

NEW LEGISLATION

March 27, 2017

Temp. No.	Introduced	Committee	Description
B-25	3/27/17	PZ	An ordinance accepting the Planning Commission approval, findings and conditions of the site plan for the construction of a 62-unit senior apartment complex at 320 Pleasant Meadow Boulevard and on Parcel 35-00578, and declaring an emergency.
B-26	3/27/17	PZ	An ordinance accepting the Planning Commission approval, findings and conditions of the site plan for the construction of a 28,437 square foot warehouse and parking lot expansion at 89 Cuyahoga Falls Industrial Parkway and on Parcels 35-06268, 35-06252 and 35-05933, and declaring an emergency.
B-27	3/27/17	Fin	An ordinance authorizing the Mayor to enter into a contract or contracts to purchase property in connection with the Dickerson Run Nature Preserve Project, and declaring an emergency.
B-28	3/27/17	PA	An ordinance authorizing the Parks and Recreation Board to apply for and accept a grant from the Department of Natural Resources, and declaring an emergency.
B-29	3/27/17	CD	An ordinance authorizing the City of Cuyahoga Falls to transfer real property to the Community Improvement Corporation of Cuyahoga Falls to facilitate the development of the property, and declaring an emergency.

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CALENDAR

March 27, 2017

The following legislation will be up for passage at the Council Meeting on March 27, 2017.

Temp. No.	Introduced	Committee	Description
B-15*	2/13/17	CD	Creating a Tax Increment Financing Incentive District; declaring improvements to the parcels within the Incentive District to be a public purpose and exempt from real property taxation; requiring the owners of those parcels to make service payments in lieu of taxes; establishing a Municipal Public Improvement Tax Increment Equivalent Fund for the deposit of those service payments; and specifying the public infrastructure improvements that benefit or serve parcels in the Incentive District.
B-16	2/27/17	PZ	An ordinance authorizing and approving the Hunter Parkway Preliminary/Final Subdivision Plat and Improvement Plans on Parcel 35-05868, and declaring an emergency.
B-20	3/13/17	PZ	An ordinance accepting the Planning Commission approval, findings and conditions of the site plan for the reconstruction of the Walsh Jesuit High School Football Stadium Complex at 4550 Wyoga Lake Road on Parcel 37-00026, and declaring an emergency.
B-21	3/13/17	Fin	An ordinance authorizing the Mayor to enter into a contract, without competitive bidding, with Clean Air Concepts for the lease and/or purchase of vehicle exhaust capture systems for use by the Fire Department, and declaring an emergency.
B-22	3/13/17	Fin	An ordinance authorizing the Director of Public Safety to enter into a contract or contracts, without competitive bidding, with TASER International, Inc. for the purchase of the TASER 60 Plan for use by

the City's safety forces, and declaring an emergency.

B-23 3/13/17 PI

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the Downtown Transformation Design-Build Project, and declaring an emergency.

B-24 3/13/17 CD

An ordinance authorizing the Mayor to enter into a Pipeline Initiative Grant Agreement for up to \$12,000.00 with the Ohio History Connection and to appropriate and authorize the payment of the grant funds, and declaring an emergency.

*Public Hearing 3-20-17

PENDING LEGISLATION

March 20, 2017

Temp. No.	Introduced	Committee	Description
B-15*	2/13/17	CD	Creating a Tax Increment Financing Incentive District; declaring improvements to the parcels within the Incentive District to be a public purpose and exempt from real property taxation; requiring the owners of those parcels to make service payments in lieu of taxes; establishing a Municipal Public Improvement Tax Increment Equivalent Fund for the deposit of those service payments; and specifying the public infrastructure improvements that benefit or serve parcels in the Incentive District.
B-16	2/27/17	PZ	An ordinance authorizing and approving the Hunter Parkway Preliminary/Final Subdivision Plat and Improvement Plans on Parcel 35-05868, and declaring an emergency.
B-20	3/13/17	PZ	An ordinance accepting the Planning Commission approval, findings and conditions of the site plan for the reconstruction of the Walsh Jesuit High School Football Stadium Complex at 4550 Wyoga Lake Road on Parcel 37-00026, and declaring an emergency.
B-21	3/13/17	Fin	An ordinance authorizing the Mayor to enter into a contract, without competitive bidding, with Clean Air Concepts for the lease and/or purchase of vehicle exhaust capture systems for use by the Fire Department, and declaring an emergency.
B-22	3/13/17	Fin	An ordinance authorizing the Director of Public Safety to enter into a contract or contracts, without competitive bidding, with TASER International, Inc. for the purchase of the TASER 60 Plan for use by

the City's safety forces, and declaring an emergency.

B-23 3/13/17 PI

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the Downtown Transformation Design-Build Project, and declaring an emergency.

B-24 3/13/17 CD

An ordinance authorizing the Mayor to enter into a Pipeline Initiative Grant Agreement for up to \$12,000.00 with the Ohio History Connection and to appropriate and authorize the payment of the grant funds, and declaring an emergency.

*Public Hearing 3-20-17

4
5 CITY OF CUYAHOGA FALLS, OHIO

6
7 ORDINANCE NO. - 2017

8
9 AN ORDINANCE ACCEPTING THE PLANNING COMMISSION
10 APPROVAL, FINDINGS AND CONDITIONS OF THE SITE PLAN
11 FOR THE CONSTRUCTION OF A 62-UNIT SENIOR APARTMENT
12 COMPLEX AT 320 PLEASANT MEADOW BOULEVARD AND ON
13 PARCEL 35-00578, AND DECLARING AN EMERGENCY.

14
15 WHEREAS, the Charter of the City of Cuyahoga Falls requires that all decisions made by
16 the Planning Commission be submitted to Council; and

17
18 WHEREAS, on March 21, 2017, the Planning Commission recommended approval of the
19 site plan for the construction of a 62-unit senior apartment complex at 320 Pleasant
20 Meadow Boulevard and on Parcel 35-00578; and

21
22 WHEREAS, such approval is given subject to conditions subsequent to be satisfied; and

23
24 WHEREAS, such approval is necessary to determine that the site plan is satisfactory,
25 serves the public interest, and is acceptable for recording.

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

29
30 Section 1. The City Council approves the site plan for the construction of a 62-unit
31 senior apartment complex at 320 Pleasant Meadow Boulevard in accordance with R-5
32 Mixed-Density Residential zoning district requirements and in accordance with Cuyahoga
33 Falls General Development Code regulations as stipulated in the Codified Ordinances of the
34 City of Cuyahoga Falls and as approved by the Planning Commission as per the plans and
35 final stipulations contained in Project File MSP-16-00039.

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

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

48
49 Section 4. This ordinance is hereby declared to be an emergency measure necessary
50 for the preservation of the public peace, health, safety, convenience and welfare of the City
51 of Cuyahoga Falls and the inhabitants thereof, for the reason that it is immediately
52 necessary to permit timely and appropriate development of this property, and provided it

53 receives the affirmative vote of two thirds of the members elected or appointed to Council, it
54 shall take effect and be in force immediately upon its passage and approval by the Mayor;
55 otherwise it shall take effect and be in force at the earliest period allowed by law.

56

57

58 Passed: _____

President of Council

60

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62

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Clerk of Council

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66 Approved: _____

Mayor

67

68

69 3/27/17

70 O:\2017ords\MSP-16-00039 Falls Senior Site Plan.doc

4
5 CITY OF CUYAHOGA FALLS, OHIO

6
7 ORDINANCE NO. - 2017

8
9 AN ORDINANCE ACCEPTING THE PLANNING COMMISSION
10 APPROVAL, FINDINGS AND CONDITIONS OF THE SITE PLAN
11 FOR THE CONSTRUCTION OF A 28,437 SQUARE FOOT
12 WAREHOUSE AND PARKING LOT EXPANSION AT 89
13 CUYAHOGA FALLS INDUSTRIAL PARKWAY AND ON PARCELS
14 35-06268, 35-06252 AND 35-05933, AND DECLARING AN
15 EMERGENCY.

16
17 WHEREAS, the Charter of the City of Cuyahoga Falls requires that all decisions made by
18 the Planning Commission be submitted to Council; and

19
20 WHEREAS, on March 21, 2017, the Planning Commission recommended approval of the
21 site plan for the construction of a 28,437 square foot warehouse and parking lot expansion
22 at 89 Cuyahoga Falls Industrial Parkway and on Parcels 35-06268, 35-06252 and 35-
23 05933; and

24
25 WHEREAS, such approval is given subject to conditions subsequent to be satisfied; and

26
27 WHEREAS, such approval is necessary to determine that the site plan is satisfactory,
28 serves the public interest, and is acceptable for recording.

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

32
33 Section 1. The City Council approves the site plan approval for the construction of a
34 28,437 square foot warehouse and parking lot expansion at 89 Cuyahoga Falls Industrial
35 Parkway in accordance with E-1 Employment zoning district requirements and in
36 accordance with Cuyahoga Falls General Development Code regulations as stipulated in the
37 Codified Ordinances of the City of Cuyahoga Falls and as approved by the Planning
38 Commission as per the plans and final stipulations contained in Project File MSP-17-00005.

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

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

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4 CITY OF CUYAHOGA FALLS, OHIO

5
6 ORDINANCE NO. -2017

7
8 AN ORDINANCE AUTHORIZING THE MAYOR TO
9 ENTER INTO A CONTRACT OR CONTRACTS TO
10 PURCHASE PROPERTY IN CONNECTION WITH
11 THE DICKERSON RUN NATURE PRESERVE
12 PROJECT, AND DECLARING AN EMERGENCY.

13
14 WHEREAS, the City has applied for the Clean Ohio Conservation Fund grant which will
15 enable the City to preserve the approximately 40-acre Dickerson Run Nature Preserve, which is
16 nestled along the Haas Road entrance to the Cuyahoga Valley National Park; and

17
18 WHEREAS, the Ohio Public Works Commission (OPWC) Clean Ohio Conservation Fund
19 grant is highly competitive; and

20
21 WHEREAS, by entering into a Real Estate Purchase Contract, the City desires to
22 demonstrate to the OPWC its serious commitment to preserving the property's natural
23 integrity.

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

27
28 Section 1. The Council hereby authorizes the Mayor to enter into a contract or contracts
29 for the purchase of property in connection with the Dickerson Run Nature Preserve Project as
30 described in Exhibit A attached to this ordinance, together with such revisions, additions or
31 amendments as are approved by the Director of Law as being consistent with the objectives
32 and requirements of this ordinance. The amount of the purchase shall not exceed
33 \$1,061,000.00 and is contingent upon the City obtaining and receiving grant funds through
34 the Clean Ohio Conservation Fund.

35
36 Section 2. The Mayor, Director of Law, Director of Finance, and other City officials as
37 appropriate, be and are hereby authorized to provide such information and to execute such
38 other actions as are necessary for and incidental to carrying out the requirements of this
39 ordinance and the terms of the Real Estate Purchase Contract.

40
41 Section 3. Any other ordinances and resolutions or portion of ordinances and resolutions
42 inconsistent herewith are hereby repealed, but any ordinances and resolutions or portions of
43 ordinances and resolutions not inconsistent herewith and which have not previously been
44 repealed are hereby ratified and confirmed.

45
46 Section 4. It is found and determined that all formal actions of this Council concerning
47 and relating to the adoption of this ordinance were adopted in an open meeting of this Council
48 and that all deliberations of this Council and of any of its committees that resulted in such
49 formal action were in meetings open to the public, in compliance with all legal requirements
50 including Chapter 107 of the Codified Ordinances.

51
52 Section 5. This ordinance is hereby declared to be an emergency measure necessary for
53 the preservation of the public peace, health, safety, convenience and welfare of the City of
54 Cuyahoga Falls and the inhabitants thereof, and provided it receives the affirmative vote of
55 two-thirds of the members elected or appointed to Council, it shall take effect and be in force

56 immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be
57 in force at the earliest period allowed by law.

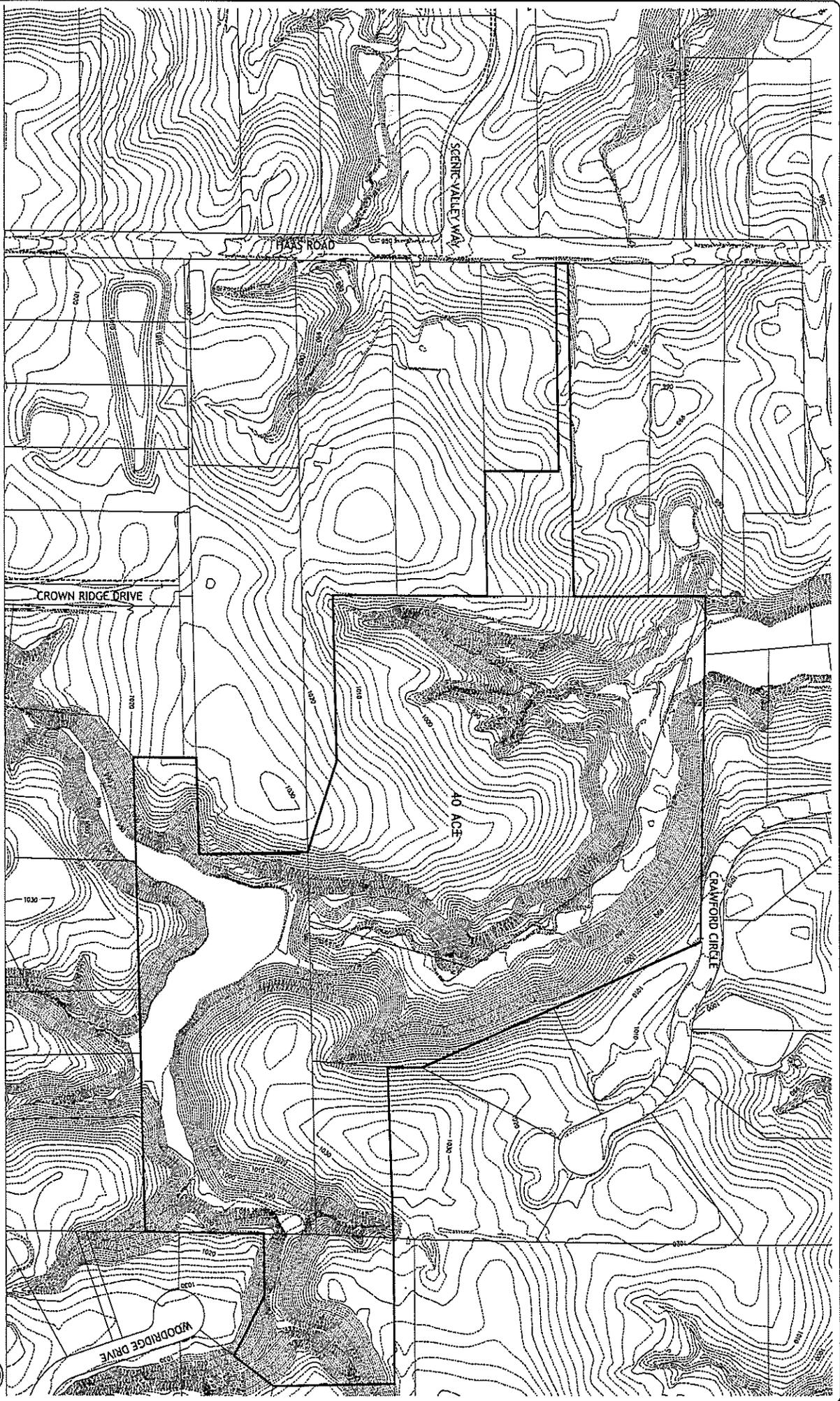
58
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60 Passed: _____
61 _____
62 President of Council

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64 _____
65 Clerk of Council
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68 Approved: _____
69 _____
70 Mayor

71 3/27/17
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Haas Road Parcel

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5 CITY OF CUYAHOGA FALLS, OHIO

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7 ORDINANCE NO. - 2017

8
9 AN ORDINANCE AUTHORIZING THE PARKS AND
10 RECREATION BOARD TO APPLY FOR AND ACCEPT
11 A GRANT FROM THE DEPARTMENT OF NATURAL
12 RESOURCES, AND DECLARING AN EMERGENCY.
13

14 WHEREAS, the State of Ohio, through the Ohio Department of Natural
15 Resources, administers financial assistance for public recreation purposes
16 through the State of Ohio NatureWorks Program, and
17

18 WHEREAS, the City of Cuyahoga Falls desires financial assistance under
19 the NatureWorks Program.
20

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

24 Section 1. The Parks and Recreation Board is hereby authorized to apply
25 for and enter into agreements for grant funding from the NatureWorks Grant
26 Program administered through the Ohio Department of Natural Resources for
27 the construction of the Kennedy Park Tennis Court.
28

29 Section 2. The Parks and Recreation Board is hereby authorized to execute,
30 certify and/or furnish other such documents and do all other actions as are
31 necessary to further the grant application and grant agreements referred to in
32 Section 1 of this ordinance, and which are incidental to carrying out the
33 purposes of this ordinance.
34

35 Section 3. The City does agree to obligate the funds required to
36 satisfactorily complete the project and become eligible for reimbursement under
37 the terms of the NatureWorks Program.
38

39 Section 4. Any other ordinances and resolutions or portions of ordinances
40 and resolutions inconsistent herewith are hereby repealed, but any ordinances
41 and resolutions or portions of ordinances and resolutions not inconsistent
42 herewith and which have not previously been repealed are hereby ratified and
43 confirmed.
44

45 Section 5. It is found and determined that all formal actions of this Council
46 concerning and relating to the adoption of this resolution were adopted in an
47 open meeting of this Council and that all deliberations of this Council and of
48 any of its committees that resulted in such formal action were in meetings open
49 to the public, in compliance with all legal requirements including Chapter 107
50 of the Codified Ordinances.
51

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

59

60

61 Passed: _____

President of Council

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64

Clerk of Council

65

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67 Approved: _____

Mayor

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70 3/27/17

71 O:\2017ords\NatureWorks Kennedy Park Tennis Court.doc

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4 CITY OF CUYAHOGA FALLS, OHIO

5
6 ORDINANCE NO. - 2017

7
8 AN ORDINANCE AUTHORIZING THE CITY OF CUYAHOGA
9 FALLS TO TRANSFER REAL PROPERTY TO THE COMMUNITY
10 IMPROVEMENT CORPORATION OF CUYAHOGA FALLS TO
11 FACILITATE THE DEVELOPMENT OF THE PROPERTY, AND
12 DECLARING AN EMERGENCY.
13

14
15 WHEREAS, certain real property owned by the City of Cuyahoga Falls is no longer needed
16 for public purpose; and
17

18 WHEREAS, pursuant to Chapter 1724 of the Ohio Revised Code, and as authorized by
19 Resolution No. 40-1970, the Community Improvement Corporation of Cuyahoga Falls, Ohio (CIC)
20 was duly designated by the City of Cuyahoga Falls, Ohio as the City’s agency for industrial,
21 commercial, distribution, and research development in the City of Cuyahoga Falls; and
22

23 WHEREAS, one of the many goals of the CIC is to strive for assisting the economic growth
24 in the Cuyahoga Falls community; and
25

26 WHEREAS, under Ohio Revised Code Chapter 1724, the City of Cuyahoga Falls may
27 designate the CIC as its agent in order to sell, lease, transfer or dispose of property; and
28

29 WHEREAS, the owner of the property immediately next to the described lot has expressed
30 interest in purchasing the property; and
31

32 WHEREAS, the property could be incorporated into a larger project that has been
33 ongoing; and
34

35 WHEREAS, the proposed plan would foster economic growth in the City of Cuyahoga
36 Falls; and
37

38 WHEREAS, the potential buyer has agreed to enter into an agreement allowing the City of
39 Cuyahoga Falls to retain valuable easements for utility and bridge maintenance.
40

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

44 Section 1. The real property described in Exhibit A, attached hereto and made a part of
45 this Ordinance, is hereby determined no longer needed for public purpose by the City of
46 Cuyahoga Falls.
47

48 Section 2. The use of the above described parcel for redevelopment will assist in
49 promoting the general welfare of the people of Cuyahoga Falls, Ohio by providing employment and
50 commercial development.
51

52 Section 3. The Mayor, Director of Community Development, Director of Law, and other
53 City officials, as appropriate, be and are hereby authorized to execute, certify and/or furnish
54 other such documents and do all other actions as are necessary to transfer the property to the
55 Community Improvement Corporation of Cuyahoga Falls for purposes set forth in this ordinance.
56

57 Section 4. Any other ordinances and resolutions or portions of ordinances and
58 resolutions inconsistent herewith are hereby repealed, but any ordinances and resolutions or
59 portions of ordinances and resolutions not inconsistent herewith and which have not previously
60 been repealed are hereby ratified and confirmed.
61

EXHIBIT A

Situated in the City of Cuyahoga Falls, formerly the Village of Silver Lake, County of Summit and State of Ohio and known as being part of Original Lot 13 of Stow Township, and bound and described as follows:

Beginning at the intersection of the Southern right of way line of Front St. (width varies) with the Westerly right of way line of Oak Park Blvd. (50' R/W) as recorded in Cuyahoga River Estates, P.B. 28, PG. 60-63 of Summit County records; thence Southerly along the Westerly right of way line of said Oak Park Blvd. to the center of the Cuyahoga River; thence Westerly downstream along the center of said river approximately 25 feet; thence Northerly along the Easterly line of a parcel now of formerly owned by Albert O. Klaben Jr., Trustee as recorded in Rec. 56133806 of Summit County records to the Southern right of way line of said Front St.; thence Easterly along said Front St. right of way 25 feet to the place of beginning.

Also known as being Parcel No. 2 of land deeded to the City of Cuyahoga Falls as recorded in D.V. 2638, Pg. 325-326 of Summit County records.