

NEW LEGISLATION

October 26, 2015

Temp. No.	Introduced	Committee	Description
B-89	10/26/15	Fin	An ordinance establishing annual appropriations of money for the current expenses, capital expenditures and other expenses of the City of Cuyahoga Falls for the fiscal year ending December 31, 2016, and declaring an emergency.
B-90	10/26/15	PI	An ordinance authorizing the Director of Public Service to apply for and accept financial assistance in the form of a grant from the U.S. Department of Transportation, through the Akron Metropolitan Area Transportation Study (AMATS), for the resurfacing of West Steels Corners Road Phase I between State Road and Northampton Road, and declaring an emergency.
B-91	10/26/15	PI	An ordinance authorizing the Director of Public Service to apply for and accept financial assistance in the form of a grant from the U.S. Department of Transportation, through the Akron Metropolitan Area Transportation Study (AMATS), for the resurfacing of West Steels Corners Road Phase II, between Northampton Road and Akron-Peninsula Road, and declaring an emergency.
B-92	10/26/15	PI	An ordinance authorizing the Director of Public Service to apply for and accept financial assistance in the form of a grant from the U.S. Department of Transportation, through the Akron Metropolitan Area Transportation Study (AMATS), for construction of the Wyoga Lake Road Multi-Purpose Trail Phase I, and declaring an emergency.
B-93	10/26/15	PI	An ordinance authorizing the Director of Public Service to apply for and accept financial assistance in the form of a grant

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from the U.S. Department of Transportation, through the Akron Metropolitan Area Transportation Study (AMATS), for the resurfacing of Riverview Road between Bath Road and the North Corporation Line, and declaring an emergency.

B-94 10/26/15 PI

An ordinance authorizing the Director of Public Service to apply for and accept financial assistance in the form of a grant from the U.S. Department of Transportation, through the Akron Metropolitan Area Transportation Study (AMATS), for the resurfacing of Chestnut Boulevard between State Road and 2nd Street, and declaring an emergency.

B-95 10/26/15 PI

An ordinance authorizing the Director of Public Service to apply for and accept financial assistance in the form of a grant from the U.S. Department of Transportation, through the Akron Metropolitan Area Transportation Study (AMATS), for the reconstruction of Howe Avenue between Main Street and Buchholzer Boulevard, and declaring an emergency.

B-96 10/26/15 PI

An ordinance authorizing the Director of Public Service to apply for and accept financial assistance in the form of a grant from the U.S. Department of Transportation, through the Akron Metropolitan Area Transportation Study (AMATS), for the resurfacing of Oakwood Drive between Graham Road and Front Street, and declaring an emergency.

B-97 10/26/15 PI

An ordinance authorizing the Director of Public Service to apply for and accept financial assistance in the form of a grant from the U.S. Department of Transportation, through the Akron Metropolitan Area Transportation Study (AMATS), for the reconstruction of Front and 2nd Streets between Chestnut

Boulevard and the Cuyahoga River, and declaring an emergency.

B-98 10/26/15 CD

An ordinance authorizing the Director of Community Development to amend the Community Reinvestment Area Tax Exemption Agreement jointly with Technicote, Inc. and CFO Realty, LLC, and declaring an emergency.

CALENDAR

October 26, 2015

The following legislation will be up for passage at the Council Meeting on October 26, 2015.

Temp. No.	Introduced	Committee	Description
B-85	9/28/15	CD	An ordinance appropriating funds for the repayment of monies to the U.S. Department of Housing and Urban Development for economic development loan activities deemed to be ineligible, and declaring an emergency.
B-86	10/12/15	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.
B-87	10/12/15	PA	An ordinance amending the Traffic Control File by providing for installation of various traffic control devices, and declaring an emergency.
B-88	10/19/15	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts for the purchase of natural gas, after publicly advertising for bids, and declaring an emergency.

PENDING LEGISLATION

October 26, 2015

Temp. No.	Introduced	Committee	Description
B-75	9/14/15	CD	An ordinance approving an amendment to the Community Development Block Grant Annual Action Plan for Fiscal Year 2015, and declaring an emergency.
B-76	9/14/15	CD	An ordinance authorizing the Director of Community Development to enter into a Community Reinvestment Area Tax Exemption Agreement with North Falls Reserve – Buckeye Urban, LLC., and declaring an emergency.
B-85	9/28/15	CD	An ordinance appropriating funds for the repayment of monies to the U.S. Department of Housing and Urban Development for economic development loan activities deemed to be ineligible, and declaring an emergency.
B-86	10/12/15	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.
B-87	10/12/15	PA	An ordinance amending the Traffic Control File by providing for installation of various traffic control devices, and declaring an emergency.
B-88	10/19/15	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts for the purchase of natural gas, after publicly advertising for bids, and declaring an emergency.

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3 CITY OF CUYAHOGA FALLS, OHIO

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5 ORDINANCE NO. - 2015

6
7 AN ORDINANCE ESTABLISHING ANNUAL APPROPRIATIONS OF
8 MONEY FOR THE CURRENT EXPENSES, CAPITAL
9 EXPENDITURES AND OTHER EXPENSES OF THE CITY OF
10 CUYAHOGA FALLS FOR THE FISCAL YEAR ENDING DECEMBER
11 31, 2016, AND DECLARING AN EMERGENCY.

12
13 WHEREAS, Ohio Revised Code §5705.38 requires local taxing authorities to pass an annual
14 appropriations measure classified so as to set forth the amounts appropriated to each office,
15 department and division of the taxing authority; and

16
17 WHEREAS, Article VI, Section 6 of the City Charter requires the Mayor to submit an estimated
18 budget for the coming fiscal year showing the requested allotments of the appropriations and
19 estimated income for each office or department for the calendar year;

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

23
24 Section 1. In order to provide for the current expenses, capital expenditures, and other
25 expenses of the City of Cuyahoga Falls for the fiscal year ending December 31, 2016, the sums
26 summarized in Exhibit A, which is attached hereto incorporated herein by reference, are hereby
27 appropriated and authorized for encumbrance and/or expenditure as provided therein.

28
29 Section 2. The fund transfers set forth in detail in Exhibit A2, and incorporated herein by
30 reference, are hereby authorized and approved.

31
32 Section 3. The budget for each office and department of the City is hereby determined and
33 approved as set forth in Exhibit B, which is attached hereto and incorporated herein by reference,
34 and the expenditures authorized therein, and the amount authorized, shall be made in accordance
35 with the line items identified in Exhibit B, and any disbursements within any line item set forth in
36 Exhibit B may be paid out of the appropriations made therefor.

37
38 Section 4. No transfers of sums shall be made between departments. Transfers of sums from
39 one line item listed in Exhibit B to another line item, within the same department, at any time within
40 the fiscal year which exceed in the aggregate seven percent (7%) of the amount originally
41 appropriated in the line item from which the transfer is made, or \$10,000.00, whichever is less, shall
42 be prohibited unless authorized by ordinance or resolution of Council.

43
44 Section 5. Any amounts encumbered in a fiscal year prior to fiscal year 2016 in any and all
45 funds of the City, are hereby re-appropriated for the purpose of expenditure in 2016 or thereafter.

46
47 Section 6. All funds not individually listed in this ordinance but included in the 2016
48 Alternative Tax Budget Information of the City of Cuyahoga Falls and included in the Amended
49 Official Certificate of Estimated Resources for 2016 as issued by the County of Summit Budget
50 Commission are hereby appropriated for the purpose of encumbrance and/or expenditure.

51
52 Section 7. Any other ordinances or resolutions or portions of ordinances and resolutions
53 inconsistent herewith are hereby repealed, but any ordinances and resolutions not inconsistent
54 herewith and which have not previously been repealed are hereby ratified and confirmed.

55
56 Section 8. It is found and determined that all formal actions of this Council concerning and
57 relating to the passage of this ordinance were taken in an open meeting of this Council and that all
58 deliberations of this Council and of any committees that resulted in those formal actions were in
59 meetings open to the public, in compliance with all legal requirements including Chapter 107 of the
60 Codified Ordinances.
61

62 Section 9. This ordinance is hereby declared to be an emergency measure necessary for the
63 preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga
64 Falls and the inhabitants thereof for the reason that authority is required for the payment of
65 operating, other and capital expense of the City of Cuyahoga Falls and provided it receives the
66 affirmative vote of two-thirds of the members elected or appointed to Council, it shall take effect and
67 be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect
68 and be in force at the earliest period allowed by law.

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71 Passed: _____

President of Council

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Clerk of Council

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79 Approved: _____

Mayor

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4 CITY OF CUYAHOGA FALLS, OHIO

5
6 ORDINANCE NO. - 2015

7
8 AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC
9 SERVICE TO APPLY FOR AND ACCEPT FINANCIAL ASSISTANCE IN
10 THE FORM OF A GRANT FROM THE U.S. DEPARTMENT OF
11 TRANSPORTATION, THROUGH THE AKRON METROPOLITAN AREA
12 TRANSPORTATION STUDY, FOR THE RESURFACING OF WEST
13 STEELS CORNERS ROAD PHASE I BETWEEN STATE ROAD AND
14 NORTHAMPTON ROAD, AND DECLARING AN EMERGENCY.

15
16 WHEREAS, the City Engineer has identified the need for and proposes the resurfacing of West
17 Steels Corners Road between State Road and Northampton Road, and

18
19 WHEREAS, the Akron Metropolitan Area Transportation Study (AMATS) is conducting a
20 competitive grant process under which Federal Surface Transportation Funds may be made
21 available to partially support construction costs for City sponsored projects.

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

25
26 Section 1. The Director of Public Service is authorized to apply for and accept financial
27 assistance in the form of a grant from the U.S. Department of Transportation, through the Akron
28 Metropolitan Area Transportation Study (AMATS), for the purpose of supporting construction costs
29 related to the Project, as follows:

30
31 Project Name: West Steels Corners Road in the City of Cuyahoga Falls Phase I

32
33 Description: From State Road to Northampton Road approximately 7,400-feet. Resurface
34 roadway including grind and pave three-inches (3") of asphalt pavement, restripe pavement
35 markings and replace traffic loops.

36
37 Estimated Construction Cost: \$875,000.

38
39 Section 2. This Council's authorization is granted with the following understandings:

- 40
41 A. The City will bear one hundred percent (100%) of the cost of preliminary
42 engineering.
43 B. The City will bear one hundred percent (100%) of the total cost of those features
44 requested by the City which are not eligible for Federal participation.
45 C. The Federal share will assume eighty percent (80%) of the construction cost of
46 the improvement not to exceed \$700,000. The City will be responsible for the
47 local share.
48 D. The City of Cuyahoga Falls is in receipt of and acknowledges the applicability of
49 the AMATS "Funding Policy Guidelines" to this funding request.

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

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

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

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76 Clerk of Council

77 Approved: _____
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80 Mayor

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4 CITY OF CUYAHOGA FALLS, OHIO

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6 ORDINANCE NO. - 2015

7
8 AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC
9 SERVICE TO APPLY FOR AND ACCEPT FINANCIAL ASSISTANCE IN
10 THE FORM OF A GRANT FROM THE U.S. DEPARTMENT OF
11 TRANSPORTATION, THROUGH THE AKRON METROPOLITAN AREA
12 TRANSPORTATION STUDY, FOR THE RESURFACING OF WEST
13 STEELS CORNERS ROAD PHASE II, BETWEEN NORTHAMPTON
14 ROAD AND AKRON-PENINSULA ROAD, AND DECLARING AN
15 EMERGENCY.

16
17 WHEREAS, the City Engineer has identified the need for and proposes the resurfacing of West
18 Steels Corners Road Phase II between Northampton Road and Akron-Peninsula Road, and
19

20 WHEREAS, the Akron Metropolitan Area Transportation Study (AMATS) is conducting a
21 competitive grant process under which Federal Surface Transportation Funds may be made
22 available to partially support construction costs for City sponsored projects.
23

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

27 Section 1. The Director of Public Service is authorized to apply for and accept financial
28 assistance in the form of a grant from the U.S. Department of Transportation, through the Akron
29 Metropolitan Area Transportation Study (AMATS), for the purpose of supporting construction costs
30 related to the Project, as follows:
31

32 Project Name: West Steels Corners Road Resurfacing Phase II

33
34 Description: From Northampton Road to Akron-Peninsula Road approximately 12,700-feet.
35 Resurface roadway including grind and pave three-inches (3") of asphalt pavement, restripe
36 pavement markings and replace traffic loops.
37

38 Estimated Construction Cost: \$1,200,000.
39

40 Section 2. This Council’s authorization is granted with the following understandings:

- 41
42 A. The City will bear one hundred percent (100%) of the cost of preliminary
43 engineering.
44 B. The City will bear one hundred percent (100%) of the total cost of those features
45 requested by the City which are not eligible for Federal participation.
46 C. The Federal share will assume eighty percent (80%) of the construction cost of
47 the improvement not to exceed \$800,000. The City will be responsible for the
48 local share.
49 D. The City of Cuyahoga Falls is in receipt of and acknowledges the applicability of
50 the AMATS “Funding Policy Guidelines” to this funding request.
51

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

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

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

Passed: _____
President of Council

Clerk of Council

Approved: _____

Mayor

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4 CITY OF CUYAHOGA FALLS, OHIO

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6 ORDINANCE NO. - 2015

7
8 AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC
9 SERVICE TO APPLY FOR AND ACCEPT FINANCIAL ASSISTANCE IN
10 THE FORM OF A GRANT FROM THE U.S. DEPARTMENT OF
11 TRANSPORTATION, THROUGH THE AKRON METROPOLITAN AREA
12 TRANSPORTATION STUDY, FOR CONSTRUCTION OF THE WYOGA
13 LAKE ROAD MULTI-PURPOSE TRAIL PHASE I, AND DECLARING
14 AN EMERGENCY.

15
16 WHEREAS, the City Engineer has identified the need for and proposes the construction of the
17 Wyoga Lake Road Multi-Purpose Trail Phase I, and

18
19 WHEREAS, the Akron Metropolitan Area Transportation Study (AMATS) is conducting a
20 competitive grant process under which Federal Surface Transportation Funds may be made
21 available to partially support construction costs for City sponsored projects.

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

25
26 Section 1. The Director of Public Service is authorized to apply for and accept financial
27 assistance in the form of a grant from the U.S. Department of Transportation, through the Akron
28 Metropolitan Area Transportation Study (AMATS), for the purpose of supporting construction costs
29 related to the Project, as follows:

30
31 Project Name: Wyoga Lake Road Multi-Purpose Trail Phase I

32
33 Description: From Graham Road to Remington Road approximately 3,400-feet. Resurface
34 roadway including grind and pave three-inches (3") of asphalt pavement, restripe pavement
35 markings and replace traffic loops.

36
37 Estimated Construction Cost: \$875,000.

38
39 Section 2. This Council's authorization is granted with the following understandings:

- 40
41 A. The City will bear one hundred percent (100%) of the cost of preliminary
42 engineering.
43 B. The City will bear one hundred percent (100%) of the total cost of those features
44 requested by the City which are not eligible for Federal participation.
45 C. The Federal share will assume eighty percent (80%) of the construction cost of
46 the improvement not to exceed \$700,000. The City will be responsible for the
47 local share.
48 D. The City of Cuyahoga Falls is in receipt of and acknowledges the applicability of
49 the AMATS "Funding Policy Guidelines" to this funding request.

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

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

61 Section 5. This ordinance is hereby declared to be an emergency measure necessary for the
62 preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga
63 Falls and the inhabitants thereof and provided it receives the affirmative vote of two thirds of the
64 members elected or appointed to Council, it shall take effect and be in force immediately upon its
65 passage and approval by the Mayor; otherwise it shall take effect and be in force at the earliest
66 period allowed by law.
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70 Passed: _____
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72 President of Council
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76 Clerk of Council
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78 Approved: _____
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80 Mayor
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4 CITY OF CUYAHOGA FALLS, OHIO

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6 ORDINANCE NO. - 2015

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8 AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC
9 SERVICE TO APPLY FOR AND ACCEPT FINANCIAL ASSISTANCE IN
10 THE FORM OF A GRANT FROM THE U.S. DEPARTMENT OF
11 TRANSPORTATION, THROUGH THE AKRON METROPOLITAN AREA
12 TRANSPORTATION STUDY, FOR THE RESURFACING OF
13 RIVERVIEW ROAD BETWEEN BATH ROAD AND THE NORTH
14 CORPORATION LINE, AND DECLARING AN EMERGENCY.

15
16 WHEREAS, the City Engineer has identified the need for and proposes the resurfacing of
17 Riverview Road between Bath Road and the north corporation line, and

18
19 WHEREAS, the Akron Metropolitan Area Transportation Study (AMATS) is conducting a
20 competitive grant process under which Federal Surface Transportation Funds may be made
21 available to partially support construction costs for City sponsored projects.

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

25
26 Section 1. The Director of Public Service is authorized to apply for and accept financial
27 assistance in the form of a grant from the U.S. Department of Transportation, through the Akron
28 Metropolitan Area Transportation Study (AMATS), for the purpose of supporting construction costs
29 related to the Project, as follows:

30
31 Project Name: Riverview Road Resurfacing

32
33 Description: From Bath Road to the north corporation line approximately 16,400-feet.
34 Resurface roadway including grind and pave three-inches (3") of asphalt pavement, restripe
35 pavement markings and replace traffic loops.

36
37 Estimated Construction Cost: \$1,300,000.

38
39 Section 2. This Council's authorization is granted with the following understandings:

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41 A. The City will bear one hundred percent (100%) of the cost of preliminary
42 engineering.
43 B. The City will bear one hundred percent (100%) of the total cost of those features
44 requested by the City which are not eligible for Federal participation.
45 C. The Federal share will assume eighty percent (80%) of the construction cost of
46 the improvement not to exceed \$800,000. The City will be responsible for the
47 local share.
48 D. The City of Cuyahoga Falls is in receipt of and acknowledges the applicability of
49 the AMATS "Funding Policy Guidelines" to this funding request.

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

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

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

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76 Clerk of Council

77 Approved: _____
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79 _____
80 Mayor

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4 CITY OF CUYAHOGA FALLS, OHIO

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6 ORDINANCE NO. - 2015

7
8 AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC
9 SERVICE TO APPLY FOR AND ACCEPT FINANCIAL ASSISTANCE IN
10 THE FORM OF A GRANT FROM THE U.S. DEPARTMENT OF
11 TRANSPORTATION, THROUGH THE AKRON METROPOLITAN AREA
12 TRANSPORTATION STUDY, FOR THE RESURFACING OF
13 CHESTNUT BOULEVARD BETWEEN STATE ROAD AND 2ND
14 STREET, AND DECLARING AN EMERGENCY.
15

16 WHEREAS, the City Engineer has identified the need for and proposes the resurfacing of
17 Chestnut Boulevard between State Road and 2nd Street, and
18

19 WHEREAS, the Akron Metropolitan Area Transportation Study (AMATS) is conducting a
20 competitive grant process under which Federal Surface Transportation Funds may be made
21 available to partially support construction costs for City sponsored projects.
22

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

26 Section 1. The Director of Public Service is authorized to apply for and accept financial
27 assistance in the form of a grant from the U.S. Department of Transportation, through the Akron
28 Metropolitan Area Transportation Study (AMATS), for the purpose of supporting construction costs
29 related to the Project, as follows:
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31 Project Name: Chestnut Boulevard Resurfacing

32
33 Description: From State Road to 2nd Street approximately 5,800-feet. Resurface roadway
34 including grind and pave three-inches (3”) of asphalt pavement, restripe pavement markings
35 and replace traffic loops.
36

37 Estimated Construction Cost: \$460,000.
38

39 Section 2. This Council’s authorization is granted with the following understandings:
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- 41 A. The City will bear one hundred percent (100%) of the cost of preliminary
42 engineering.
- 43 B. The City will bear one hundred percent (100%) of the total cost of those features
44 requested by the City which are not eligible for Federal participation.
- 45 C. The Federal share will assume eighty percent (80%) of the construction cost of
46 the improvement not to exceed \$368,000. The City will be responsible for the
47 local share.
- 48 D. The City of Cuyahoga Falls is in receipt of and acknowledges the applicability of
49 the AMATS “Funding Policy Guidelines” to this funding request.
50

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

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

61 Section 5. This ordinance is hereby declared to be an emergency measure necessary for the
62 preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga
63 Falls and the inhabitants thereof and provided it receives the affirmative vote of two thirds of the
64 members elected or appointed to Council, it shall take effect and be in force immediately upon its
65 passage and approval by the Mayor; otherwise it shall take effect and be in force at the earliest
66 period allowed by law.
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70 Passed: _____
71 _____
72 President of Council
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76 Clerk of Council
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78 Approved: _____
79 _____
80 Mayor
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4 CITY OF CUYAHOGA FALLS, OHIO

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6 ORDINANCE NO. - 2015

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8 AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC
9 SERVICE TO APPLY FOR AND ACCEPT FINANCIAL ASSISTANCE IN
10 THE FORM OF A GRANT FROM THE U.S. DEPARTMENT OF
11 TRANSPORTATION, THROUGH THE AKRON METROPOLITAN AREA
12 TRANSPORTATION STUDY, FOR THE RECONSTRUCTION OF
13 HOWE AVENUE BETWEEN MAIN STREET AND BUCHHOLZER
14 BOULEVARD, AND DECLARING AN EMERGENCY.

15
16 WHEREAS, the City Engineer has identified the need for and proposes the reconstruction of
17 Howe Avenue between Main Street and Buchholzer Boulevard, and

18
19 WHEREAS, the Akron Metropolitan Area Transportation Study (AMATS) is conducting a
20 competitive grant process under which Federal Surface Transportation Funds may be made
21 available to partially support construction costs for City sponsored projects.

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

25
26 Section 1. The Director of Public Service is authorized to apply for and accept financial
27 assistance in the form of a grant from the U.S. Department of Transportation, through the Akron
28 Metropolitan Area Transportation Study (AMATS), for the purpose of supporting construction costs
29 related to the Project, as follows:

30
31 Project Name: Reconstruction of Howe Avenue.

32
33 Description: From Main Street to Buchholzer Boulevard approximately 3,540-feet. Resurface
34 roadway including grind and pave three-inches (3”) of asphalt pavement, restripe pavement
35 markings and replace traffic loops.

36
37 Estimated Construction Cost: \$7,500,000.

38
39 Section 2. This Council’s authorization is granted with the following understandings:

- 40
41 A. The City will bear one hundred percent (100%) of the cost of preliminary
42 engineering.
43 B. The City will bear one hundred percent (100%) of the total cost of those features
44 requested by the City which are not eligible for Federal participation.
45 C. The Federal share will assume eighty percent (80%) of the construction cost of
46 the improvement not to exceed \$6,000,000. The City will be responsible for the
47 local share.
48 D. The City of Cuyahoga Falls is in receipt of and acknowledges the applicability of
49 the AMATS “Funding Policy Guidelines” to this funding request.

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

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

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

President of Council

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Clerk of Council

78 Approved: _____

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Mayor

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4 CITY OF CUYAHOGA FALLS, OHIO

5
6 ORDINANCE NO. - 2015

7
8 AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC
9 SERVICE TO APPLY FOR AND ACCEPT FINANCIAL ASSISTANCE IN
10 THE FORM OF A GRANT FROM THE U.S. DEPARTMENT OF
11 TRANSPORTATION, THROUGH THE AKRON METROPOLITAN AREA
12 TRANSPORTATION STUDY, FOR THE RESURFACING OF
13 OAKWOOD DRIVE BETWEEN GRAHAM ROAD AND FRONT
14 STREET, AND DECLARING AN EMERGENCY.

15
16 WHEREAS, the City Engineer has identified the need for and proposes the resurfacing of
17 Oakwood Drive between Graham Road and Front Street, and

18
19 WHEREAS, the Akron Metropolitan Area Transportation Study (AMATS) is conducting a
20 competitive grant process under which Federal Surface Transportation Funds may be made
21 available to partially support construction costs for City sponsored projects.

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

25
26 Section 1. The Director of Public Service is authorized to apply for and accept financial
27 assistance in the form of a grant from the U.S. Department of Transportation, through the Akron
28 Metropolitan Area Transportation Study (AMATS), for the purpose of supporting construction costs
29 related to the Project, as follows:

30
31 Project Name: Oakwood Drive Resurfacing

32
33 Description: From Graham Road to Front Street approximately 8,400-feet. Resurface
34 roadway including grind and pave three-inches (3") of asphalt pavement, restripe pavement
35 markings and replace traffic loops.

36
37 Estimated Construction Cost: \$680,000.

38
39 Section 2. This Council's authorization is granted with the following understandings:

- 40
41 A. The City will bear one hundred percent (100%) of the cost of preliminary
42 engineering.
43 B. The City will bear one hundred percent (100%) of the total cost of those features
44 requested by the City which are not eligible for Federal participation.
45 C. The Federal share will assume eighty percent (80%) of the construction cost of
46 the improvement not to exceed \$544,000. The City will be responsible for the
47 local share.
48 D. The City of Cuyahoga Falls is in receipt of and acknowledges the applicability of
49 the AMATS "Funding Policy Guidelines" to this funding request.

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

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

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

President of Council

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Clerk of Council

76 Approved: _____

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Mayor

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4 CITY OF CUYAHOGA FALLS, OHIO

5
6 ORDINANCE NO. - 2015

7
8 AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC
9 SERVICE TO APPLY FOR AND ACCEPT FINANCIAL ASSISTANCE
10 IN THE FORM OF A GRANT FROM THE U.S. DEPARTMENT OF
11 TRANSPORTATION, THROUGH THE AKRON METROPOLITAN
12 AREA TRANSPORTATION STUDY, FOR THE RECONSTRUCTION
13 OF FRONT AND 2ND STREETS BETWEEN CHESTNUT BOULEVARD
14 AND THE CUYAHOGA RIVER, AND DECLARING AN EMERGENCY.
15

16 WHEREAS, the City Engineer has identified the need for and proposes the reconstruction of
17 Front and 2nd Streets between Chestnut Boulevard and the Cuyahoga River, and
18

19 WHEREAS, the Akron Metropolitan Area Transportation Study (AMATS) is conducting a
20 competitive grant process under which Federal Surface Transportation Funds may be made
21 available to partially support construction costs for City sponsored projects.
22

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

26 Section 1. The Director of Public Service is authorized to apply for and accept financial
27 assistance in the form of a grant from the U.S. Department of Transportation, through the Akron
28 Metropolitan Area Transportation Study (AMATS), for the purpose of supporting construction costs
29 related to the Project, as follows:
30

31 Project Name: Reconstruction of Front and 2nd Streets.

32
33 Description: From Chestnut Boulevard to the Cuyahoga River approximately 5,600-feet.
34 Resurface roadway including grind and pave three-inches (3") of asphalt pavement, restripe
35 pavement markings and replace traffic loops.
36

37 Estimated Construction Cost: \$4,700,000.
38

39 Section 2. This Council's authorization is granted with the following understandings:
40

- 41 A. The City will bear one hundred percent (100%) of the cost of preliminary
42 engineering.
- 43 B. The City will bear one hundred percent (100%) of the total cost of those features
44 requested by the City which are not eligible for Federal participation.
- 45 C. The Federal share will assume eighty percent (80%) of the construction cost of
46 the improvement not to exceed \$3,760,000. The City will be responsible for the
47 local share.
- 48 D. The City of Cuyahoga Falls is in receipt of and acknowledges the applicability of
49 the AMATS "Funding Policy Guidelines" to this funding request.
50

51 Section 3. Any ordinances or resolutions or portions of ordinances and resolutions inconsistent
52 herewith are hereby repealed, but any ordinances and resolutions not inconsistent herewith and
53 which have not previously been repealed are hereby ratified and confirmed.
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55 Section 4. It is found and determined that all formal actions of this Council concerning and
56 relating to the adoption of this ordinance were adopted in an open meeting of this Council, and
57 that all deliberations of this Council and of any of its committees that resulted in such formal
58 action, were in meetings open to the public, in compliance with all legal requirements, to the extent
59 applicable, including Chapter 107 of the Codified Ordinances.
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61 Section 5. This ordinance is hereby declared to be an emergency measure necessary for the
62 preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga
63 Falls and the inhabitants thereof and provided it receives the affirmative vote of two thirds of the
64 members elected or appointed to Council, it shall take effect and be in force immediately upon its
65 passage and approval by the Mayor; otherwise it shall take effect and be in force at the earliest
66 period allowed by law.
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70 Passed: _____
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72 President of Council
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76 Clerk of Council
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78 Approved: _____
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80 Mayor
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3 CITY OF CUYAHOGA FALLS, OHIO

4
5 ORDINANCE NO. -2015

6
7 AN ORDINANCE AUTHORIZING THE DIRECTOR OF
8 COMMUNITY DEVELOPMENT TO AMEND THE
9 COMMUNITY REINVESTMENT AREA TAX EXEMPTION
10 AGREEMENT JOINTLY WITH TECHNICOTE, INC. AND
11 CFO REALTY, LLC, AND DECLARING AN
12 EMERGENCY.
13

14 WHEREAS, pursuant to Ordinance No. 69-2006, adopted June 26, 2006, and
15 Ordinance No. 83-2007 adopted on June 25, 2007 this Council established and
16 designated the boundaries of the Cuyahoga Falls Community Reinvestment Area
17 ("CRA") pursuant to Ohio Revised Code §3735.65 et seq., to encourage the
18 development of real property within the CRA; and
19

20 WHEREAS, the State of Ohio has made a determination that the findings
21 contained in Ord. No. 69-2006 and Ord. No. 83-2007 are valid, and that the
22 classification of structures and/or remodeling eligible for exemption under the
23 Ordinance is consistent with zoning restrictions applicable to the CRA, and
24

25 WHEREAS, with receipt of the Director's positive determination, the City is
26 enabled to abate certain taxes on real property located in the CRA, in order to
27 provide an incentive for the creation and retention of jobs and investment within
28 the CRA; and
29

30 WHEREAS, pursuant to Ordinance No. 57-2012, this Council provided
31 economic development assistance in the form of tax abatement jointly to
32 Technicote, Inc. and CFO Realty, LLC in connection with improvements to a light
33 manufacturing, offices and warehouse facility located at 70 Marc Drive (Parcel No.
34 35-03133),
35

36 WHEREAS, after the Board of Directors of Technicote, Inc. and CFO Realty, LLC
37 reviewed the application submitted to the State of Ohio, concluded that they did
38 not fully understand the questions being asked and incorrectly stated employment
39 numbers and facts.
40

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

44 Section 1. The Director of Community Development is hereby authorized to
45 amend the Community Reinvestment Area tax exemption agreement in accordance
46 with Ohio Revised Code §§3735.67 and 3735.671, jointly with Technicote, Inc. and
47 CFO Realty, LLC, consistent with Ordinance No. 69-2006 and Ordinance No. 83-
48 2007 and the terms set forth in the application for tax exemption attached hereto

49 as Exhibit A, in order to provide an exemption from real property tax at the
50 percentage and for the duration stipulated in said application.

51
52 Section 2. This Council further authorizes the Mayor, Director of Finance,
53 Director of Community Development, Director of Law and any other city officials,
54 individually and/or collectively as may be appropriate, to prepare and execute such
55 other documents and do other things as are necessary or incidental to carrying out
56 the requirements of this legislation consistent with the terms of the attached
57 application.

58
59 Section 3. Any ordinances or resolutions or portions of ordinances and
60 resolutions inconsistent herewith are hereby repealed, but any ordinances and
61 resolutions not inconsistent herewith and which have not previously been repealed
62 are hereby ratified and confirmed.

63
64 Section 4. It is found and determined that all formal actions of this Council
65 concerning and relating to the adoption of this ordinance were adopted in an open
66 meeting of this Council, and that all deliberations of this Council and of any of its
67 committees that resulted in such formal action, were in meetings open to the
68 public, in compliance with all legal requirements including Chapter 107 of the
69 Codified Ordinances.

70
71 Section 5. This ordinance is hereby declared to be an emergency measure
72 necessary for the preservation of the public peace, health, safety, convenience and
73 welfare of the City of Cuyahoga Falls and the inhabitants thereof, and provided it
74 receives the affirmative vote of two thirds of the members elected or appointed to
75 Council, it shall take effect and be in force immediately upon its passage and
76 approval by the Mayor; otherwise it shall take effect and be in force at the earliest
77 period allowed by law.

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80 Passed: _____
81 _____
82 President of Council

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84 _____
85 Clerk of Council

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87
88 Approved: _____
89 _____
90 Mayor

EXHIBIT A

PROPOSED AGREEMENT for Community Reinvestment Area Tax Incentives
between the
City of Cuyahoga Falls located in the County of Summit and:

CFO Realty, LLC and Technicote, Inc

(Company Name)

1. a. Name of property owner, home or main office address, contact person, and telephone number (attach additional pages if multiple enterprise participants).

CFO Realty, LLC

Enterprise Name

Vincent Kyle

Contact Person

3802 Winkler Drive Ext. NW

Dover, Ohio 44622

Address

330.447.5852

Telephone Number

Vin34aol.com

Contact Email

Project site:

70 Marc Drive, CFO, 44223

Address

35.06443

Parcel Number

David Bolanz

Contact Person

330.928.1476

Telephone Number

dbolanz@technicote.com

Contact Email

2. a. Nature of commercial/industrial activity (manufacturing, warehousing, wholesale or retail stores, or other) to be conducted at the site. Please be specific with details.

Manufacturer of pressure sensitive roll label materials and
sillicone coated release liner sold to the label printing
industry.

- b. List primary 6 digit North American Industry Classification System (NAICS) #
Business may list other relevant SIC numbers.
322200

- c. If a consolidation, what are the components of the consolidation? (must itemize the location, assets, and employment positions to be transferred):

This is not a consolodation of several different business.

- d. Form of business of enterprise:

Corporation Partnership Proprietorship Other LLC

3. Name of principal owner(s) or officers of the business.

George Corbett
Vincent Kyle
Anthony Vinciguerra
James Boyer

4. a. State the enterprise's current employment level at the proposed project site:

Full Time: 14 Part Time: _____
(To be considered full time the individual must work at least 35 hours per week.)

- b. Will the project involve the relocation of employment positions or assets from one Ohio location to another? Yes No

- c. If yes, state the locations from which employment positions or assets will be relocated and the location to where the employment positions or assets will be located:

Six employees will be re-located from Akron to Cuyahoga Falls.

- d. State the enterprise's current employment level in Ohio (itemized for full and part-time and permanent and temporary employees):

	Permanent	Temporary
Full Time	90	
Part Time		

(To be considered full time the individual must work at least 35 hours per week.)

- e. State the enterprise's current employment level for each facility to be affected by the relocation of employment positions or assets:

Will add 26 employees at Cuyahoga Falls when construction of the building is completed. Twenty from Terre Haute, Indiana and six from Akron, Ohio.

- f. What is the projected impact of the relocation, detailing the number and type of employees and/or assets to be relocated?

The Cuyahoga Falls plant will be impacted by re-locating the 26 employees back to Cuyahoga Falls and by purchasing inventory and equipment to re-establish production facilities lost in the December 2011 fire.

5 Does the Property Owner Currently Owe:

a. Any delinquent taxes to the State of Ohio or a political subdivision of the state?

Yes No

b. Any moneys to the State or a state agency for the administration or enforcement of any environmental laws of the State? Yes No

c. Any other moneys to the State, a state agency or a political subdivision of the State that are past due, whether the amounts owed are being contested in a court of law or not?

Yes No

d. If yes to any of the above, please provide details of each instance including but not limited to the location, amounts and/or case identification numbers.

6. Project Description. Be as detailed as possible:

Replace facility at 70 Marc Drive previously destroyed in fire.
Purchase and install manufacturing and support equipment to
restore previous manufacturing capacity. Approximately 8,825
square feet will be salvaged and 45,800 square feet will be con-
structed for a total of 54,625 square feet.

7. Project will begin on July 2012 and be completed by March 2013 provided a tax exemption is provided.

8. a. Estimate the number of new employees the property owner will cause to be created at the facility that is the project site (job creation projection must be itemized by the name of the employer, full and part-time and permanent and temporary):

	Permanent	Temporary
Full Time	26	
Part Time		

(To be considered full time the individual must work at least 35 hours per week.)

b. State the time frame of this projected hiring: twelve months.

c. State proposed schedule for hiring (itemize by full and part-time and permanent and temporary employees):

All 26 employees will be re-located to Cuyahoga Falls as soon as construction of the new building is completed.

9. a. Estimate the amount of annual payroll such new employees will add (New annual payroll must be itemized by full and part-time and permanent and temporary new employees).

	Permanent		Temporary	
Full-time	\$	1,040,000	\$	
Part-time	\$		\$	
TOTAL:	\$	1,040,000	\$	

(To be considered full time the individual must work at least 35 hours per week.)

b. Indicate separately the amount of existing annual payroll relating to any job retention claim resulting from the project: \$ 560,000.

10. An estimate of the amount to be invested by the enterprise to establish, expand, renovate or occupy a facility:

A. Acquisition of Land	\$	
B. Additions/New Construction	\$	3,000,000
C. Improvements to Existing Buildings	\$	
D. Machinery & Equipment	\$	3,750,000
E. Furniture & Fixtures	\$	100,000
F. Inventory	\$	3,500,000
Total New Project Investment	\$	10,350,000

- 11.

- a. Business requests the following tax exemption incentives: 50 %
for 15 years covering the real property improvements as described above.

- b. Business's reasons for requesting tax incentives (be quantitatively specific as possible)

Technicote, Inc. was established in 1980 in Cuyahoga Falls, Ohio to service local roll label converters. As a financially stable, privately owned company, Technicote has grown to include 9 manufacturing and distribution facilities throughout the United States

and Mexico. With outstanding employees and a strong customer base. Technicote continues to maintain substantial grows year after year.

In December 2011 our Cuyahoga Falls location experienced a devastating fire that destroyed most of the building and equipment and displaced our workforce. After this major business interruption, we were forced to relocate the manufacturing demand to our 3 other manufacturing sites in Ohio, Indiana and California. We continued to offer employment to all existing personnel who were willing to work temporarily at our Indiana Facility. To minimize hardship, we have paid all travel, housing and meals for 20 employees working in Terre Haute, Indiana through the date of this application.

Technicote has effectively absorbed our lost manufacturing capacity into existing company assets. We have investigated all options including relocating outside Cuyahoga Falls. There are many reasons that moving would make sense. However, our preferred course of action would be to rebuild at the 70 Marc Drive location, which allows us to maintain our experienced work force and support the local customers, which have been with us since starting the Company. Technicote looks forward to a continued partnership and requests that all financial support possible be given to assist us in this decision.

Submission of this application expressly authorizes the City of Cuyahoga Falls to contact the Ohio Environmental Protection Agency to confirm statements contained within this application including item # 5 and to review applicable confidential records. As part of this application, the property owner may also be required to directly request from the Ohio Department of Taxation, or complete a waiver form allowing the Department of Taxation to release specific tax records to the local jurisdiction considering the request.

The Applicant agrees to supply additional information upon request. The Applicant affirmatively covenants that the information contained in and submitted with this application is complete and correct and is aware of the ORC Sections 9.66(C)(1) and 2921.13(D)(1) penalties for falsification which could result in the forfeiture of all current and future economic development assistance benefits as well as a fine of not more than \$1,000 and/or a term of imprisonment of not more than six months.

CFO Realty, LLC	
<u>Vincent W. Kyle</u>	<u>Member</u>
Name of Property Owner	Title
	10/8/2015
<u>Signature</u>	<u>Date</u>