by the Director of Finance shall
130 be evidenced conclusively by the signing of the Note Purchase Agreement by the Director
131 of Finance. The Director of Finance shall sign the Final Terms Certificate referred to in
132 Sections 3 and 4 and cause the Notes to be prepared, and have the Notes signed and
133 delivered, together with a true transcript of proceedings with reference to the issuance of
134 the Notes if requested by the Original Purchaser, to the Original Purchaser upon payment
135 of the purchase price. The Mayor, the Director of Finance, the Director of Law, the Clerk
136 of Council and other City officials, as appropriate, are each authorized and directed to sign
137 any transcript certificates, financial statements and other documents and instruments
138 and to take such actions as are necessary or appropriate to consummate the transactions
139 contemplated by this Ordinance. The Director of Finance is authorized, if it is determined
140 to be in the best interest of the City, to combine the Notes with one or more other note
141 issues of the City into a consolidated note issue pursuant to Section 133.30(B) of the
142 Revised Code.

143
144 The Director of Finance is hereby authorized to offer all or part of the Notes at par
145 and any accrued interest to the Treasury Investment Board of the City for investment
146 under Section 731.56 of the Revised Code, in accordance with law and the provisions of
147 this ordinance if, as a result of the conditions then existing in the financial markets, the
148 Director of Finance determines it is in the best financial interest of the City in lieu of the
149 private sale authorized in the preceding paragraph.

150 Section 7. A portion of the proceeds from the sale of the Notes sufficient, together
151 with other funds available to the City, to retire the Outstanding Note at maturity shall be
152 deposited into the bond retirement fund and used to retire the Outstanding Note. The
153 remaining proceeds from the sale of the Notes shall be paid into the proper fund or funds
154 and those proceeds are appropriated and shall be used for the purpose for which the Notes
155 are being issued. Any income earned from the investment of the proceeds of the Notes shall
156 be deposited into the fund in which such proceeds are deposited (and shall not be
157 transferred to the General Fund). The proceeds from the sale of the Notes and the
158 investment earnings on those proceeds are appropriated for the uses described above.
159

160 Section 8. The par value to be received from the sale of the Bonds or of any renewal
161 notes and any excess funds resulting from the issuance of the Notes shall, to the extent
162 necessary, be used to pay the principal of and interest on the Notes at maturity and are
163 pledged for that purpose.
164

165 Section 9. During the year or years in which the Notes are outstanding, there shall
166 be levied on all the taxable property in the City, in addition to all other taxes, the same tax
167 that would have been levied if the Bonds had been issued without the prior issuance of
168 the Notes. The tax shall be within the 11-mill limitation provided by the Charter of the
169 City, shall be and is ordered computed, certified, levied and extended upon the tax
170 duplicate and collected by the same officers, in the same manner, and at the same time
171 that taxes for general purposes for each of those years are certified, levied, extended and
172 collected, and shall be placed before and in preference to all other items and for the full
173 amount thereof. The proceeds of the tax levy shall be placed in the Bond Retirement Fund,
174 which is irrevocably pledged for the payment of the principal of and interest on the Notes
175 or the Bonds when and as the same fall due. In each year to the extent money from the
176 municipal income tax, as provided below, is available for the payment of the debt charges
177 on the Notes and Bonds and is appropriated for that purpose, the amount of the tax shall
178 be reduced by the amount of the money so available and appropriated in compliance with
179 the covenant hereinafter set forth. To the extent necessary, the debt charges on the Notes
180 and Bonds shall be paid from municipal income taxes lawfully available therefor under the
181 Constitution and laws of the State of Ohio; and the City hereby covenants, subject and
182 pursuant to such authority, including particularly Section 133.05(B)(7), Revised Code, to
183 appropriate annually from such municipal income taxes such amount as is necessary to
184 meet such annual debt charges. Nothing in this paragraph in any way diminishes the
185 pledge of the full faith and credit and property taxing power of the City to the prompt
186 payment of the debt charges on the Notes.
187

188 Section 10. The City covenants that it will use, and will restrict the use and
189 investment of, the proceeds of the Notes in such manner and to such extent as may be
190 necessary so that (a) the Notes will not (i) constitute private activity bonds, arbitrage
191 bonds or hedge bonds under Sections 141, 148 or 149 of the Internal Revenue Code of
192 1986, as amended (the Code) or (ii) be treated other than as bonds to which Section
193 103(a) of the Code applies, and (b) the interest on the Notes will not be an item of tax
194 preference under Section 57 of the Code.
195

196 The City further covenants that (a) it will take or cause to be taken such actions
197 that may be required of it for the interest on the Notes to be and remain excluded from
198 gross income for federal income tax purposes, (b) it will not take or authorize to be taken

199 any actions that would adversely affect that exclusion, and (c) it, or persons acting for it,
200 will, among other acts of compliance, (i) apply the proceeds of the Notes to the
201 governmental purpose of the borrowing, (ii) restrict the yield on investment property, (iii)
202 make timely and adequate payments to the federal government, (iv) maintain books and
203 records and make calculations and reports and (v) refrain from certain uses of those
204 proceeds, and, as applicable, of property financed with such proceeds, all in such
205 manner and to the extent necessary to assure such exclusion of that interest under the
206 Code.

207
208 The City hereby represents that the Outstanding Note was designated as a “qualified tax-
209 exempt obligation” pursuant to Section 265(b)(3) of the Code. The City hereby covenants that it
210 will redeem all of the Outstanding Note from the proceeds of, and within 90 days after the issuance
211 of, the Notes, and represents that all other conditions are met for treating the Notes as “qualified tax-
212 exempt obligations” and not to be taken into account under subparagraph (D) of Section 265(b)(3) of
213 the Code, by reason of subparagraph (D)(ii) of Section 265(b)(3) of the Code. The City further
214 represents that it has not formed or participated in the formation of, or benefited from or availed
215 itself of, any entity in order to avoid the purposes of subparagraph (C) or (D) of Section 265(b)(3)
216 of the Code, and covenants that it will not form, participate in the formation of, or benefit from or
217 avail itself of any such entity. The City further represents that the Notes are not being issued as
218 part of a direct or indirect composition issue that combines issues or lots of tax-exempt obligations
219 of different issuers.

220
221 The Director of Finance or any other officer of the City having responsibility for issuance
222 of the Notes is hereby authorized (a) to make or effect any election, selection, designation, choice,
223 consent, approval, or waiver on behalf of the City with respect to the Notes as the City is permitted
224 to or required to make or give under the federal income tax laws, including, without limitation
225 thereto, any of the elections provided for in Section 148(f)(4)(C) of the Code or available under
226 Section 148 of the Code, for the purpose of assuring, enhancing or protecting favorable tax
227 treatment or status of the Notes or interest thereon or assisting compliance with requirements for
228 that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or
229 payments or penalties, or making payments of special amounts in lieu of making computations to
230 determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as
231 determined by that officer, which action shall be in writing and signed by the officer, (b) to take
232 any and all other actions, make or obtain calculations, make payments, and make or give reports,
233 covenants and certifications of and on behalf of the City, as may be appropriate to assure the
234 exclusion of interest from gross income and the intended tax status of the Notes, and (c) to given
235 one or more appropriate certificates of the City, for inclusion in the transcript of proceedings for
236 the Notes, setting forth the reasonable expectations of the City regarding the amount and use of all
237 the proceeds of the Notes, the facts, circumstances and estimates on which they are based, and
238 other facts and circumstances relevant to the tax treatment of the interest on and the tax status of
239 the Notes.

240
241 Each covenant made in this Section with respect to the Notes is also made with respect to
242 all issues any portion of the principal of and interest on which is paid from proceeds of the Notes
243 (and, if different, the original issue and any refunding issues in a series of refundings), to the extent
244 such compliance is necessary to assure exclusion of interest on the Notes from gross income for

245 federal income tax purposes, and the officers identified above are authorized to take actions with
246 respect to those issues as they are authorized in this Section to take with respect to the Notes.
247

248 Section 11. If, in the judgment of the Director of Finance, the filing of an application
249 for (i) a rating on the Notes by one or more nationally-recognized rating agencies, or (ii) a policy
250 of insurance from a company or companies to better assure the payment of principal of and interest
251 on the Notes, is in the best interest of and financially advantageous to this City, the Director of
252 Finance is authorized to prepare and submit those applications, to provide to each such agency or
253 company such information as may be required for the purpose, and to provide further for the
254 payment of the cost of obtaining each such rating or policy, except to the extent otherwise paid in
255 accordance with the Note Purchase Agreement, from the proceeds of the Notes to the extent
256 available and otherwise from any other funds lawfully available and that are appropriated or shall
257 be appropriated for that purpose. To the extent the Director of Finance has taken such actions,
258 those actions are hereby ratified and confirmed.
259

260 Section 12. The Clerk of Council is directed to deliver a certified copy of this
261 Ordinance to the Fiscal Officer of Summit County.
262

263 Section 13. This Council determines it is in the interest of the City to retain the
264 law firm of Benesch, Friedlander, Coplan & Aronoff LLP (“Benesch”) to represent the
265 City as bond counsel in connection with its proposed issuance of the Notes. This
266 Council approves the form of the engagement letter from Benesch now on file with this
267 Council and authorizes the Mayor to sign and accept that engagement letter with such
268 changes as the Mayor deems necessary.
269

270 The City acknowledges that few legal firms actively represent public and private
271 entities in connection with the authorization, sale and issuance of obligations by Ohio
272 political subdivisions, and that Benesch currently represents, and has from time to time
273 represented, the Original Purchaser in matters unrelated to the Bonds. This Council
274 approves the form of the conflict waiver from Benesch now on file with this Council and
275 authorizes the Mayor to sign that conflict waiver with such changes as the Mayor deems
276 necessary.
277

278 Section 14. This Council determines that all acts and conditions necessary to be
279 done or performed by the City or to have been met precedent to and in the issuing of the
280 Notes in order to make them legal, valid and binding general obligations of the City have
281 been performed and have been met, or will at the time of delivery of the Notes have been
282 performed and have been met, in regular and due form as required by law; that the full
283 faith and credit and general property taxing power (as described in Section 9) of the City
284 are pledged for the timely payment of the principal of and interest on the Notes; and that
285 no statutory or constitutional limitation of indebtedness or taxation will have been
286 exceeded in the issuance of the Notes.
287

288 Section 15. This Council finds and determines that all formal actions of this
289 Council concerning and relating to the passage of this Ordinance, and that all deliberations
290 of this Council and of any committees that resulted in those formal actions, were taken in
291 meetings open to the public, in compliance with the law.
292

293 Section 16. This Ordinance is declared to be an emergency measure necessary for
294 the immediate preservation of the public peace, health and safety of the City and for the
295 further reason that this Ordinance is required to be immediately effective in order to issue
296 and sell the Notes, which is necessary to enable the City to timely retire the Outstanding
297 Note and thereby preserve its credit; wherefore, this Ordinance shall be in full force and
298 effect immediately upon its passage and approval by the Mayor.
299

300
301 Passed: _____
302 _____
303 President of Council

304 _____
305 Clerk of Council
306

307 Approved: _____
308 _____
309 Mayor

310
311
312 7/14/14
313 O:\2014ords\Ordinance - 2014 Street Notes.docx

2
3
4 CITY OF CUYAHOGA FALLS, OHIO

5
6 ORDINANCE NO. - 2014

7
8 AN ORDINANCE AUTHORIZING THE DIRECTOR OF
9 PUBLIC SERVICE TO ENTER INTO A CONTRACT OR
10 CONTRACTS WITHOUT COMPETITIVE BIDDING WITH
11 ATT FOR SPECIAL PHONE CIRCUITS, AND
12 DECLARING AN EMERGENCY.
13

14
15 WHEREAS, Article I, Section 2 of the City Charter, adopted pursuant to Art.
16 XVIII, Sections 3 and 7 of the Ohio Constitution, authorizes this Council to make
17 exception to the competitive bidding procedures set forth in the Revised Code,
18

19 WHEREAS, ATT is the sole source purveyor of proprietary phone lines used to
20 support electric substation and water facilities throughout the City,
21

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

25 Section 1.The Director of Public Service is hereby authorized to enter into a
26 contract or contracts without competitive bidding with ATT, on a month to month
27 schedule that can be cancelled at any time.
28

29 Section 2.The Director of Finance is hereby authorized and directed to make
30 payment for same from Sewer and Electric Funds, line item Other Operations.
31

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

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

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

49 approval by the Mayor; otherwise it shall take effect and be in force at the earliest
50 period allowed by law.

51

52

53 Passed:_____

President of Council

54

55

56

57

Clerk of Council

58

59

60

61 Approved_____

Mayor

62

63 7/14/14

64 O:\2014ords\ATT SPECIAL PHONE CIRCUITS.doc

2
3
4 CITY OF CUYAHOGA FALLS, OHIO

5
6 ORDINANCE NO. - 2014
7

8
9 AN ORDINANCE AUTHORIZING THE DIRECTOR OF
10 PUBLIC SERVICE TO ENTER INTO A CONTRACT
11 WITHOUT COMPETITIVE BIDDING WITH SIEMENS
12 INDUSTRY, INC. FOR THE PURCHASE AND
13 INSTALLATION OF EQUIPMENT FOR THE 23KV
14 UPGRADE PROJECT FOR USE BY THE ELECTRIC
15 DEPARTMENT, AND DECLARING AN EMERGENCY.
16

17
18 WHEREAS, Article I, Section 2 of the City Charter adopted pursuant to Art.
19 XVIII, Sections 3 and 7 of the Ohio Constitution, authorizes this Council to make
20 exception to the competitive bidding procedures set forth in the Revised Code,
21

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

25 Section 1. The Director of Public Service is hereby authorized to enter into a
26 contract without competitive bidding with Siemens Industry, Inc. for the purchase
27 and installation of equipment for the 23KV Upgrade Project, in accordance with the
28 vendor’s proposals dated May 30, 2014 and June 4, 2014.
29

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

33 Section 3. Any other ordinances and resolutions or portions of ordinances and
34 resolutions inconsistent herewith are hereby repealed, but any ordinances and
35 resolutions or portions of ordinances and resolutions not inconsistent herewith
36 and which have not previously been repealed are hereby ratified and confirmed.
37

38 Section 4. It is found and determined that all formal actions of this Council
39 concerning and relating to the adoption of this ordinance were adopted in an open
40 meeting of this Council and that all deliberations of this Council and of any of its
41 committees that resulted in such formal action were in meetings open to the
42 public, in compliance with all legal requirements including, to the extent
43 applicable, Chapter 107 of the Codified Ordinances.
44

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

50 approval by the Mayor; otherwise it shall take effect and be in force at the earliest
51 period allowed by law.

52

53

54 Passed:_____

President of Council

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Clerk of Council

60

61

62 Approved_____

Mayor

63

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65 7/14/14

66 O:\2014ords\Distribution Feeder Automation System.doc

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3
4 CITY OF CUYAHOGA FALLS, OHIO

5
6 RESOLUTUION NO. - 2014

7
8
9 A RESOLUTION CONSENTING TO THE REPAIR OF THE
10 BAILEY ROAD BRIDGE OVER STATE ROUTE 8 WITHIN THE
11 CITY OF CUYAHOGA FALLS, BY THE STATE OF OHIO, AND
12 DECLARING AN EMERGENCY.
13

14
15 WHEREAS, the State of Ohio has identified the need for and proposes the repair of the
16 Bailey Road Bridge over State Route 8, in the City of Cuyahoga Falls, and
17

18 WHEREAS, Ohio Revised Code §5521.01 specifies that the consent of this Council is
19 required prior to the improvement of a state highway within the City’s corporate limits,
20

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

24 Section 1. This Council hereby consents to the repair of the Bailey Road Bridge over
25 State Route 8, SFN 7710828, pursuant to the plans and specifications developed and
26 included as part of the project identified as PID No. 98281, SR8-6.44 by the State of Ohio,
27 Dept. of Transportation, which project shall include the repair of the Bailey Road Bridge.
28

29 Section 2. This Council’s consent is granted with the following understandings:
30

31 A. The City will agree to pay One Hundred Percent (100%) of the cost of
32 those features requested by the City which are determined by the State and
33 Federal Highway Administration to be unnecessary for the Project.
34

35 B. The City agrees that all right-of-way required for the described Project
36 will be acquired and/or made available in accordance with current state and
37 federal regulations. The City also understands that right-of-way costs
38 include eligible utility costs.
39

40 C. Upon completion of the Project, and unless otherwise agreed, the City
41 shall 1) provide adequate maintenance for the described Project in
42 accordance with all applicable State and Federal law, including, but not
43 limited to, 23 USC §116; 2) provide ample financial provisions, as necessary,
44 for the maintenance of the described Project; 3) maintain the right-of-way,
45 keeping it free of obstructions; and 4) hold said right-of-way inviolate for
46 public highway purposes.
47

48 D. The Director of Public Service or the Mayor of the City of Cuyahoga Falls
49 are empowered on behalf of the City of Cuyahoga Falls to enter into
50 contracts with the State of Ohio Department of Transportation necessary to
51 complete the above described Project.
52

53 Section 3. The Clerk of Council is hereby directed to transmit to the Director of
54 Transportation a certified copy of this Ordinance.
55

56 Section 4. It is found and determined that all formal actions of this Council concerning
57 and relating to the adoption of this resolution were adopted in an open meeting of this
58 Council, and that all deliberations of this Council and of any of its committees that resulted
59
60 in such formal action, were in meetings open to the public, in compliance with all legal
61 requirements, to the extent applicable, including Chapter 107 of the Codified Ordinances.
62

63 Section 5. This resolution is hereby declared to be an emergency measure necessary for
64 the preservation of the public peace, health, safety, convenience and welfare of the City of
65 Cuyahoga Falls and the inhabitants thereof, for the reason that it is immediately necessary
66 to permit timely and appropriate development of this property, and provided it receives the
67 affirmative vote of two thirds of the members elected or appointed to Council, it shall take
68 effect and be in force immediately upon its passage and approval by the Mayor; otherwise it
69 shall take effect and be in force at the earliest period allowed by law.
70

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

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78 _____
79 Clerk of Council

80
81 Approved: _____
82 _____
83 Mayor

84 7/14/14
85 O:\2014ords\2014 Resolution consent Bailey bridge over Rt 8.doc

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3
4 CITY OF CUYAHOGA FALLS, OHIO

5 ORDINANCE NO. - 2014

6
7
8 AN ORDINANCE AMENDING PART NINE OF THE CODIFIED
9 ORDINANCES OF THE CITY OF CUYAHOGA FALLS BY THE
10 AMENDMENT OF SECTION 933.121(a), AND DECLARING AN
11 EMERGENCY.

12
13 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls,
14 County of Summit and State of Ohio,

15
16 Section 1. That Part Nine, Section 933.121(a) of the Codified Ordinances of the City of
17 Cuyahoga Falls be amended to read in full as follows (new text double underlined; deleted text in
18 ~~strikethrough~~):

19
20 933.121 Power Cost Factor.

21 (a) The Power Cost Factor (PCF) will be determined monthly by
22 multiplying the monthly number of kilowatt hours purchased by
23 the Set Cost (SC), subtracting this product from the cost of the
24 monthly power purchased, which may include energy efficiency
25 programs and dividing this difference by the monthly number of
26 kilowatt hours purchased.

27
28 Section 2. That any other ordinances or resolutions or portions of ordinances and
29 resolutions inconsistent herewith are hereby repealed, but any ordinances and resolutions not
30 inconsistent herewith and which have not previously been repealed are hereby ratified and
31 confirmed.

32
33 Section 3. That it is found and determined that all formal actions of this Council
34 concerning and relating to the adoption of this ordinance were adopted in an open meeting of this
35 Council and that all deliberations of this Council and of any of its committees that resulted in
36 such formal action were in meetings open to the public, in compliance with all legal requirements
37 including Section 121.22 of the Ohio Revised Code.

38
39
40 Section 4. That this ordinance is hereby declared to be an emergency measure
41 necessary for the immediate preservation of public peace, health or safety for the stabilization of
42 electric rates and provided this ordinance receives the affirmative vote of two-thirds of the
43 members elected or appointed to Council, it shall take effect and be in force immediately upon its
44 passage and approval by the Mayor; otherwise, it shall take effect and be in force at the earliest
45 period allowed by law.

46
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48 Passed: _____

President of Council

Clerk of Council

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56 Approved _____

Mayor

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60 7/14/14

2
3 CITY OF CUYAHOGA FALLS, OHIO

4
5 ORDINANCE NO. - 2014

6
7 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A
8 CONTRACT OR CONTRACTS, ACCORDING TO LAW, TO ALLOW
9 DON SITTS AUTO SALES, INC. ACCESS TO THE CITY'S RIGHTS
10 OF WAY, AND DECLARING AN EMERGENCY.

11
12 BE IT ORDAINED by the Council of the City of Cuyahoga Falls, County of Summit and State
13 of Ohio, that:

14
15 Section 1. The Mayor is hereby authorized to enter into a contract or contracts, according to
16 law, to allow Don Sitts Auto Sales, Inc. access to the City's rights of way to install and maintain
17 equipment for the purpose of providing cable connections to facilities in Cuyahoga Falls.

18
19 Section 2. Any other ordinances and resolutions or portions of ordinances and resolutions
20 inconsistent herewith are hereby repealed, but any ordinances and resolutions or portions of
21 ordinances and resolutions not inconsistent herewith and which have not previously been
22 repealed are hereby ratified and confirmed.

23
24 Section 3. It is found and determined that all formal actions of this Council concerning and
25 relating to the adoption of this ordinance were adopted in an open meeting of this Council and
26 that all deliberations of this Council and of any of its committees that resulted in such formal
27 action were in meetings open to the public, in compliance with all legal requirements including
28 Chapter 107 of the Codified Ordinances.

29
30 Section 4. This ordinance is hereby declared to be an emergency measure necessary for the
31 preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga
32 Falls, and provided it receives the affirmative vote of two-thirds of the members elected or
33 appointed to Council, it shall take effect and be in force immediately upon its passage and
34 approval by the Mayor; otherwise it shall take effect and be in force at the earliest period allowed
35 by law.

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38 Passed: _____

President of Council

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43 Clerk of Council

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46 Approved: _____

Mayor

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52 7/14/14

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2
3 CITY OF CUYAHOGA FALLS, OHIO

4
5 ORDINANCE NO. - 2014

6
7 AN ORDINANCE ESTABLISHING COMPENSATION
8 LEVELS FOR NON-BARGAINING EMPLOYEES OF THE
9 CITY OF CUYAHOGA FALLS FOR CALENDAR YEARS
10 2014, AND 2015, AND DECLARING AN EMERGENCY.

11
12 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls,
13 County of Summit, and State of Ohio, that:

14
15 Section 1. That compensation levels for non-bargaining employees employed with
16 the City of Cuyahoga Falls on and including the date of passage of this ordinance as
17 listed on Exhibit A are hereby established as set forth in Exhibit B for the calendar
18 years 2014, and 2015 respectively.

19
20 Section 2. That any ordinances or resolutions or portions of ordinances and
21 resolutions inconsistent herewith be and the same are hereby repealed, but any
22 ordinances and resolutions not inconsistent herewith and which have not previously
23 been repealed are hereby ratified and confirmed.

24
25 Section 3. That it is found and determined that all formal actions of this Council
26 concerning and relating to the passage of this ordinance were taken in an open meeting
27 of this Council and that all deliberations of this Council and of any committees that
28 resulted in those formal actions were in meetings open to the public, in compliance with
29 all legal requirements including Chapter 107 of the Codified Ordinances.

30
31 Section 4. That this ordinance is hereby declared to be an emergency measure
32 necessary for the preservation of the public peace, health, safety, convenience and
33 welfare of the City of Cuyahoga Falls and the inhabitants thereof, and provided it
34 receives the affirmative vote of two-thirds of the members elected or appointed to
35 Council, it shall take effect and be in force immediately upon its passage and approval
36 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: _____

President of Council

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44 _____
45 Clerk of Council

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48 Approved: _____

Mayor

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52 7/14/14

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**CITY OF CUYAHOGA FALLS
FULL-TIME NON-BARGAINING POSITION & PAY GRADE CLASSIFICATIONS
AS OF APRIL 22, 2013**

Position Title	Grade
ACCOUNTANT	N25
ADMINISTRATIVE ASSISTANT	N31
ADMINISTRATIVE SERVICES SUPV	N25
ADMINISTRATIVE SPECIALIST	N21
APPLICATION SUPPORT COORD.	N23
AQUATIC SUPERVISOR	N25
ASSISTANT CITY ENGINEER	N32
ASSISTANT TO THE MAYOR	N24
ASST ELECTRIC UTILITY SUPT	N32
ASST FIRE CHIEF	N32
ASST GOLF COURSE SUPV.	N24
ASST PARKS & REC. SUPT	N32
ASST STREET & SANITATION SUPT.	N29
AUXILIARY SERVICES MANAGER	N28
BLDG & GRNDS MAINT SUPT	N29
BUSINESS SYSTEM COORDINATOR	N21
CDBG/ENTITLEMENT ADMINISTRATOR	N27
CHIEF CODE ENFORCEMENT OFFICER	N27
CITY ENGINEER	N34
CLERK TYPIST II	N19
COLLECTION SPECIALIST	N19
DEPUTY DIRECTOR OF COMM. DEV.	N31
DEPUTY FINANCE DIRECTOR	N33
DEPUTY LAW DIRECTOR	N33
DEPUTY SERVICE DIRECTOR	N31
DIRECTOR OF COMMUNITY DEVELOP	ESG
DIRECTOR OF IT SERVICES	N33
DIVISION OF PLANNING DIRECTOR	N33
ELECTRIC METER/SUBSTATION FOREMAN	N29
ELECTRIC TECHNOLOGY MANAGER	N29
ELECTRIC UTILITY SUPT	N34
FACILITY DIRECTOR	N32
FINANCE DIRECTOR	ESG
FIRE CHIEF	N34
FOREMAN (Street/Sanitation/Bldg. Grounds)	N27
GENERAL MGR OF GOLF OPERATIONS	N29
GOLF COURSE MAINT SUPV	N25
HUMAN RESOURCES COORDINATOR	N22

HUMAN RESOURCES DIRECTOR/RECORDS CLERK	N29
HUMAN RESOURCES TECHNICIAN	N20
INFORMATION SERV PROGRAMMER	N25
INFORMATION SERVICES MGR	N29
INVENTORY CONTROL MANAGER	N27
JUVENILE DIVERSION CASEWORKER	N19
LAW DEPT OFFICE MANAGER	N23
LAW DIRECTOR	ESG
LINE FOREMAN	N29
MAINTENANCE SUPERVISOR	N25
MAYOR	MSG
MAYOR'S COURT CLERK	N25
NETWORK SPECIALIST	N27
OFFICE MANAGER	N22
OPERATIONS SUPERVISOR	N25
PARK SUPERVISOR	N26
PARKS & RECREATION SUPT	N34
PAYROLL ADMINISTRATOR	N25
POLICE CAPTAIN	N32
POLICE CHIEF	N34
PROGRAM SUPERVISOR	N25
PROSECUTOR	N29
PUBLIC UTILITY CUST ADVOCATE	N24
RECREATION PROGRAM SUPV	N25
RIVERFRONT CENTRE DIST MANAGER	N28
SECRETARY I (EXEMPT)	N20
SECRETARY II (EXEMPT)	N21
SENIOR ADULT PROGRAM SUPV	N25
SENIOR PLANNER	N26
SERVICE DIRECTOR	ESG
SEWER COLLECTIONS MANAGER	N28
STREET & SANITATION SUPERINTENDENT	N32
SUPT MOTOR VEHICLES	N29
TREASURER	N29
UTILITIES BILLING MANAGER	N31
WATER DISTRIBUTION MANAGER	N28
WATER TREATMENT PLANT MANAGER	N28
WATER UTILITIES SUPT	N34
WEB DEVELOPER	N25

EXHIBIT B
NON-EDUCATION/ADMINISTRATIVE SALARY SCHEDULE - 2.25% (EFFECTIVE JANUARY 1, 2014)

SALARY GRADE	ENTRY MINIMUM	ENTRY MINIMUM	JAN 1, 2014																					
			HOURLY RATE	MONTHLY RATE	STANDARD MINIMUM	HOURLY RATE	MONTHLY RATE	STANDARD MINIMUM	HOURLY RATE	MONTHLY RATE	STANDARD MINIMUM	HOURLY RATE	MONTHLY RATE	STANDARD MINIMUM	HOURLY RATE	MONTHLY RATE	STANDARD MINIMUM	HOURLY RATE	MONTHLY RATE	STANDARD MINIMUM	HOURLY RATE	MONTHLY RATE	STANDARD MINIMUM	
N19	5 years	30,472	14,563.9	14,385.1	20	32,376	15,922.2	15,743.4	20	34,280	17,281.7	17,102.9	20	36,184	18,641.2	18,462.4	20	38,088	19,000.7	18,821.9	20	39,992	20,361.2	20,182.4
	10 years	30,942	14,829.2	14,650.4	22	32,846	16,187.5	16,008.7	22	34,750	17,541.2	17,362.4	22	36,654	19,000.7	18,821.9	22	38,558	19,360.2	19,181.4	22	40,462	20,721.7	20,542.9
	12 years	31,412	15,094.5	14,915.7	24	33,316	16,452.8	16,274.0	24	35,220	17,894.9	17,716.1	24	37,124	19,560.2	19,381.4	24	39,028	19,720.7	19,541.9	24	41,316	21,082.2	20,903.4
	15 years	31,986	15,359.8	15,181.0	26	33,890	16,718.1	16,539.3	26	35,794	18,338.0	18,159.2	26	37,698	19,879.5	19,700.7	26	39,592	19,880.2	19,701.4	26	41,810	21,443.7	21,264.9
	18 years	32,560	15,625.1	15,446.3	28	34,464	16,983.4	16,804.6	28	36,398	18,981.1	18,802.3	28	38,302	20,021.0	19,842.2	28	40,206	20,080.9	19,902.1	28	42,114	21,805.2	21,626.4
20	5 years	32,967	16,089.8	15,911.0	20	34,871	17,447.5	17,268.7	20	36,775	19,000.7	18,821.9	20	38,679	19,721.7	19,542.9	20	40,583	20,000.7	19,821.9	20	42,487	21,362.2	21,183.4
	10 years	33,437	16,355.1	16,176.3	22	35,341	17,712.8	17,534.0	22	37,245	19,560.2	19,381.4	22	39,149	20,021.0	19,842.2	22	41,053	20,380.2	20,201.4	22	42,957	21,723.7	21,544.9
	12 years	33,907	16,620.4	16,441.6	24	35,815	17,978.1	17,799.3	24	37,719	19,879.5	19,700.7	24	39,623	20,581.0	20,402.2	24	41,527	20,740.2	20,561.4	24	43,461	22,084.2	21,905.4
	15 years	34,481	16,885.7	16,706.9	26	36,389	18,243.4	18,064.6	26	38,293	20,021.0	19,842.2	26	40,197	20,740.2	20,561.4	26	42,101	20,800.2	20,621.4	26	43,975	21,945.2	21,766.4
	18 years	35,055	17,151.0	16,972.2	28	36,963	18,508.7	18,329.9	28	38,867	21,060.2	20,881.4	28	40,771	21,540.2	21,361.4	28	42,679	21,900.2	21,721.4	28	44,593	22,800.2	22,621.4
21	5 years	34,462	16,554.5	16,375.7	20	36,366	17,901.0	17,722.2	20	38,270	19,560.2	19,381.4	20	40,174	20,021.0	19,842.2	20	42,078	20,380.2	20,201.4	20	43,982	21,362.2	21,183.4
	10 years	34,932	16,819.8	16,641.0	22	36,840	18,166.3	17,987.5	22	38,744	19,879.5	19,700.7	22	40,648	20,581.0	20,402.2	22	42,552	20,740.2	20,561.4	22	44,456	21,723.7	21,544.9
	12 years	35,402	17,085.1	16,906.3	24	37,314	18,431.6	18,252.8	24	39,218	20,021.0	19,842.2	24	41,122	20,740.2	20,561.4	24	43,026	20,800.2	20,621.4	24	44,930	21,945.2	21,766.4
	15 years	35,976	17,350.4	17,171.6	26	37,888	18,696.9	18,518.1	26	39,792	21,060.2	20,881.4	26	41,696	21,540.2	21,361.4	26	43,404	21,900.2	21,721.4	26	45,334	22,800.2	22,621.4
	18 years	36,550	17,615.7	17,436.9	28	38,462	18,962.2	18,783.4	28	40,366	21,060.2	20,881.4	28	42,270	21,900.2	21,721.4	28	44,248	22,800.2	22,621.4	28	46,174	23,700.2	23,521.4
22	5 years	35,027	16,819.8	16,641.0	20	36,931	18,166.3	17,987.5	20	38,835	19,560.2	19,381.4	20	40,739	20,021.0	19,842.2	20	42,643	20,380.2	20,201.4	20	44,547	21,362.2	21,183.4
	10 years	35,497	17,085.1	16,906.3	22	37,405	18,431.6	18,252.8	22	39,309	19,879.5	19,700.7	22	41,213	20,581.0	20,402.2	22	43,117	20,740.2	20,561.4	22	45,051	21,723.7	21,544.9
	12 years	35,967	17,350.4	17,171.6	24	37,879	18,696.9	18,518.1	24	39,787	20,021.0	19,842.2	24	41,691	20,740.2	20,561.4	24	43,545	20,800.2	20,621.4	24	45,485	21,945.2	21,766.4
	15 years	36,541	17,615.7	17,436.9	26	38,453	18,962.2	18,783.4	26	40,359	21,060.2	20,881.4	26	42,039	21,540.2	21,361.4	26	43,979	21,900.2	21,721.4	26	45,919	22,800.2	22,621.4
	18 years	37,115	17,881.0	17,702.2	28	39,027	19,227.5	19,048.7	28	41,613	21,060.2	20,881.4	28	43,503	21,900.2	21,721.4	28	45,859	22,800.2	22,621.4	28	47,799	23,700.2	23,521.4
23	5 years	35,582	17,085.1	16,906.3	20	37,484	18,431.6	18,252.8	20	39,388	19,560.2	19,381.4	20	41,282	20,021.0	19,842.2	20	43,186	20,380.2	20,201.4	20	45,090	21,362.2	21,183.4
	10 years	36,052	17,350.4	17,171.6	22	37,958	18,696.9	18,518.1	22	39,862	19,879.5	19,700.7	22	41,756	20,581.0	20,402.2	22	43,660	20,740.2	20,561.4	22	45,564	21,723.7	21,544.9
	12 years	36,522	17,615.7	17,436.9	24	38,432	18,962.2	18,783.4	24	40,336	20,021.0	19,842.2	24	42,140	20,740.2	20,561.4	24	44,054	20,800.2	20,621.4	24	46,004	21,945.2	21,766.4
	15 years	37,096	17,881.0	17,702.2	26	38,906	19,227.5	19,048.7	26	41,610	21,060.2	20,881.4	26	43,518	21,540.2	21,361.4	26	44,968	21,900.2	21,721.4	26	46,918	22,800.2	22,621.4
	18 years	37,670	18,146.3	17,967.5	28	39,480	19,493.0	19,314.2	28	42,084	21,060.2	20,881.4	28	44,442	21,900.2	21,721.4	28	46,868	22,800.2	22,621.4	28	48,818	23,700.2	23,521.4
24	5 years	36,143	17,350.4	17,171.6	20	38,045	18,696.9	18,518.1	20	39,949	19,560.2	19,381.4	20	41,853	20,021.0	19,842.2	20	43,757	20,380.2	20,201.4	20	45,661	21,362.2	21,183.4
	10 years	36,613	17,615.7	17,436.9	22	38,519	18,962.2	18,783.4	22	40,423	19,879.5	19,700.7	22	42,327	20,581.0	20,402.2	22	44,231	20,740.2	20,561.4	22	46,175	21,723.7	21,544.9
	12 years	37,083	17,881.0	17,702.2	24	38,993	19,227.5	19,048.7	24	40,897	20,021.0	19,842.2	24	42,801	20,740.2	20,561.4	24	44,679	20,800.2	20,621.4	24	46,619	21,945.2	21,766.4
	15 years	37,657	18,146.3	17,967.5	26	39,467	19,493.0	19,314.2	26	41,371	21,060.2	20,881.4	26	43,143	21,540.2	21,361.4	26	45,113	21,900.2	21,721.4	26	47,563	22,800.2	22,621.4
	18 years	38,231	18,411.6	18,232.8	28	40,041	19,758.5	19,579.7	28	42,717	21,060.2	20,881.4	28	44,617	21,900.2	21,721.4	28	47,013	22,800.2	22,621.4	28	49,463	23,700.2	23,521.4
25	5 years	36,704	17,615.7	17,436.9	20	38,606	18,962.2	18,783.4	20	40,500	19,560.2	19,381.4	20	42,404	20,021.0	19,842.2	20	44,308	20,380.2	20,201.4	20	46,212	21,362.2	21,183.4
	10 years	37,174	17,881.0	17,702.2	22	39,080	19,227.5	19,048.7	22	40,974	19,879.5	19,700.7	22	42,878	20,581.0	20,402.2	22	44,782	20,740.2	20,561.4	22	46,696	21,723.7	21,544.9
	12 years	37,644	18,146.3	17,967.5	24	39,554	19,493.0	19,314.2	24	41,448	20,021.0	19,842.2	24	43,352	20,740.2	20,561.4	24	45,180	20,800.2	20,621.4	24	47,136	21,945.2	21,766.4
	15 years	38,218	18,411.6	18,232.8	26	40,028	19,758.5	19,579.7	26	41,922	21,060.2	20,881.4	26	43,826	21,540.2	21,361.4	26	45,772	21,900.2	21,721.4	26	48,086	22,800.2	22,621.4
	18 years	38,792	18,676.9	18,498.1	28	40,602	19,993.0	19,814.2	28	42,496	21,060.2	20,881.4	28	44,370	21,900.2	21,721.4	28	48,590	22,800.2	22,621.4	28	50,536	23,700.2	23,521.4
26	5 years	37,265	17,881.0	17,702.2	20	39,167	19,227.5	19,048.7	20	41,071	19,560.2	19,381.4	20	43,175	20,021.0	19,842.2	20	45,079	20,380.2	20,201.4	20	47,025	21,362.2	21,183.4
	10 years	37,735	18,146.3	17,967.5	22	39,641	19,493.0	19,314.2	22	41,545	19,879.5	19,700.7	22	43,649	20,581.0	20,402.2	22	46,509	20,740.2	20,561.4	22	48,471	21,723.7	21,544.9
	12 years	38,205	18,411.6	18,232.8	24	40,115	19,758.5	19,579.7	24	42,019	20,021.0	19,842.2	24	44,123	20,740.2	20,561.4	24	47,381	20,800.2	20,621.4	24	49,385	21,945.2	21,766.4
	15 years	38,779	18,676.9	18,498.1	26	40,589	19,993.0	19,814.2	26	42,593	21,060.2	20,881.4	26	44,857	21,540.2	21,361.4	26	48,849	21,900.2	21,721.4	26	50,839	22,800.2	22,621.4
	18 years	39,353	18,942.2	18,763.4	28	41,163	20,248.0	20,069.2	28	43,427	21,060.2	20,881.4	28	45,										

EXHIBIT D
NONBARGAINING 2014 SALARY SCHEDULE - 2.25% (EFFECTIVE JANUARY 1, 2014)

SALARY GRADE	ENTRY MINIMUM	ENTRY MINIMUM	JAN. 1, 2014																					
			HOURLY	PER HOUR	STANDARD																			
29	12 years	57,796	27,923	27,923	21	61,412	29,529	29,529	21	64,402	30,970	30,970	21	68,231	32,757	32,757	21	71,719	34,856	34,856	21	75,597	37,238	37,238
	10 years	56,266	28,020	27,473	61,880	29,191	29,191	21	64,586	31,008	30,467	21	67,125	32,215	31,674	21	70,023	33,569	33,028	21	73,191	35,004	34,463	
	12 years	59,276	28,154	28,607	63,426	29,500	29,500	21	66,214	31,826	31,285	21	69,067	33,254	32,713	21	72,029	34,844	34,303	21	75,297	36,041	35,500	
	15 years	60,271	28,633	29,080	63,426	29,850	29,850	21	66,214	31,925	31,384	21	69,067	33,353	32,812	21	72,029	34,943	34,402	21	75,297	36,140	35,599	
	20 years	61,549	29,591	29,020	65,331	31,051	30,510	21	68,173	32,757	32,216	21	71,017	34,147	33,606	21	74,061	35,594	35,053	21	77,300	36,884	36,343	
30	10 years	61,272	29,483	28,936	65,103	31,295	30,754	21	67,211	32,924	32,383	21	70,246	34,029	33,488	21	73,281	35,594	35,053	21	76,520	37,089	36,548	
	12 years	61,760	29,626	29,079	65,590	31,537	31,000	21	67,700	33,166	32,625	21	70,735	34,272	33,731	21	73,766	36,089	35,548	21	77,005	37,584	37,043	
	15 years	63,304	30,437	29,890	67,230	32,319	31,783	21	70,244	33,750	33,209	21	73,281	35,144	34,603	21	76,520	37,584	37,043	21	80,000	38,880	38,339	
	18 years	63,480	30,519	29,972	67,406	32,405	31,869	21	70,418	33,839	33,298	21	73,454	35,233	34,692	21	76,699	38,073	37,532	21	80,176	39,079	38,538	
	20 years	65,028	31,283	30,736	69,049	33,187	32,642	21	72,161	34,046	33,505	21	75,297	35,594	35,053	21	78,536	37,584	37,043	21	81,775	39,579	39,038	
31	10 years	65,200	31,248	30,649	69,084	33,137	32,592	21	72,293	34,601	34,060	21	75,532	36,089	35,548	21	78,771	38,073	37,532	21	82,011	39,579	39,038	
	12 years	65,531	31,401	30,842	69,384	33,293	32,748	21	72,689	34,814	34,273	21	76,019	36,578	36,037	21	79,258	39,073	38,532	21	82,499	40,074	39,533	
	15 years	67,118	32,216	31,657	71,486	34,362	33,823	21	74,577	36,644	36,103	21	77,714	38,564	38,023	21	80,953	40,574	40,033	21	84,192	41,575	41,034	
	18 years	68,347	33,147	32,510	73,380	35,242	34,672	21	76,599	38,225	37,684	21	79,838	40,574	40,033	21	82,079	41,575	41,034	21	85,437	42,576	42,035	
	20 years	69,140	33,244	32,612	73,380	35,307	34,727	21	76,599	38,308	37,767	21	79,838	40,659	40,118	21	82,079	41,660	41,119	21	85,437	42,657	42,116	
32	5 years	69,361	33,344	32,705	73,271	35,429	34,781	21	76,591	38,956	38,415	21	80,336	41,119	40,578	21	83,575	42,657	42,116	21	86,814	43,658	43,117	
	10 years	69,692	33,507	32,861	74,025	35,690	34,946	21	77,282	39,169	38,628	21	81,027	42,119	41,578	21	84,266	43,658	43,117	21	87,505	44,659	44,118	
	12 years	69,956	33,594	32,936	74,191	35,697	34,953	21	77,448	39,169	38,628	21	81,192	42,119	41,578	21	84,266	43,658	43,117	21	87,505	44,659	44,118	
	15 years	71,266	34,472	33,830	76,040	36,575	35,929	21	79,258	39,946	39,405	21	83,073	44,659	44,118	21	86,312	45,660	45,119	21	89,551	46,661	46,120	
	20 years	73,228	35,302	34,654	79,063	37,539	36,880	21	81,506	46,661	46,120	21	85,543	47,662	47,121	21	89,781	47,662	47,121	21	92,020	48,663	48,122	
33	5 years	72,273	35,623	34,974	78,910	37,784	37,237	21	82,520	47,662	47,121	21	86,557	48,663	48,122	21	90,791	49,664	49,123	21	94,030	50,665	50,124	
	10 years	74,428	36,780	36,098	79,076	38,017	37,464	21	82,520	48,663	48,122	21	86,557	49,664	49,123	21	90,791	50,665	50,124	21	94,030	51,666	51,125	
	12 years	76,316	36,603	36,029	81,056	38,102	37,549	21	84,596	49,664	49,123	21	88,633	50,665	50,124	21	92,871	51,666	51,125	21	96,070	52,667	52,126	
	15 years	76,862	36,730	36,082	81,229	38,053	37,590	21	84,596	49,664	49,123	21	88,633	50,665	50,124	21	92,871	51,666	51,125	21	96,070	52,667	52,126	
	20 years	78,524	37,199	36,551	83,582	38,514	37,951	21	86,173	51,666	51,125	21	90,791	52,667	52,126	21	94,030	53,668	53,127	21	97,269	53,668	53,127	
34	5 years	79,380	38,163	37,424	84,348	40,519	39,772	21	88,174	53,668	53,127	21	92,871	54,669	54,128	21	96,309	54,669	54,128	21	99,548	55,670	55,129	
	10 years	79,852	38,427	37,625	84,681	40,517	39,770	21	88,174	53,668	53,127	21	92,871	54,669	54,128	21	96,309	54,669	54,128	21	99,548	55,670	55,129	
	12 years	81,854	39,267	38,607	86,942	41,790	40,962	21	90,251	55,669	55,128	21	94,342	55,669	55,128	21	98,581	56,670	56,129	21	101,820	56,670	56,129	
	15 years	82,029	39,427	38,629	87,135	41,923	41,087	21	90,545	55,669	55,128	21	94,636	55,669	55,128	21	98,875	56,670	56,129	21	102,114	56,670	56,129	
	20 years	84,144	40,459	39,107	89,251	42,918	42,082	21	92,145	57,669	57,128	21	96,309	57,669	57,128	21	100,549	58,670	58,129	21	104,788	58,670	58,129	

2
3
4 CITY OF CUYAHOGA FALLS, OHIO

5
6 ORDINANCE NO. - 2014

7
8 AN ORDINANCE AUTHORIZING THE PURCHASE OF
9 THE MILL POND PROPERTY OWNED BY FIRST
10 AKRON DEVELOPMENT CORPORATION TO ASSIST
11 IN REDEVELOPMENT BY MENARD’S TO CREATE
12 JOB AND EMPLOYMENT OPPORTUNITIES, TO
13 PROTECT OPEN SPACE AND TO CREATE
14 RECREATIONAL AND STORM WATER
15 MANAGEMENT OPPORTUNITIES; AND DECLARING
16 AN EMERGENCY.
17

18
19 WHEREAS, the City has agreed to purchase the Mill Pond property
20 (“Property”), which consists of approximately 24.0082 acres, to protect open space
21 and to create recreational and storm water management opportunities; and
22

23 WHEREAS, in exchange for the City’s purchase of the Property to protect
24 open space and create recreational and storm water management opportunities,
25 Menards Inc. will create 140 new job and employment opportunities and invest
26 \$8,500,000 in land and building improvements at/near the former Giant Eagle
27 site on Graham Road which will soon become vacant; and
28

29 WHEREAS, Council finds and determines that the purchase of the Property
30 is in the public interest and serves the public good and will improve the economic
31 welfare of the citizens of Cuyahoga Falls.
32

33 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of
34 Cuyahoga Falls, County of Summit and State of Ohio, that:
35

36 Section 1. This Council hereby finds and determines that the purchase of
37 the Property is necessary for the public purposes of creating job and employment
38 opportunities and improving the economic welfare of the people, to protect open
39 space and to create recreational and storm water management opportunities.
40

41 Section 2. This Council approves the purchase of the Property as set forth
42 in Exhibit A attached hereto and made a part of this ordinance. The Mayor,
43 Director of Community Development are hereby authorized and directed to
44 execute an Agreement on behalf of the City, together with such revisions or
45 additions thereto as are approved by the Mayor, Director of Community

46 Development and Director of Law, and are consistent with the objectives and
47 requirements provided in this ordinance. The Mayor is authorized to accept such
48 deed or deeds as is necessary to carry out such Agreement, and the Mayor and
49 Director of Community Development, Director of Finance, Director of Law, and
50 other City officials, as appropriate, are authorized to provide such information
51 and to execute, certify or furnish such other documents, and do all other things
52 as are necessary for and incidental to carrying out said purchase of Property
53 pursuant to the Agreement.

54

55 Section 3. It is found and determined that all formal actions of this Council
56 concerning and relating to the passage of this ordinance were taken in an open
57 meeting of this Council and that all deliberations of this Council and of any
58 committees that resulted in those formal actions were in meetings open to the
59 public, in compliance with all legal requirements including Chapter 107 of the
60 Codified Ordinances.

61

62

63 Section 4. This ordinance is hereby declared to be an emergency measure
64 necessary for the preservation of the public peace, health, safety, convenience
65 and welfare of the City, and for the further reasons that it is necessary to
66 purchase the Property as soon as possible to create job and employment
67 opportunities, and to enhance the availability of open space, recreational and
68 storm water management opportunities, and provided it receives the affirmative
69 vote of two-thirds of the members elected or appointed to Council, it shall take
70 effect and be in force immediately upon its passage and approval by the Mayor;
71 otherwise it shall take effect and be in force at the earliest period allowed by law.

72

73

74 Passed: _____

President of Council

75

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79

Clerk of Council

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81

82 Approved _____

Mayor

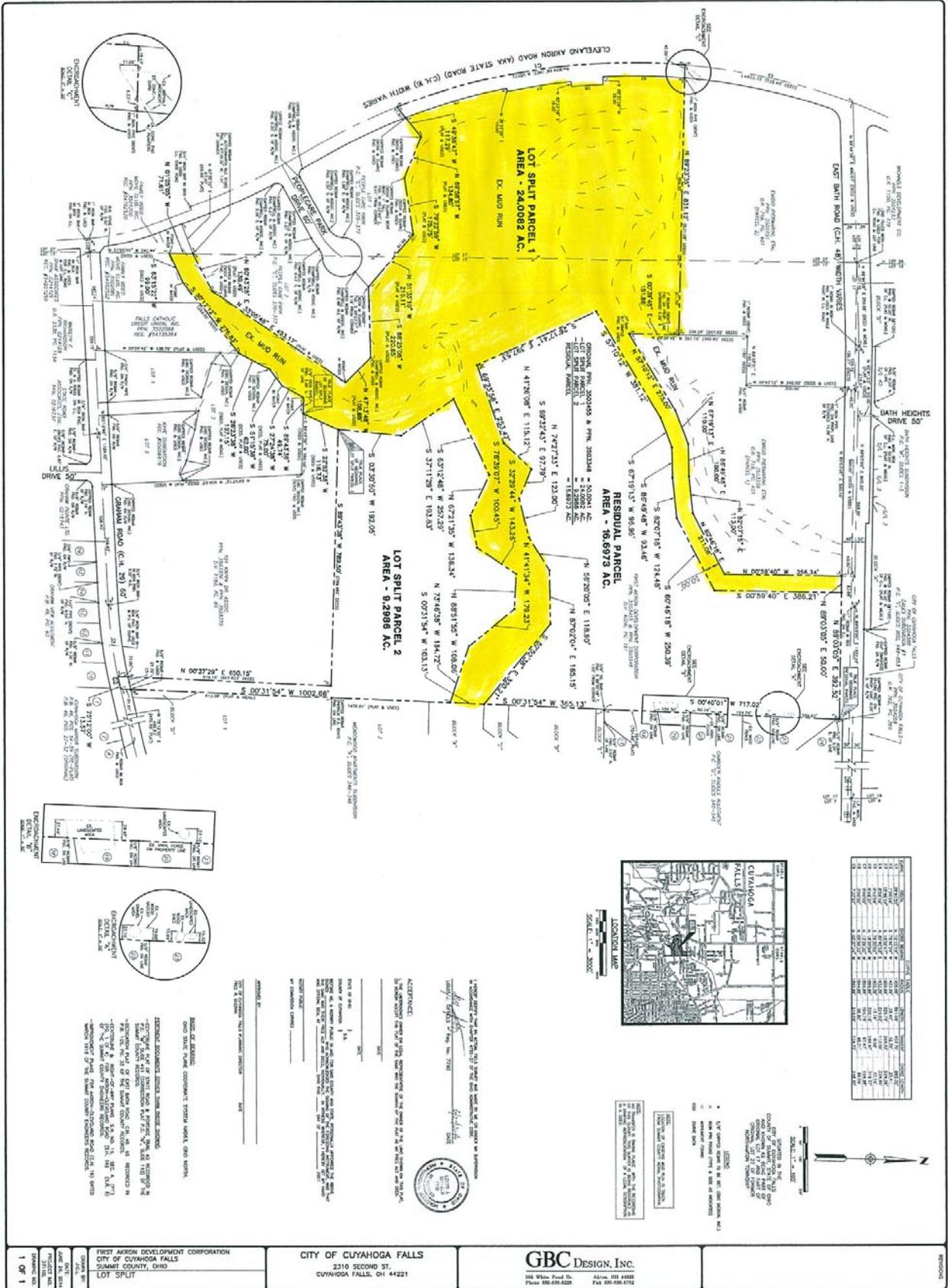
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<p>1 of 1</p>	<p>FRONT AVENUE DEVELOPMENT CORPORATION CITY OF CUYAHOGA FALLS SUMMIT COUNTY, OHIO</p>	<p>CITY OF CUYAHOGA FALLS 2310 SECOND ST. CUYAHOGA FALLS, OH 44221</p>	<p>GBC DESIGN, INC. 88 White Pond Dr. Piquette Hills, OH 44130 Phone: 330.686.6200 Fax: 330.686.6170</p>	<p>ENCLOSURE</p>
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