

NEW LEGISLATION

July 13, 2015

Temp. No.	Introduced	Committee	Description
B-56	7/13/15	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the demolition and removal of demolition debris from a dangerous building located at 2360 4 th Street and certifying the cost thereof to the County Fiscal Officer for collection in the manner provided by law, and declaring an emergency.
B-57	7/13/15	Fin	An ordinance authorizing Declarations of Official Intent under U.S. Treasury Regulations with respect to reimbursements from Note and Bond proceeds of temporary advances made for payments prior to issuance, and related matters.
B-58	7/13/15	PI	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the reconstruction of concrete pavement at various locations in the City, and declaring an emergency.
B-59	7/13/15	PI	An ordinance consenting to the improvement of the pavement along State Route 8 within the City of Cuyahoga Falls, by the State of Ohio, using Microsurfacing Technology, authorizing financial cooperation thereof, and declaring an emergency.
B-60	7/13/15	PA	An ordinance authorizing the Director of Public Service to apply for and accept a grant from the Ohio Environmental Protection Agency and authorizing the payment of the City's local share, and declaring an emergency.
B-61	7/13/15	CD	A resolution accepting the recommendations of the Tax Incentive

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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.

B-62	7/13/15	CD	An ordinance authorizing the Mayor to enter into a contract with MKSK according to law, for professional services to complete the Downtown Area Circulation Plan, and declaring an emergency.
B-63	7/13/15	CD	An ordinance authorizing the City to accept the donation of property on 1659 Front Street from the Community Improvement Corporation, and declaring an emergency.
B-64	7/13/15	CD	An ordinance authorizing the Mayor to enter into a lease agreement or agreements with Arkay Properties, LLC and Metro Parks, Serving Summit County, Board of Commissioners, and declaring an emergency.
B-65	7/13/15	CD	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the Chestnut Trailhead Parking Lot & Trail Improvements Phase I, and declaring an emergency.

CALENDAR

July 13, 2015

The following legislation will be up for passage at the Council Meeting on July 13, 2015.

Temp. No.	Introduced	Committee	Description
B-45	6/22/15	PZ	An ordinance authorizing and approving the conditional zoning certificate for the installation of an outdoor pavilion/projection screen at the Wing Warehouse at 4165 Wyoga Lake Road (Parcel 35-06454) in a MU-3 Suburban Center District, and declaring an emergency.
B-46	6/22/15	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts with Glaus, Pyle, Schomer, Burns, & Dehaven Inc., for North American Electric Reliability Corporation and substation management consulting services in the Electric Department during 2015, and declaring an emergency.
B-47	6/22/15	Fin	An ordinance authorizing the Director of Finance to enter into a contract and/or contracts without competitive bidding with Solupay Consulting Inc., for credit card processing services for use by various departments within the City, and declaring an emergency.
B-48	6/22/15	Fin	An ordinance authorizing the Director of Public Service to enter into a contract without competitive bidding with Sherman and Reilly, Inc. for the purchase of a turret mounted hydraulic powered 4-drum pilot line winder for use in the Electric Department, and declaring an emergency.
B-49	6/22/15	PA	An ordinance providing an amendment to the Charter of the City of Cuyahoga Falls, Ohio, originally adopted by the electorate on November 3, 1959, and amended from

time to time, to be submitted at the next general election on November 3, 2015, which amendment will revise Article III, Section 9, and declaring an emergency.

B-50 6/22/15 PA

An ordinance providing an amendment to the Charter of the City of Cuyahoga Falls, Ohio, originally adopted by the electorate on November 3, 1959, and amended from time to time, to be submitted at the next general election on November 3, 2015, which amendment will revise Article IV, Section 3, and declaring an emergency.

B-51 6/22/15 PA

An ordinance providing an amendment to the Charter of the City of Cuyahoga Falls, Ohio, originally adopted by the electorate on November 3, 1959, and amended from time to time, to be submitted at the next general election on November 3, 2015, which amendment will revise Article V, Section 2, and declaring an emergency.

B-53 6/22/15 CD

An ordinance authorizing the sale of Parcel 107 in the Front and Center Urban Renewal Project Area to River Falls Property III, LLC., for development in accordance with a contract for sale of land for private development, determining that such real property will not be needed for public use, that the purchase price is satisfactory, and related findings, and declaring an emergency.

B-54 6/22/15 CD

An ordinance authorizing the Director of Community Development to enter into a Community Reinvestment Area Tax Exemption Agreement with Cascade Auto Group, Ltd. dba Primm Land Ltd. and Valley Park Ltd., and declaring an emergency.

B-55 6/22/15 CD

An ordinance authorizing the Mayor to enter into a Community Reinvestment Area Agreement with River Falls Property III, LLC and declaring an emergency.

PENDING LEGISLATION

July 13, 2015

Temp. No.	Introduced	Committee	Description
B-40*	6/8/15	PZ	An ordinance approving a zoning map amendment for Parcels 35-00857, 35-02577 and 35-00103, from MU-3 Sub-Urban Center to E-1 Employment District, as more fully described and depicted herein, and declaring an emergency.
B-45	6/22/15	PZ	An ordinance authorizing and approving the conditional zoning certificate for the installation of an outdoor pavilion/projection screen at the Wing Warehouse at 4165 Wyoga Lake Road (Parcel 35-06454) in a MU-3 Suburban Center District, and declaring an emergency.
B-46	6/22/15	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts with Glaus, Pyle, Schomer, Burns, & Dehaven Inc., for North American Electric Reliability Corporation and substation management consulting services in the Electric Department during 2015, and declaring an emergency.
B-47	6/22/15	Fin	An ordinance authorizing the Director of Finance to enter into a contract and/or contracts without competitive bidding with Solupay Consulting Inc., for credit card processing services for use by various departments within the City, and declaring an emergency.
B-48	6/22/15	Fin	An ordinance authorizing the Director of Public Service to enter into a contract without competitive bidding with Sherman and Reilly, Inc. for the purchase of a turret mounted hydraulic powered 4-drum pilot line winder for use in the Electric Department, and declaring an emergency.

B-49	6/22/15	PA	An ordinance providing an amendment to the Charter of the City of Cuyahoga Falls, Ohio, originally adopted by the electorate on November 3, 1959, and amended from time to time, to be submitted at the next general election on November 3, 2015, which amendment will revise Article III, Section 9, and declaring an emergency.
B-50	6/22/15	PA	An ordinance providing an amendment to the Charter of the City of Cuyahoga Falls, Ohio, originally adopted by the electorate on November 3, 1959, and amended from time to time, to be submitted at the next general election on November 3, 2015, which amendment will revise Article IV, Section 3, and declaring an emergency.
B-51	6/22/15	PA	An ordinance providing an amendment to the Charter of the City of Cuyahoga Falls, Ohio, originally adopted by the electorate on November 3, 1959, and amended from time to time, to be submitted at the next general election on November 3, 2015, which amendment will revise Article V, Section 2, and declaring an emergency.
B-52	6/22/15	PA	An ordinance providing an amendment to the Charter of the City of Cuyahoga Falls, Ohio, originally adopted by the electorate on November 3, 1959, and amended from time to time, to be submitted at the next general election on November 3, 2015, which amendment will revise Article VII, Section 2, and declaring an emergency.
B-53	6/22/15	CD	An ordinance authorizing the sale of Parcel 107 in the Front and Center Urban Renewal Project Area to River Falls Property III, LLC., for development in accordance with a contract for sale of land for private development, determining that such real property will not be needed for public use, that the purchase price is satisfactory, and related findings, and declaring an emergency.

B-54	6/22/15	CD	An ordinance authorizing the Director of Community Development to enter into a Community Reinvestment Area Tax Exemption Agreement with Cascade Auto Group, Ltd. dba Primm Land Ltd. and Valley Park Ltd., and declaring an emergency.
B-55	6/22/15	CD	An ordinance authorizing the Mayor to enter into a Community Reinvestment Area Agreement with River Falls Property III, LLC and declaring an emergency.

*Public Hearing 7-20-15

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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 ENTER INTO A CONTRACT OR CONTRACTS,
10 ACCORDING TO LAW, FOR THE DEMOLITION AND REMOVAL OF
11 DEMOLITION DEBRIS FROM A DANGEROUS BUILDING LOCATED
12 AT 2360 4TH STREET AND CERTIFYING THE COST THEREOF TO
13 THE COUNTY FISCAL OFFICER FOR COLLECTION IN THE
14 MANNER PROVIDED BY LAW, AND DECLARING AN EMERGENCY.
15

16 WHEREAS, the Building Official has declared the building identified in Section 1 below to be a
17 dangerous building within the meaning of chapter 1343 of the Summit County Codified
18 Ordinances; and
19

20 WHEREAS, the Building Official has provided notice to all owners and interested parties
21 concerned with the buildings identified in Section 1 below, instructing such owners and interested
22 parties as to the repairs required to make the building safe, ordering the owners to repair or
23 demolish the building accordingly, and informing the owners and interested parties of their right of
24 appeal under Section 1343.07 of said Chapter; and
25

26 WHEREAS, no appeals of the Building Official’s orders have been received; and
27

28 WHEREAS, no remediation of the conditions found by the Building Official have been
29 attempted or accomplished by any of the owners or interested parties.
30

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

34 Section 1. Council hereby finds and determines that the following described structure is
35 insecure, unsafe, and structurally defective within the meaning of Ohio Revised Code §715.26, and
36 a dangerous building within the meaning of Section 1343.01 of the Summit County Codified
37 Ordinances:
38

39 2360 4th Street (garage)
40

41 Section 2. The Director of Public Service is authorized to enter into a contract or contracts,
42 according to law, for the demolition of the dangerous building listed in Section 1 above, and the
43 removal of debris therefrom.
44

45 Section 3. The Finance Director is authorized to make payment for same from the Capital
46 Projects Fund.
47

48 Section 4. In accordance with Ohio Revised Code §715.26, the Finance Director is hereby
49 directed to certify the costs of demolition and debris removal to the Clerk of Council who shall then
50 certify the same to the Summit County Fiscal Officer for placement thereof on the tax duplicate
51 together with interest and penalties provided by law.
52

53 Section 5. Any other ordinance and resolutions or portions of ordinances and resolutions
54 inconsistent herewith are hereby repealed, but any ordinances and resolutions or portions of

55 ordinances and resolutions not inconsistent herewith and which have not previously been repealed
56 are hereby ratified and confirmed.

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58 Section 6. It is found and determined that all formal actions of this Council concerning and
59 relating to the adoption of this ordinance were adopted in an open meeting of this Council and that
60 all deliberations of this Council and of any of its committees that resulted in such formal action
61 were in meetings open to the public, in compliance with all legal requirements, to the extent
62 applicable, Chapter 107 of the Codified Ordinances.

63
64 Section 7. That this ordinance is hereby declared to be an emergency measure necessary for
65 the preservation of the public peace, health, safety, convenience and welfare of the City of
66 Cuyahoga Falls and the inhabitants thereof, and provided it receives the affirmative vote of two
67 thirds of the members elected or appointed to Council, it shall take effect and be in force
68 immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in
69 force at the earliest period allowed by law.

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74 Passed: _____

President of Council

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Clerk of Council

82 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 DECLARATIONS OF OFFICIAL INTENT
9 UNDER U.S. TREASURY REGULATIONS WITH RESPECT TO
10 REIMBURSEMENTS FROM NOTE AND BOND PROCEEDS OF
11 TEMPORARY ADVANCES MADE FOR PAYMENTS PRIOR TO
12 ISSUANCE, AND RELATED MATTERS.
13

14 WHEREAS, United States Treasury Regulations prescribe conditions under which proceeds of
15 bonds, notes or other obligations used to reimburse advances made for certain expenditures paid
16 before the issuance of such obligations, will be deemed to be expended (or properly allocated to
17 expenditures) for purposes of Sections 103 and 141-150 of the Internal Revenue Code of 1986, so that
18 upon such reimbursement the proceeds so used will not further be subject to requirements or
19 restrictions under those sections of the Internal Revenue Code; and
20

21 WHEREAS, certain provisions of those Regulations require that there be a Declaration of
22 Official Intent not later than 60 days following payment of the expenditure expected to be reimbursed
23 from proceeds of such obligations, and that the reimbursement occur within prescribed time periods
24 after the expenditure is paid or after the property is placed in service; and
25

26 WHEREAS, the City wishes to take steps for compliance with those Regulations;

27
28 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls, Summit
29 County, Ohio, that:
30

31 Section 1. Definitions. The following definitions apply to the terms used herein:

32
33 “*Authorized Officer*” means the Director of Finance or any person designated for the purpose by
34 the Director of Finance.
35

36 “*Bonds*” means and includes bonds, notes, certificates and other obligations included in the
37 meaning of “bonds” under Section 150 of the Internal Revenue Code of 1986.
38

39 “*Declaration of Official Inten*” means a declaration of intent, in the form and manner and time
40 contemplated in the Reimbursement Regulations, that the advances for expenditures referred to therein
41 are reasonably expected to be reimbursed from the proceeds of Reimbursement Bonds to be issued
42 after those expenditures are paid.
43

44 “*Public Record*” means “public record” as defined in Section 149.43 of the Ohio Revised Code.
45

46 “*Reimbursement*” or “*reimburse*” means the restoration to the City of money temporarily
47 advanced from its other funds and spent for capital expenditures (and certain other types of
48 expenditures qualifying under the Reimbursement Regulations, including any issuance costs for
49 Reimbursement Bonds) before the issuance of the Reimbursement Bonds, evidenced in writing by an
50 allocation on the books and records of the City that shows the use of the proceeds of the
51 Reimbursement Bonds to restore the money advanced for the original expenditure. “Reimbursement”
52 or “reimburse” generally does not include the refunding or retiring of Bonds previously issued and sold
53 to, or borrowings from, unrelated entities.
54

55 “*Reimbursement Bonds*” means Bonds the proceeds of which are to be used for reimbursement
56 of such capital or other qualifying expenditures paid before issuance of the Bonds.
57

58 "Reimbursement Regulations" means Treasury Regulations Section 1.150-2 and any
59 amendments thereto or superseding regulations, whether in proposed, temporary or final form, as at
60 the time applicable, prescribing conditions under which the proceeds of Reimbursement Bonds when
61 allocated or applied to a reimbursement will be treated as expended for all or any purposes of Sections
62 103 and 141 to 150 of the Internal Revenue Code.
63

64 Section 2. Authorization and Requirement of Declarations of Official Intent. The Authorized
65 Officer is authorized to prepare and sign Declarations of Official Intent with respect to capital and other
66 expenditures to which the Reimbursement Regulations apply (and including any costs of issuance of
67 the Reimbursement Bonds) to be made from money temporarily available and which are reasonably
68 expected to be reimbursed (in accordance with applicable authorizations, policies and practices) from
69 the proceeds of Reimbursement Bonds, to make appropriate reimbursement and timely allocations
70 from the proceeds of the Reimbursement Bonds to reimburse such prior expenditures, and to take any
71 other actions as may be appropriate, all at the times and in the manner required under the
72 Reimbursement Regulations to satisfy the requirements for the reimbursement to be treated as an
73 expenditure of such proceeds for purposes of Sections 103 and 141 to 150 of the Internal Revenue
74 Code of 1986. No advance from any fund or account or order for payment may be made for
75 expenditures (other than expenditures excepted from such requirement under the Reimbursement
76 Regulations) that are to be reimbursed subsequently from proceeds of Reimbursement Bonds unless a
77 Declaration of Official Intent with respect thereto is made within the time required by the
78 Reimbursement Regulations. All Declarations of Official Intent heretofore made on behalf of the City
79 are hereby ratified and adopted.
80

81 Section 3. Public Records. Each Declaration of Official Intent shall be treated as a Public
82 Record and made available for reasonable public inspection after the date of the Declaration of Official
83 Intent, and shall be available for reasonable public inspection continuously during normal business
84 hours on every business day to and including the date of issuance of the Reimbursement Bonds.
85

86 Section 4. Compliance with Open Meeting Requirements. This Council finds and determines
87 that all formal actions of this Council and any of its committees concerning and relating to the passage
88 of this Ordinance were taken in an open meeting of this Council or its committees and that all
89 deliberations of this Council and of any committees that resulted in those formal actions were in
90 meetings open to the public, all in compliance with the law, including Section 121.22 of the Ohio
91 Revised Code.
92

93 Section 5. Effective Date. This ordinance is declared to be an emergency measure necessary
94 for the immediate preservation of the public peace, health and safety, and for the further reason that
95 this ordinance is required to be immediately effective in order to allow the City to be able to get
96 reimbursed from potential bond or note proceeds for funds advanced for capital improvement projects
97 within the time periods provided by the Regulations; wherefore, this ordinance shall be in full force and
98 effect immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in
99 force at the earliest period allowed by law.
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102 Passed: _____

President of Council

Clerk of Council

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108 Approved: _____

Mayor

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4 CITY OF CUYAHOGA FALLS, OHIO

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6 ORDINANCE NO. - 2015

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9 AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC
10 SERVICE TO ENTER INTO A CONTRACT OR CONTRACTS,
11 ACCORDING TO LAW, FOR THE RECONSTRUCTION OF
12 CONCRETE PAVEMENT AT VARIOUS LOCATIONS IN THE CITY,
13 AND DECLARING AN EMERGENCY.
14

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

18
19 Section 1. The Director of Public Service is hereby authorized to enter into a contract or
20 contracts, according to law, for the repair and/or replacement of portions of concrete pavement on
21 Prior Park Drive, from Hoffman Drive to the west end of Prior Park Drive.
22

23 Section 2. The Director of Finance is hereby authorized and directed to make payment for
24 same from the Capital Projects Fund.
25

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

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

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

President of Council

Clerk of Council

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49 Approved: _____

Mayor

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4 CITY OF CUYAHOGA FALLS, OHIO

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6 ORDINANCE NO. - 2015
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8
9 AN ORDINANCE CONSENTING TO THE IMPROVEMENT OF
10 THE PAVEMENT ALONG STATE ROUTE 8 WITHIN THE
11 CITY OF CUYAHOGA FALLS, BY THE STATE OF OHIO,
12 USING MICROSURFACING TECHNOLOGY, AUTHORIZING
13 FINANCIAL COOPERTION THEREFORE, AND DECLARING
14 AN EMERGENCY.
15

16
17 WHEREAS, the State of Ohio has identified the need for and proposes the improvement
18 of a portion of the public highway, including necessary ancillary work, in the City of
19 Cuyahoga Falls, said portion of highway within the municipal corporation limits being
20 hereinafter referred to as the Improvement, and described as follows:
21

22 The improvement of the pavement along State Route 8
23 within the corporation limits of the City of Cuyahoga Falls,
24 including necessary ancillary work; and
25

26 WHEREAS, Ohio Revised Code §5521.01 specifies that the consent of this Council is
27 required prior to the improvement of a state highway within the City’s corporate limits,
28

29 NOW, THEREFORE, BE IT ORDINED by the Council of the City of Cuyahoga Falls,
30 County of Summit and State of Ohio, that:
31

32 Section 1. This Council hereby consents to improvement of the pavement along State
33 Route 8 within the City of Cuyahoga Falls, PID 84658, Sum-SR0008-4.30, using
34 Microsurfacing Technology, including necessary ancillary work; and
35

36 Section 2. This Council’s consent is granted with the following understandings:
37

38 A. The City will agree to pay One Hundred Percent (100%) of the cost of
39 those features requested by the City which are determined by the State and
40 Federal Highway Administration to be unnecessary for the Project.
41

42 B. The City agrees that all right-of-way required for the described Project
43 will be acquired and/or made available in accordance with current state and
44 federal regulations. The City also understands that right-of-way costs
45 include eligible utility costs.
46

47 C. Upon completion of the Project, and unless otherwise agreed, the City
48 shall 1) provide adequate maintenance for the described Project in
49 accordance with all applicable State and Federal law, including, but not
50 limited to, 23 USC §116; 2) provide ample financial provisions, as necessary,
51 for the maintenance of the described Project; 3) maintain the right-of-way,
52 keeping it free of obstructions; and 4) hold said right-of-way inviolate for
53 public highway purposes.
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55 D. The Director of Public Service or the Mayor of the City of Cuyahoga Falls
56 are authorized on behalf of the City of Cuyahoga Falls to enter into

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contracts with the State of Ohio Department of Transportation necessary to complete the above described Project.

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

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

5 ORDINANCE NO. - 2015

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8 AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC
9 SERVICE TO APPLY FOR AND ACCEPT A GRANT FROM THE
10 OHIO ENVIRONMENTAL PROTECTION AGENCY AND
11 AUTHORIZING THE PAYMENT OF THE CITY'S LOCAL SHARE,
12 AND DECLARING AN EMERGENCY.
13

14 WHEREAS, the State of Ohio, through the Ohio Environmental Protection Agency, administers
15 financial assistance to conduct riparian restoration and associated stream bank restoration
16 through the Section 319(h) of the Clean Water Act, Nonpoint Source Program, and
17

18 WHEREAS, the City of Cuyahoga Falls desires financial assistance under Section 319(h) of
19 the Clean Water Act, Nonpoint Source Program.
20

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

24 Section 1. The Director of Public Service is hereby authorized to execute and file an
25 application with the Ohio Environmental Protection Agency and to provide all information and
26 documentation required in said application to grant to conduct Phase II of the riparian
27 restoration of Kelsey Creek, and for associated stream bank restoration and, if granted, to enter
28 into a contract or contracts with the Ohio EPA to accept the grant.
29

30 Section 2. The City does agree to obligate the funds, including the local share, required to
31 satisfactorily complete the project and become eligible for reimbursement under the terms of the
32 Section 319(h) Nonpoint Source Program.
33

34 Section 3. Any other ordinances and resolutions or portions of ordinances and resolutions
35 inconsistent herewith are hereby repealed, but any ordinances and resolutions or portions of
36 ordinances and resolutions not inconsistent herewith and which have not previously been
37 repealed are hereby ratified and confirmed.
38

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

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

President of Council

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57 Clerk of Council

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59 Approved: _____

Mayor

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4 CITY OF CUYAHOGA FALLS, OHIO

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6 RESOLUTION NO. - 2015

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8 A RESOLUTION ACCEPTING THE
9 RECOMMENDATIONS OF THE TAX INCENTIVE
10 REVIEW COUNCIL AND THE COMMUNITY
11 REINVESTMENT AREA HOUSING COUNCIL
12 CONCERNING ENTERPRISE ZONE AND COMMUNITY
13 REINVESTMENT AREA TAX EXEMPTION
14 AGREEMENTS WITHIN THE CITY OF CUYAHOGA
15 FALLS, AND DECLARING AN EMERGENCY.
16

17
18 WHEREAS, the City of Cuyahoga Falls has designated certain areas within
19 the city as Enterprise Zones pursuant to Ohio Revised Code (“R.C.”) §§5709.61-
20 69, and as Community Reinvestment Areas, pursuant to R.C. §3735.65 *et seq.*;
21 and
22

23 WHEREAS, pursuant to these statutes, the City of Cuyahoga Falls has
24 entered into Enterprise Zone and Community Reinvestment Area tax exemption
25 agreements (the “tax exemption agreements”) with various property owners in the
26 mentioned areas for the abatement of portions of the property owners’ real
27 property and/or tangible personal property taxes as incentives for the businesses
28 and homeowners to invest in the community; and
29

30 WHEREAS, the City has established a Tax Incentive Review Council pursuant
31 to R.C. §5709.85, and a Community Reinvestment Area Housing Council
32 pursuant to Ord. No. 95-2004, for the purpose of annually assessing whether
33 each owner of property exempted from taxation pursuant to a tax exemption
34 agreement has complied with the agreement; and
35

36 WHEREAS, the Tax Incentive Review Council is required to annually submit
37 written recommendations to this Council concerning whether each tax exemption
38 agreement subject to its review should be continued, modified or cancelled; and
39

40 WHEREAS, this Council has received the recommendations of the Tax
41 Incentive Review Council and the Community Reinvestment Area Housing
42 Council relative to tax exemption agreements in effect in calendar year 2014; and
43

44 WHEREAS, R.C. §5709.85 requires the legislative authority of a local
45 government granting Enterprise Zone or Community Reinvestment Area tax
46 exemptions to accept, reject or modify all or any portion of the recommendations
47 of its Tax Incentive Review Council.
48

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

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Section 1. This Council hereby accepts the recommendations of the Tax Incentive Review Council and the Community Reinvestment Area Housing Council for tax exemption agreements in effect during 2014, as follows:

<u>Tax Exemption Agreement with:</u>	<u>Recommendation</u>
ACME Twelve LLC	Continue
Albrecht Inc.	Continue
Alro Steel Corporation	Continue
Americhem, Inc.	Continue
Andrea H. Folatko, DDS & Crooked River Properties	Continue
CFP, Ltd.	Continue
Falls River, LLC	Continue
French Mill Run, LLC	Continue
GOJO Industries (exp 2016)	Continue
GOJO Industries (exp 2023)	Continue
JUZO Investments, Ltd.	Continue
Pilot Plastics	Continue
Roadrunner Dawes Freight Systems, Inc, et al	Continue
S. Lee & Judith Ann Combs & GS Steel	Continue
SGS Tool Company	Continue
Technicote	Continue
Sustainability Funding of Alliance Ohio LLC.	Continue
Harris, Marcia	Continue
Martz, Gary & Cathy	Continue
Sena, Peter & Carol	Continue
Hardwick, Pateria	Continue
Soldes, Veronica	Continue
Somers, Jenette	Continue
Tuttle, Corey A.	Continue
Bolf, James & Sheila	Continue
Hands, David L, Trustee	Continue
Murray, Leigh	Continue
Watermark Commercial LLC	Continue
Village of Watermark, LLC	Continue

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

Section 3. It is found and determined that all formal actions of this Council concerning and relating to the acceptance of this resolution 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.

100 Section 4. This resolution is hereby declared to be an emergency measure
101 necessary for the preservation of the public peace, health, safety, convenience
102 and welfare of the City of Cuyahoga Falls and the inhabitants thereof, and
103 provided it receives the affirmative vote of two thirds of the members elected or
104 appointed to Council, it shall take effect and be in force immediately upon its
105 passage and approval by the Mayor; otherwise it shall take effect and be in force
106 at the earliest period allowed by law.

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109 Passed: _____

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117 Approved: _____

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President of Council

Clerk of Council

Mayor

7/13/15

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3 CITY OF CUYAHOGA FALLS, OHIO

4
5 ORDINANCE NO. - 2015

6
7 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER
8 INTO A CONTRACT WITH MKSK ACCORDING TO LAW, FOR
9 PROFESSIONAL SERVICES TO COMPLETE THE
10 DOWNTOWN AREA CIRCULATION PLAN, AND DECLARING
11 AN EMERGENCY.

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

15
16 Section 1. The Mayor is hereby authorized to enter into a contract with MKSK,
17 according to law, for professional services for the Downtown Area Circulation Plan.

18
19 Section 2. The Director of Finance is hereby authorized and directed to make payment
20 from the General Fund, Community Development Department, line item Other Operations
21 and from the CDBG fund, line item Other Operations.

22
23 Section 3. Any other ordinances and resolutions or portions of ordinances and
24 resolutions inconsistent herewith are hereby repealed, but any ordinances and resolutions
25 or portions of ordinances and resolutions not inconsistent herewith and which have not
26 previously been repealed are hereby ratified and confirmed.

27
28 Section 4. That it is found and determined that all formal actions of this Council
29 concerning and relating to the adoption of this ordinance were adopted in an open meeting
30 of this Council and that all deliberations of this Council and of any of its committees that
31 resulted in such formal action were in meetings open to the public, in compliance with all
32 legal requirements including Chapter 107 of the Codified Ordinances.

33
34 Section 5. That this ordinance is hereby declared to be an emergency measure
35 necessary for the preservation of the public peace, health, safety, convenience and welfare of
36 the City of Cuyahoga Falls and the inhabitants thereof and provided, it receives the
37 affirmative vote of two-thirds of the members elected or appointed to Council, it shall take
38 effect and be in force immediately upon its passage and approval by the Mayor; otherwise it
39 shall take effect and be in force at the earliest period allowed by law.

40
41
42 Passed: _____

President of Council

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46 _____

Clerk of Council

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48 Approved: _____

Mayor

49
50
51 7/13/15

2
3
4 CITY OF CUYAHOGA FALLS, OHIO

5
6 ORDINANCE NO. - 2015

7
8
9 AN ORDINANCE AUTHORIZING THE CITY TO ACCEPT
10 THE DONATION OF PROPERTY ON 1659 FRONT
11 STREET FROM THE COMMUNITY IMPROVEMENT
12 CORPORATION, AND DECLARING AN EMERGENCY.
13

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

17
18 Section 1. Council hereby authorizes the acceptance of the following property by donation:

19
20 Donor Community Improvement Corporation of Cuyahoga Falls
21 Address 1659 Front Street, Cuyahoga Falls, OH 44221
22 Parcel Number 0208875
23

24 Section 2. The Mayor and other City officials, as appropriate, are authorized to provide such
25 information to execute, certify or furnish such other documents, and do all other actions as are
26 necessary to carry out the transactions in this ordinances.
27

28 Section 3. Any other ordinances or resolutions or portions of ordinances and resolutions
29 inconsistent herewith are hereby repealed, but any ordinances and resolutions not inconsistent
30 herewith and which have not previously been repealed are hereby ratified and confirmed.
31

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

38 Section 5. This ordinance is hereby declared to be an emergency measure necessary for the
39 preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga Falls
40 and the inhabitants thereof, for the reason that it is immediately necessary to permit timely and
41 appropriate development of this property, and provided it receives the affirmative vote of two thirds of
42 the members elected or appointed to Council, it shall take effect and be in force immediately upon its
43 passage and approval by the Mayor; otherwise it shall take effect and be in force at the earliest period
44 allowed by law.
45

46
47 Passed: _____

President of Council

48
49
50 _____
Clerk of Council

51
52 Approved: _____

53
54 _____
Mayor

55 7/13/15

3
4 CITY OF CUYAHOGA FALLS, OHIO

5
6 ORDINANCE NO. - 2015

7
8 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO
9 A LEASE AGREEMENT OR AGREEMENTS WITH ARKAY
10 PROPERTIES, LLC AND METRO PARKS, SERVING SUMMIT
11 COUNTY, BOARD OF COMMISSIONERS, AND DECLARING
12 AN EMERGENCY.
13

14 WHEREAS, Arkay Properties, LLC (Arkay) and Metro Parks, Serving Summit County,
15 Board of Commissioners (Metro Parks) are owners of certain parcels of land commonly
16 known as 1783 Front Street and a vacant lot on Front Street (Parcels), respectively; and
17

18 WHEREAS, the City desires to construct a parking lot, trailhead and other
19 improvements on the Parcels for use as access to the Cuyahoga Falls Chestnut Trailhead;
20 and
21

22 WHEREAS, Arkay desires to utilize a portion of the parking spaces to be constructed
23 by the City for its building located at 1701 Front Street; and
24

25 WHEREAS, Metro Parks desires to utilize the Parcels as public access to the Cuyahoga
26 Falls Chestnut Trailhead.
27

28 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls,
29 County of Summit and State of Ohio, that:
30

31 Section 1. The Mayor is hereby authorized to enter into a lease agreement or
32 agreements with Arkay Properties, LLC and Metro Parks, Serving Summit County, Board
33 of Commissioners for property located at 1783 Front Street (Parcel Number 020382) and a
34 vacant lot on Front Street (Parcel Number 0220483) in Cuyahoga Falls, Ohio
35

36 Section 2. Any other ordinance and resolutions or portions of ordinances and
37 resolutions inconsistent herewith are hereby repealed, but any ordinances and
38 resolutions or portions of ordinances and resolutions not inconsistent herewith and which
39 have not previously been repealed are hereby ratified and confirmed.
40

41 Section 3. It is found and determined that all formal actions of this Council
42 concerning and relating to the adoption of this ordinance were adopted in an open
43 meeting of this Council and that all deliberations of this Council and of any of its
44 committees that resulted in such formal action were in meetings open to the public, in
45 compliance with all legal requirements, to the extent applicable, Chapter 107 of the
46 Codified Ordinances.
47

48 Section 4. That this ordinance is hereby declared to be an emergency measure
49 necessary for the preservation of the public peace, health, safety, convenience and welfare

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

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56 Passed: _____
57 _____
58 President of Council

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60 _____
61 Clerk of Council
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64 Approved: _____
65 _____
66 Mayor

67 7/13/15
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3
4 CITY OF CUYAHOGA FALLS, OHIO

5 ORDINANCE NO. - 2015

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7
8
9 AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO
10 ENTER INTO A CONTRACT OR CONTRACTS, ACCORDING TO LAW, FOR
11 THE CHESTNUT TRAILHEAD PARKING LOT & TRAIL IMPROVEMENTS
12 PHASE I, AND DECLARING AN EMERGENCY.
13

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

16
17 Section 1. The Director of Public Service is hereby authorized to enter into a contract or contracts,
18 according to law, for the Chestnut Trailhead Parking Lot & Trail Improvements Phase I.
19

20 Section 2. The Director of Finance is hereby authorized and directed to make payment for same from
21 the Community Development Block Grant Fund, line item Capital Outlay. The Director of Finance is further
22 authorized and directed to increase appropriations in the Capital Projects Fund, line item Capital Outlay,
23 which represents the grant portion provided by the United States Department of Housing and Urban
24 Development.
25

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

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

36 Section 5. This ordinance is hereby declared to be an emergency measure necessary for the preservation
37 of the public peace, health, safety, convenience and welfare of the City of Cuyahoga Falls and the inhabitants
38 thereof, for the reason that it is immediately necessary to permit timely and appropriate development of this
39 property, and provided it receives the affirmative vote of two thirds of the members elected or appointed to
40 Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor;
41 otherwise it shall take effect and be in force at the earliest period allowed by law.
42
43

44 Passed: _____
45 _____
46 President of Council

47 _____
48 Clerk of Council

49 Approved: _____
50 _____
51 Mayor