

NEW LEGISLATION

December 9, 2019

Temp. No.	Introduced	Committee	Description
B-95	12/9/19	PZ	An ordinance authorizing and approving the conditional zoning certificate for Falls Motor City to construct and operate an outdoor sales lot at 85 East Steels Corners Road (Parcel 35-06562) in an MU-3 Sub-Urban Center District, and declaring an emergency.
B-96	12/9/19	PZ	An ordinance recommending the approval of the Cuyahoga Falls Public Art Master Plan, and declaring an emergency.
B-97	12/9/19	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the purchase of the City's requirements of certain services, materials and supplies for use by the Water and Sewer Division during 2020, and declaring an emergency.
B-98	12/9/19	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the purchase of the City's requirements for certain materials, supplies, and equipment for use by the Electric Division during 2020, and declaring an emergency.
B-99	12/9/19	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the purchase of annual requirements of certain materials and supplies for use by the Street Department during 2020, and declaring an emergency.
B-100	12/9/19	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the purchase of annual requirements of certain materials and supplies for use by

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the Division of Sanitation during 2020, and declaring an emergency.

B-101	12/9/19	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the purchase of annual requirements of certain materials, supplies and services for use by the Garage Division during 2020, and declaring an emergency.
B-102	12/9/19	Fin	An ordinance authorizing the Director of Public Safety or the Director of Public Service to enter into a contract or contracts, according to law, for the purchase or lease of various vehicles and related equipment for use by the City, and declaring an emergency.
B-103	12/9/19	Fin	An ordinance providing for supplemental and/or amended appropriations of money for current operating expenses and capital expenditures of the City of Cuyahoga Falls, and authorizing the transfer of appropriations within and for the various funds hereinafter set forth, and declaring an emergency.
B-104	12/9/19	Fin	A resolution requesting the Summit County Fiscal Officer to make advance distribution of tax receipts payable to the City of Cuyahoga Falls, and declaring an emergency.
B-105	12/9/19	Fin	An ordinance levying special assessments for the repair or replacement of sidewalks and drive approaches in the Sidewalk and Drive Approach Repair and Replacement District, for the year 2019, and declaring an emergency.
B-106	12/9/19	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts without competitive bidding with UniFirst Corporation, for flame resistant uniform rental and washing for use by the Electric Department, and declaring an emergency.

B-107	12/9/19	Fin	An ordinance re-assigning the non-bargaining position of Police Captain to the appropriate pay grade within the classification and compensation plan, amending Exhibit "A" of Ordinance 116-2018, and declaring an emergency.
B-108	12/9/19	PI	A resolution creating for the year 2020 a Sidewalk and Drive Approach Repair or Replacement District containing such streets, alleys, or public roadways within the corporate limits of the City of Cuyahoga Falls, declaring the necessity of repairing or replacing the sidewalks and drive approaches abutting on such streets, alleys or public roadways within said corporate limits and providing the method for levying special assessments, and declaring an emergency.
B-109	12/9/19	PI	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the replacement or adjustment of concrete sidewalks, drive approaches and curbs at various locations in the City of Cuyahoga Falls, and declaring an emergency.
B-110	12/9/19	CD	An ordinance authorizing the Mayor to enter into an Enterprise Zone Tax Incentive Agreement with Kyocera SGS Precision Tools, Inc. and the County of Summit, and declaring an emergency.

CALENDAR

December 9, 2019

The following legislation will be up for passage at the Council Meeting on December 9, 2019.

Temp. No.	Introduced	Committee	Description
B-79	10/28/19	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, 2020, and declaring an emergency.
B-94	11/25/19	PA	An ordinance authorizing the Mayor to grant a license to the Boulder Estates Homeowners Association for the purpose of constructing and maintaining an allotment sign and landscape bed in a portion of the City Right-of-Way, and declaring an emergency.

PENDING LEGISLATION

December 9, 2019

Temp. No.	Introduced	Committee	Description
B-79	10/28/19	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, 2020, and declaring an emergency.
B-93	11/25/19	PI	An ordinance authorizing the Mayor, as Director of Public Safety, to enter into a contract or contracts, according to law, for the installation of a new roof at Fire Station 4, located at 3089 Northampton Road, and declaring an emergency.
B-94	11/25/19	PA	An ordinance authorizing the Mayor to grant a license to the Boulder Estates Homeowners Association for the purpose of constructing and maintaining an allotment sign and landscape bed in a portion of the City Right-of-Way, and declaring an emergency.

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5 CITY OF CUYAHOGA FALLS, OHIO

6
7 ORDINANCE NO. - 2019

8
9 AN ORDINANCE AUTHORIZING AND APPROVING THE
10 CONDITIONAL ZONING CERTIFICATE FOR FALLS MOTOR CITY
11 TO CONSTRUCT AND OPERATE AN OUTDOOR SALES LOT AT 85
12 EAST STEELS CORNERS ROAD (PARCEL 35-06562) IN AN MU-3
13 SUB-URBAN CENTER DISTRICT, AND DECLARING AN
14 EMERGENCY.

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

18
19 WHEREAS, conditional zoning certificate reviews by the Planning Commission are required of all
20 development of land within the City of Cuyahoga Falls, Ohio, according to Sections 1113.08 of the Cuyahoga
21 Falls General Development; and

22
23 WHEREAS, on December 3, 2019 the Planning Commission recommended a conditional zoning
24 certificate for Falls Motor City to construct and operate an outdoor sales lot at 85 East Steels Corners Road
25 (Parcel 35-06562), within the City of Cuyahoga Falls, Ohio.

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

29
30 Section 1. The City Council approves the conditional zoning certificate for Falls Motor City to
31 construct and operate an outdoor sales lot at 85 East Steels Corners Road (Parcel 35-06562) in an MU-3
32 Sub-Urban Center District, within the City of Cuyahoga Falls, Ohio, in accordance with such district and
33 zoning regulations as stipulated in the Codified Ordinances of the City of Cuyahoga Falls as approved by the
34 Planning Commission as per the plans and stipulations contained in File CZ-19-00062.

35
36 Section 2. Any other ordinances or resolutions or portions of ordinances and resolutions inconsistent
37 herewith are hereby repealed, but any ordinances and resolutions not inconsistent herewith and which have
38 not previously been repealed are hereby ratified and confirmed.

39
40 Section 3. It is found and determined that all formal actions of this Council concerning and relating to
41 the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of
42 this Council and of any of its committees that resulted in such formal action, were in meetings open to the
43 public, in compliance with all legal requirements, to the extent applicable, including Chapter 107 of the
44 Codified Ordinances.

45
46 Section 4. This ordinance is hereby declared to be an emergency measure necessary for the
47 preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga Falls and
48 the inhabitants thereof, for the reason that it is immediately necessary to permit timely and appropriate
49 development of this property, and provided it receives the affirmative vote of two thirds of the members
50 elected or appointed to Council, it shall take effect and be in force immediately upon its passage and
51 approval by the Mayor; otherwise it shall take effect and be in force at the earliest period allowed by law.

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54 Passed: _____
55 _____
56 President of Council

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58 _____
59 Clerk of Council

60 Approved: _____
61 _____
62 Mayor

63 12/9/2019

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5 CITY OF CUYAHOGA FALLS, OHIO

6
7 ORDINANCE NO. - 2019

8
9 AN ORDINANCE RECOMMENDING THE APPROVAL OF THE
10 CUYAHOGA FALLS PUBLIC ART MASTER PLAN, AND DECLARING
11 AN EMERGENCY.
12

13
14 WHEREAS, the Charter of the City of Cuyahoga Falls requires that all decisions made by the Planning
15 Commission be submitted to Council; and
16

17 WHEREAS, the Planning Commission is required to review and provide a recommendation for all land
18 use planning and development in the City of Cuyahoga Falls, Ohio; and
19

20 WHEREAS, on December 3, 2019 the Planning Commission recommended approval of the Cuyahoga
21 Falls Public Art Master Plan for the City of Cuyahoga Falls, Ohio; and
22

23 WHEREAS, the Cuyahoga Falls Public Art Master Plan sets forth a long-range plan to advance public art
24 within the City of Cuyahoga Falls; and
25

26 WHEREAS, the Cuyahoga Falls Public Art Master Plan includes creative implementation strategies and
27 designates roles and responsibilities to advance public art in the City of Cuyahoga Falls.
28

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

32 Section 1. The City Council recommends the approval of the Cuyahoga Falls Public Art Master Plan as
33 contained in File PZ-19-00066 in order to advance public art and public art management within the City of
34 Cuyahoga Falls.
35

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

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

46 Section 4. This ordinance is hereby declared to be an emergency measure necessary for the
47 preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga Falls and
48 the inhabitants thereof, and provided it receives the affirmative vote of two thirds of the members elected or
49 appointed to Council, it shall take effect and be in force immediately upon its passage and approval by the
50 Mayor; otherwise it shall take effect and be in force at the earliest period allowed by law.
51

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53 Passed: _____

President of Council

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58 Clerk of Council
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61 Approved: _____

Mayor

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63
64 12/9/19

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3 CITY OF CUYAHOGA FALLS, OHIO

4
5 ORDINANCE NO - 2019

6
7 AN ORDINANCE AUTHORIZING THE DIRECTOR OF
8 PUBLIC SERVICE TO ENTER INTO A CONTRACT OR
9 CONTRACTS, ACCORDING TO LAW, FOR THE
10 PURCHASE OF THE CITY'S REQUIREMENTS OF
11 CERTAIN SERVICES, MATERIALS AND SUPPLIES
12 FOR USE BY THE WATER AND SEWER DIVISION
13 DURING 2020, AND DECLARING AN EMERGENCY.

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

17
18 Section 1. The Director of Public Service is hereby authorized to enter into a
19 contract or contracts, according to law, for the purchase of the City's
20 requirements for the following services, materials and supplies for use by the
21 Water and Sewer Division during 2020:

- 22
- 23 Water Treatment Chemicals
- 24 Utility Patch Program
- 25 Meters and Related Materials
- 26 Miscellaneous Equipment, Repairs, and Repair Parts
- 27 Waterline and Sewer Line Supplies
- 28 Fire Hydrants and Related Materials
- 29

30 Notwithstanding and as an exception to Section 181.06 of the Codified
31 Ordinances, expenditures made under the contracts authorized by this
32 ordinance shall not exceed, in the aggregate, \$794,325, without further consent
33 of City Council by ordinance.

34
35 Section 2. The Director of Finance is hereby authorized and directed to
36 make payment for same from the Water Fund and Sewer Fund, line item Other
37 Operations.

38
39 Section 3. 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 4. 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
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.

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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

12/9/19
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3 CITY OF CUYAHOGA FALLS, OHIO

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5 ORDINANCE NO. - 2019

6
7 AN ORDINANCE AUTHORIZING THE DIRECTOR OF
8 PUBLIC SERVICE TO ENTER INTO A CONTRACT OR
9 CONTRACTS, ACCORDING TO LAW, FOR THE
10 PURCHASE OF THE CITY'S REQUIREMENTS FOR
11 CERTAIN MATERIALS, SUPPLIES, AND EQUIPMENT
12 FOR USE BY THE ELECTRIC DIVISION DURING
13 2020, AND DECLARING AN EMERGENCY.

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

17
18 Section 1. The Director of Public Service is hereby authorized to enter into a
19 contract or contracts, according to law, for the purchase of the City's
20 requirements for the following materials, supplies and equipment for use by the
21 Electric Division during 2020:

- | | | |
|----|-----------------------------|----------------------------------|
| 22 | | |
| 23 | Transformers | Watt-hour Meters |
| 24 | Meter Sockets | Instrument Transformers |
| 25 | Lamps | Luminaires |
| 26 | Cable and Wire | Line Material |
| 27 | Underground Material | Switches |
| 28 | Miscellaneous Hardware | Surge Arresters/Fault Indicators |
| 29 | Substation Batteries | Breaker Contacts |
| 30 | Rubber Protection Equipment | Climbing Equipment and Tools |
| 31 | Fuel | |
| 32 | | |

33 Notwithstanding and as an exception to Section 181.06 of the Codified
34 Ordinances, expenditures made under the contracts authorized by this
35 ordinance shall not exceed, in the aggregate, \$1,436,400, without further
36 consent of City Council by ordinance.

37
38 Section 2. The Director of Finance is hereby authorized and directed to
39 make payment for same from the Electric Fund, line items Other Operations
40 and Capital Outlay.

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

46
47 Section 4. It is found and determined that all formal actions of this Council
48 concerning and relating to the passage of this ordinance were taken in an open
49 meeting of this Council and that all deliberations of this Council and of any
50 committees that resulted in those formal actions were in meetings open to the

51 public, in compliance with all legal requirements including Chapter 107 of the
52 Codified Ordinances.

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

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63 Passed: _____
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65 President of Council

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68 Clerk of Council

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71 Approved: _____
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73 Mayor

74 12/9/19
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3 CITY OF CUYAHOGA FALLS, OHIO

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5 ORDINANCE NO - 2019

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7 AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC
8 SERVICE TO ENTER INTO A CONTRACT OR CONTRACTS,
9 ACCORDING TO LAW, FOR THE PURCHASE OF ANNUAL
10 REQUIREMENTS OF CERTAIN MATERIALS AND SUPPLIES FOR
11 USE BY THE STREET DEPARTMENT DURING 2020, AND
12 DECLARING AN EMERGENCY.

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

16
17 Section 1. The Director of Public Service is hereby authorized to enter into a contract or
18 contracts, according to law, for the purchase of the following materials and supplies for use by
19 the Street Department during 2020:

- 20
21 Rock Salt
22 Asphaltic Products
23

24 Section 2. The Director of Finance is hereby authorized and directed to make payment for
25 same from the SCMR Fund, line item Other Operations, State Highway Improvement Fund, line
26 item Other Operations, Motor Vehicle License Tax Fund, line item Other Operations and Capital
27 Projects Fund, line item Capital Outlay.

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

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

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

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48 Passed: _____
49 _____
50 President of Council

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53 Clerk of Council

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56 Approved: _____
57 _____
58 Mayor

59 12/9/19

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3 CITY OF CUYAHOGA FALLS, OHIO

4
5 ORDINANCE NO - 2019

6
7 AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC
8 SERVICE TO ENTER INTO A CONTRACT OR CONTRACTS,
9 ACCORDING TO LAW, FOR THE PURCHASE OF ANNUAL
10 REQUIREMENTS OF CERTAIN MATERIALS AND SUPPLIES FOR
11 USE BY THE DIVISION OF SANITATION DURING 2020, AND
12 DECLARING AN EMERGENCY.
13

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

16
17 Section 1. The Director of Public Service is hereby authorized to enter into a contract or
18 contracts, according to law, for the purchase of the following materials and supplies for use in the
19 Division of Sanitation during 2020:

20
21 Wheeled Refuse Containers

22
23 Notwithstanding and as an exception to Section 181.06 of the Codified Ordinances,
24 expenditures made under the contracts authorized by this ordinance shall not exceed, in the
25 aggregate, \$165,000, without further consent of City Council by ordinance.
26

27 Section 2. The Director of Finance is hereby authorized and directed to make payment for
28 same from the Sanitation Fund, line item Other Operations.
29

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

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

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

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55 Clerk of Council

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58 Approved: _____
59 _____
60 Mayor

61 12/9/19

51 provided it receives the affirmative vote of two-thirds of the members elected or
52 appointed to Council, it shall take effect and be in force immediately upon its passage
53 and approval by the Mayor; otherwise it shall take effect and be in force at the earliest
54 period allowed by law.
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57 Passed: _____
58 _____
59 President of Council
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62 Clerk of Council
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65 Approved: _____
66 _____
67 Mayor

68 12/9/19
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3 CITY OF CUYAHOGA FALLS, OHIO

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5 ORDINANCE NO. - 2019

6
7 AN ORDINANCE AUTHORIZING THE DIRECTOR OF
8 PUBLIC SERVICE TO ENTER INTO A CONTRACT OR
9 CONTRACTS, ACCORDING TO LAW, FOR THE PURCHASE
10 OF ANNUAL REQUIREMENTS OF CERTAIN MATERIALS,
11 SUPPLIES AND SERVICES FOR USE BY THE GARAGE
12 DIVISION DURING 2020, AND DECLARING AN
13 EMERGENCY.

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

17
18 Section 1. The Director of Public Service is hereby authorized to enter into a
19 contract or contracts, according to law, for the purchase of certain materials, supplies
20 and services for use by the Garage Division during 2020:

- 21 Fuel
- 22 Tires
- 23 Repairs
- 24 Parts
- 25
- 26

27 Notwithstanding and as an exception to Section 181.06 of the Codified Ordinances,
28 expenditures made under the contracts authorized by this ordinance shall not exceed,
29 in the aggregate, \$1,416,000, without further consent of City Council by ordinance.

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

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

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

45
46 Section 5. This ordinance is hereby declared to be an emergency measure
47 necessary for the preservation of the public peace, health, safety, convenience and
48 welfare of the City of Cuyahoga Falls and the inhabitants thereof for the reason that
49 the supplies and services are necessary for the daily functioning of the Municipal
50 Garage, and provided it receives the affirmative vote of two-thirds of the members

51 elected or appointed to Council, it shall take effect and be in force immediately upon
52 its passage and approval by the Mayor; otherwise it shall take effect and be in force at
53 the earliest period allowed by law.

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56 Passed: _____
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58 President of Council

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60 _____
61 Clerk of Council

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64 Approved: _____
65 _____
66 Mayor

67 12/9/19
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3 CITY OF CUYAHOGA FALLS, OHIO

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5 ORDINANCE NO. - 2019

6
7 AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC
8 SAFETY OR THE DIRECTOR OF PUBLIC SERVICE TO ENTER
9 INTO A CONTRACT OR CONTRACTS, ACCORDING TO LAW,
10 FOR THE PURCHASE OR LEASE OF VARIOUS VEHICLES AND
11 RELATED EQUIPMENT FOR USE BY THE CITY, AND
12 DECLARING AN EMERGENCY.

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

16
17 Section 1. The Director of Public Safety or Director of Public Service is hereby authorized to
18 enter into contracts for the purchase and/or lease of the vehicles and related equipment listed on
19 Exhibit A attached hereto. Notwithstanding and as an exception to Section 181.06 of the Codified
20 Ordinances, expenditures made under the contracts authorized by this ordinance shall not
21 exceed, in the aggregate, \$3,163,500, without further consent of City Council by ordinance.
22

23 Section 2. The Director of Finance is hereby directed to make payment for same out of
24 monies lawfully appropriated therefor, from the funds as indicated in Exhibit A.
25

26 Section 3. Any 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 passage of this ordinance were taken in an open meeting of this Council and that
32 all deliberations of this Council and of any committees that resulted in those formal actions were
33 in meetings open to the public, in compliance with all legal requirements including Chapter 107
34 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: _____
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46 President of Council

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49 Clerk of Council

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52 Approved _____
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54 Mayor

55 12/9/19

TEMPORARY ORDINANCE A-102

EXHIBIT A

<u>Department</u>	<u>Description</u>	<u>Budget</u>
Parks and Recreation	Pick-up Truck	\$ 40,000.00
	Super Duty Truck	\$ 55,000.00
	Tow Motor	\$ 30,000.00
	Ballfield Machine	\$ 36,000.00
	Skid Steer	\$ 58,000.00
	Trailer	\$ 12,000.00
	Zero Turn Mower	\$ 20,000.00
	Rear Mower Attachment	\$ 20,000.00
	Large Area Mower (Brookledge)	\$ 60,000.00
		Recreation Levy Fund - 206
	Leisure Time Fund - 605	\$ 60,000.00
Building and Grounds Maintenance	Truck	\$ 45,000.00
	Zero Turn Mower	\$ 16,000.00
		Capital Project Fund - 400
Police	(4) Police Vehicles	\$ 216,000.00
	(2) Detective Bureau Cars	\$ 62,500.00
		Capital Project Fund - 400
Fire	EMS Squad	\$ 280,000.00
	Staff Vehicles	\$ 80,000.00
	Job Site Vehicle	\$ 28,000.00
	Grass Fire Truck Pump Unit	\$ 15,000.00
		Capital Projects Fund - 400
Street	Tandem Axle Dump Truck with Plow	\$ 190,000.00
	(2) One Ton Pick-up Trucks with Plows	\$ 82,000.00
	Bucket Truck	\$ 100,000.00
	Leaf Machine	\$ 193,000.00
	Brine Tank Hook Lift Body	\$ 10,000.00
	Tractor / Mower	\$ 135,000.00
	Patching Machine	\$ 245,000.00
		Capital Project Fund - 400
Information Services	Sports Utility Vehicle	\$ 25,000.00
		Capital Projects Fund - 400

Sewer	3/4 Ton Pick-up Truck (1/2 Allocation)	\$	26,000.00
	Sewage and Disposal Fund - 601	\$	26,000.00
Water	3/4 Ton Pick-up Truck (1/2 Allocation)	\$	26,000.00
	1 1/2 Ton Super Duty Pick-up Truck	\$	64,000.00
	Water Fund - 602	\$	90,000.00
Electric	Line Truck	\$	245,000.00
	Pole Trailer	\$	21,000.00
	Electric Fund - 603	\$	266,000.00
Sanitation	Automated Side Loader	\$	331,000.00
	MultiPack Vehicle	\$	367,000.00
	Forklift	\$	30,000.00
	Sanitation Fund - 604	\$	728,000.00

Recreation Levy Fund - 206	\$	271,000.00
Capital Project Fund - 400	\$	1,722,500.00
Sewage and Disposal Fund - 601	\$	26,000.00
Water Fund - 602	\$	90,000.00
Electric Fund - 603	\$	266,000.00
Sanitation Fund - 604	\$	728,000.00
Leisure Time Fund - 605	\$	60,000.00
TOTAL	\$	3,163,500.00

2
3 CITY OF CUYAHOGA FALLS, OHIO

4
5 ORDINANCE NO. - 2019

6
7 AN ORDINANCE PROVIDING FOR SUPPLEMENTAL AND/OR
8 AMENDED APPROPRIATIONS OF MONEY FOR CURRENT
9 OPERATING EXPENSES AND CAPITAL EXPENDITURES OF THE
10 CITY OF CUYAHOGA FALLS, AND AUTHORIZING THE
11 TRANSFER OF APPROPRIATIONS WITHIN AND FOR THE
12 VARIOUS FUNDS HEREINAFTER SET FORTH, AND DECLARING
13 AN EMERGENCY.
14

15 WHEREAS, Article VI, Sections 7 and 8 of the City Charter provides that City Council
16 may revise, amend and supplement budgetary appropriations during the fiscal year, and may
17 authorize the transfer of unencumbered appropriations within various accounts.
18

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

22 Section 1. In order to provide money to pay employee compensation, other expenses
23 and capital expenditures during the fiscal year 2019, money is hereby appropriated, re-
24 appropriated and transferred from the unexpended appropriations and from the un-appropriated
25 fund balances of the departments or divisions as set forth in Exhibits A and B attached hereto
26 and made a part hereof.
27

28 Section 2. Any other ordinances and resolutions or portions of ordinances and
29 resolutions inconsistent herewith are hereby repealed, but any ordinances and resolutions or
30 portions of ordinances and resolutions not inconsistent herewith and which have not previously
31 been repealed are hereby ratified and confirmed.
32

33 Section 3. It is found and determined that all formal actions of this Council concerning
34 and relating to the adoption of this ordinance were adopted in an open meeting of this Council
35 and that all deliberations of this Council and of any of its committees that resulted in such formal
36 action were in meetings open to the public, in compliance with all legal requirements including
37 Chapter 107 of the Codified Ordinances.
38

39 Section 4. This ordinance is hereby declared to be an emergency measure necessary for
40 the preservation of the public peace, health, safety, convenience and welfare of the City of
41 Cuyahoga Falls and the inhabitants thereof, and provided it receives the affirmative vote of
42 two-thirds of the members elected or appointed to Council, it shall take effect and be in force
43 immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in
44 force at the earliest period allowed by law.
45
46

47 Passed: _____
48 _____
49 President of Council

50
51 _____
52 Clerk of Council

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54
55 Approved: _____
56 _____
57 Mayor

58 12/9/19

2
3 CITY OF CUYAHOGA FALLS, OHIO

4
5 RESOLUTION NO. - 2019

6
7 A RESOLUTION REQUESTING THE SUMMIT COUNTY FISCAL
8 OFFICER TO MAKE ADVANCE DISTRIBUTION OF TAX
9 RECEIPTS PAYABLE TO THE CITY OF CUYAHOGA FALLS, AND
10 DECLARING AN EMERGENCY.

11
12 WHEREAS, Ohio Revised Code §321.33 provides for semi-annual distribution of tax receipts
13 collected by the County Fiscal Officer and payable to the City of Cuyahoga Falls, and
14

15 WHEREAS, Ohio Revised Code §321.34 provides that when local authorities by resolution so
16 request, the County Fiscal Officer shall make advance payment of tax receipts that are in the
17 county treasury to the credit of the account of the local authority, to the extent such tax receipts
18 are lawfully applicable to the purpose of the current fiscal year in which the request is made.
19

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

23 Section 1. In accordance with Ohio Revised Code §321.34, the City of Cuyahoga Falls
24 hereby requests that the County Fiscal Officer make advance distribution of local tax receipts
25 now in collection and normally payable in 2020, for the 2019 tax year.
26

27 Section 2. It is found and determined that all formal actions of this Council concerning and
28 relating to the adoption of this resolution were adopted in an open meeting of this Council and
29 that all deliberations of this Council and of any of its committees that resulted in such formal
30 action were in meetings open to the public, in compliance with all legal requirements including
31 Chapter 107 of the Codified Ordinances.
32

33 Section 3. This resolution is hereby declared to be an emergency measure necessary for the
34 preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga
35 Falls and the inhabitants thereof, and provided it received the affirmative vote of two-thirds of
36 the members elected or appointed to Council, it shall take effect and be in force immediately
37 upon its passage and approval by the Mayor; otherwise it shall take effect and be in force at the
38 earliest period allowed by law.
39

40
41 Passed: _____
42 _____
43 President of Council

44 _____
45 Clerk of Council

46
47 Approved: _____
48 _____
49 Mayor

50 12/9/19

2
3 CITY OF CUYAHOGA FALLS, OHIO

4
5 ORDINANCE NO. - 2019

6
7 AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR
8 THE REPAIR OR REPLACEMENT OF SIDEWALKS AND
9 DRIVE APPROACHES IN THE SIDEWALK AND DRIVE
10 APPROACH REPAIR AND REPLACEMENT DISTRICT, FOR
11 THE YEAR 2019, AND DECLARING AN EMERGENCY.

12
13 WHEREAS, Resolution No. 15-2018, adopted by the Council of the City of Cuyahoga
14 Falls on December 26, 2019, created the Sidewalk and Drive Approach Repair and
15 Replacement District for the year 2019, and determined the necessity of adjusting or
16 replacing certain sidewalks and drive approaches within the district; and

17
18 WHEREAS, such sidewalks and drive approaches within the district have been
19 repaired or replaced.

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

23
24 Section 1. The portion of the total cost and expense of repairing or replacing
25 sidewalks and drive approaches located within the Sidewalk and Drive Approach Repair
26 and Replacement District for the year 2019 to be paid for by special assessments is
27 hereby established at the rate of \$15.00 per linear foot for replacement of sidewalks and
28 \$7.00 per square foot for drive approaches. That portion of the total cost of the
29 improvement to be paid for by special assessments is hereby levied and assessed upon
30 the lots and lands provided for in the schedule of special assessments now on file with
31 the Clerk of Council, which special assessments are in proportion to the special benefits
32 and are not in excess of any statutory limitation and which are hereby adopted and
33 confirmed.

34
35 Section 2. The assessment against each lot or parcel of land shall be payable in
36 cash within thirty (30) days from the levy thereof in the office of the Finance Director
37 with the further provision that all assessments thereof remaining unpaid at the
38 expiration of said thirty days shall be certified by the Clerk of Council to the County
39 Fiscal Officer to be placed on the tax duplicate and collected in two (2) semi-annual
40 installments.

41
42 Section 3. A certified copy of this ordinance shall be provided to the County Fiscal
43 Officer by the Clerk of Council within twenty (20) days after its passage.

44
45 Section 4. Any other ordinances or resolutions or portions of ordinances and
46 resolutions inconsistent herewith are hereby repealed, but any ordinances and
47 resolutions not inconsistent herewith and which have not previously been repealed are
48 hereby ratified and confirmed.

49
50 Section 5. It is found and determined that all formal actions of this Council
51 concerning and relating to the adoption of this ordinance were adopted in an open
52 meeting of this Council and that all deliberations of this Council and of any of its
53 Committees that resulted in such formal action were in meetings open to the public in
54 compliance with all legal requirements including Chapter 107 of the Codified
55 Ordinances.

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Section 6. 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

12/9/19
\\cf-file01\ldpublic\2019ords\2020 Sidewalk Assessment.doc

2
3 CITY OF CUYAHOGA FALLS, OHIO

4
5 ORDINANCE NO. - 2019

6
7 AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC
8 SERVICE TO ENTER INTO A CONTRACT OR CONTRACTS
9 WITHOUT COMPETITIVE BIDDING WITH UNIFIRST
10 CORPORATION, FOR FLAME RESISTANT UNIFORM RENTAL
11 AND WASHING FOR USE BY THE ELECTRIC DEPARTMENT,
12 AND DECLARING AN EMERGENCY.
13

14 WHEREAS, the purchase by contract of the equipment, services, materials or supplies
15 identified herein is through participation in a contract between the vendor and the NJPA
16 (National Joint Power Alliance)/Sourcewell, and is thus exempt from competitive bidding
17 requirements pursuant to Ohio Revised Code §125.04.
18

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

21
22 Section 1. The Director of Public Service is hereby authorized to enter into a contract or
23 contracts without competitive bidding with UniFirst Corporation, on the basis of its proposal
24 dated November 22, 2019, for flame resistant uniform rental and washing for use by the Electric
25 Department.
26

27 Section 2. The Director of Finance is hereby authorized and directed to make payment for
28 same from Electric Fund, line item Other Operations.
29

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

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

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

48
49 Passed: _____
50 _____
51 President of Council

52
53 _____
54 Clerk of Council

55
56
57 Approved: _____
58 _____
59 Mayor

2
3 CITY OF CUYAHOGA FALLS, OHIO

4
5 ORDINANCE NO. - 2019

6
7 AN ORDINANCE RE-ASSIGNING THE NON-BARGAINING
8 POSITION OF POLICE CAPTAIN TO THE APPROPRIATE PAY
9 GRADE WITHIN THE CLASSIFICATION AND
10 COMPENSATION PLAN, AMENDING EXHIBIT "A" OF
11 ORDINANCE 116-2018, AND DECLARING AN EMERGENCY.
12

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

15
16 Section 1. The classified, non-exempt position of Police Captain is hereby amended
17 and placed in non-bargaining pay grade N33.
18

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

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

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

37
38 Passed: _____
39 _____
40 President of Council

41 _____
42 Clerk of Council

43
44 Approved: _____
45 _____
46 Mayor

46 12/9/19

2
3
4 CITY OF CUYAHOGA FALLS, OHIO

5
6 RESOLUTION NO. - 2019

7
8
9 A RESOLUTION CREATING FOR THE YEAR 2020 A SIDEWALK AND
10 DRIVE APPROACH REPAIR OR REPLACEMENT DISTRICT
11 CONTAINING SUCH STREETS, ALLEYS, OR PUBLIC ROADWAYS
12 WITHIN THE CORPORATE LIMITS OF THE CITY OF CUYAHOGA
13 FALLS, DECLARING THE NECESSITY OF REPAIRING OR
14 REPLACING THE SIDEWALKS AND DRIVE APPROACHES
15 ABUTTING ON SUCH STREETS, ALLEYS OR PUBLIC ROADWAYS
16 WITHIN SAID CORPORATE LIMITS AND PROVIDING THE METHOD
17 FOR LEVYING SPECIAL ASSESSMENTS, AND DECLARING AN
18 EMERGENCY.

19
20 WHEREAS, it is the opinion of this Council that certain sidewalks and drive approaches
21 abutting on the streets, alleys or public roadways within the City of Cuyahoga Falls are in
22 disrepair.

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

26
27 Section 1. A Sidewalk and Drive Approach Repair or Replacement District is hereby created for
28 the year 2020 containing those streets, alleys or public roadways within the corporate limits of the
29 City of Cuyahoga Falls, and declaring the necessity of repairing or replacing the sidewalks and
30 drive approaches abutting on such streets, alleys or public roadways, and to provide the method
31 for levying assessments and the right to object to or appeal said assessment.

32
33 Section 2. It is hereby declared that the repair or replacement of sidewalks and drive
34 approaches abutting on necessary streets, alleys and public roadways within the Sidewalk and
35 Drive Approach Repair or Replacement District is necessary and will be of general benefit within
36 the City and of special benefit to property owners abutting said sidewalks and drive approaches.

37
38 Section 3. Property abutting the necessary streets, alleys and public roadways receiving
39 sidewalk repair or replacement within the District may be assessed by the lineal foot of abutting
40 sidewalk at the rate of one-half of the total cost of installing or adjusting a linear foot of sidewalk,
41 with the remainder of such cost to be paid by the City. Property abutting the necessary streets,
42 alleys and public roadways receiving drive approach repair or replacement within the District may
43 be assessed by the square foot of drive approach at the rate of one-half of the total cost of installing
44 or adjusting a square foot of drive approach, with the remainder of such cost to be paid by the City.

45
46 Section 4. The assessment to be levied may be paid in full within thirty (30) days from the levy
47 thereof in the office of the City Director of Finance, and all assessments thereof remaining unpaid
48 at the expiration of said thirty (30) days shall be certified by the Clerk of Council to the County
49 Auditor to be placed by him on the tax duplicate and collected in two (2) semi-annual installments.

50
51 Section 5. Notice to the owners thereof shall be given by publishing the resolution establishing
52 a sidewalk and drive approach repair or replacement district and setting forth the portion of the
53 cost to be assessed, once each week for two weeks in a newspaper published and of general
54 circulation to the City.
55

56 Section 6. If an owner objects to an assessment, he shall file his objections in writing with the
57 Clerk of Council within ten (10) days after the last publication of the resolution as provided in
58 Section 915.03 of the Codified Ordinances of the City of Cuyahoga Falls, thereupon, Council shall
59 consider such objections and if they are found to be well taken, may remit such portion of the
60 assessment against the property of the objecting owner as is deemed just or may determine by
61 resolution that a portion or portions of the work described in the ordinance adopted pursuant to
62 Sections 915.01 or 915.02 shall not be done. Any deficiency arising from such remitter may be
63 made up from any fund of the City available for the public improvement of streets or by
64 contributions from the owners desiring that the work be done.
65

66 Section 7. After the expiration of the time within which objections may be filed under Section
67 915.04 of the Codified Ordinances of the City of Cuyahoga Falls and the disposition of objections,
68 the Director of Public Service may proceed with the work mentioned in Sections 915.01 and 915.02
69 of the Codified Ordinances of the City of Cuyahoga Falls or if proceeding by contract, the legislative
70 authority shall authorize the Director of Public Service to advertise and take bids for the awarding
71 of the necessary contracts subject to any determination by the Council that a portion or portions of
72 such work shall not be done pursuant to Section 915.04 of the Codified Ordinances of the City of
73 Cuyahoga Falls.
74

75 Section 8. It is found and determined that all formal actions of this Council concerning and
76 relating to the adoption of this resolution were adopted in an open meeting of this Council and that
77 all deliberations of this Council and of any of its Committees that resulted in such formal action
78 were in meetings open to the public in compliance with all legal requirements including, to the
79 extent applicable, Chapter 107 of the Codified Ordinances.
80

81 Section 9. This resolution is hereby declared to be an emergency measure necessary for the
82 preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga
83 Falls and the inhabitants thereof, and provided it received the affirmative vote of two-thirds of the
84 members elected or appointed to Council, it shall take effect and be in force immediately upon its
85 passage and approval by the Mayor; otherwise it shall take effect and be in force at the earliest
86 period allowed by law.
87
88

89 Passed: _____
90 _____
91 President of Council

92
93 _____
94 Clerk of Council

95
96
97 Approved: _____
98 _____
99 Mayor

2
3 CITY OF CUYAHOGA FALLS, OHIO

4
5 ORDINANCE NO. - 2019

6
7 AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO
8 ENTER INTO A CONTRACT OR CONTRACTS, ACCORDING TO LAW, FOR
9 THE REPLACEMENT OR ADJUSTMENT OF CONCRETE SIDEWALKS,
10 DRIVE APPROACHES AND CURBS AT VARIOUS LOCATIONS IN THE CITY
11 OF CUYAHOGA FALLS, AND DECLARING AN EMERGENCY.
12

13 WHEREAS, pursuant to Resolution No. -2019, a sidewalk and drive approach replacement or
14 adjustment district was created within the City of Cuyahoga Falls for the purpose of replacing or adjusting
15 sidewalks, drive approaches and curbs throughout the City;
16

17 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls, County of Summit
18 and State of Ohio, that:
19

20 Section 1. The Director of Public Service is hereby authorized to enter into a contract or contracts,
21 according to law, for replacement or adjustment of concrete sidewalks, drive approaches and curbs at various
22 locations in the City of Cuyahoga Falls.
23

24 Section 2. All bids submitted must conform to and be in accordance with the specifications for the same
25 now on file in the Office of the City Engineer.
26

27 Section 3. The Director of Finance is hereby authorized and directed to make payment for same from the
28 Capital Projects Fund, line item Capital Outlay.
29

30 Section 4. Any other ordinances and resolutions or portions of ordinances and resolutions inconsistent
31 herewith are hereby repealed, but any ordinances and resolutions or portions of ordinances and resolutions
32 not inconsistent herewith and which have not previously been repealed are hereby ratified and confirmed.
33

34 Section 5. It is found and determined that all formal actions of this Council concerning and relating to the
35 adoption of this ordinance were adopted in an open meeting of this Council and that all deliberations of this
36 Council and of any of its committees that resulted in such formal action were in meetings open to the public,
37 in compliance with all legal requirements including, to the extent applicable, Chapter 107 of the Codified
38 Ordinances.
39

40 Section 6. This ordinance is hereby declared to be an emergency measure necessary for the preservation
41 of the public peace, health, safety, convenience and welfare of the City of Cuyahoga Falls and the inhabitants
42 thereof, and provided it receives the affirmative vote of two thirds of the members elected or appointed to
43 Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor,
44 otherwise, it shall take effect and be in force at the earliest period allowed by law.
45

46
47 Passed: _____
48 _____
49 President of Council

50 _____
51 Clerk of Council

52
53 Approved: _____
54 _____
55 Mayor

2
3 CITY OF CUYAHOGA FALLS, OHIO

4
5 ORDINANCE NO. - 2019

6
7 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO
8 AN ENTERPRISE ZONE TAX INCENTIVE AGREEMENT WITH
9 KYOCERA SGS PRECISION TOOLS, INC. AND THE COUNTY
10 OF SUMMIT, AND DECLARING AN EMERGENCY.

11
12 WHEREAS, the City passed Ordinance Nos. 129-1995 and 26-1996 to authorize the
13 City’s participation in the County’s Enterprise Zone Program; and

14
15 WHEREAS, the City of Cuyahoga Falls has been certified by the State of Ohio Director
16 of Development Services Agency as an Enterprise Zone enabling it to exempt certain taxes
17 imposed on industry provided said industry creates or retains jobs and makes a significant
18 investment within the certified zone; and

19
20 WHEREAS, the creation of an Enterprise Zone in the City of Cuyahoga Falls was
21 intended primarily to induce economic growth by assisting Cuyahoga Falls’ businesses to
22 expand and businesses to locate in Cuyahoga Falls through the use of tax incentives.

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

26
27 Section 1. The Mayor is hereby authorized to enter into an Enterprise Zone Tax
28 Incentive Agreement with Kyocera SGS Precision Tools, Inc. and The County of Summit
29 consistent with the terms in the proposed Enterprise Zone Application attached hereto as
30 Exhibit A, to provide real property tax abatement at the percentage and length of
31 abatement as stipulated in said application, to benefit the City and being consistent with
32 the objectives of this ordinance.

33
34 Section 2. Council further authorizes the Mayor, Director of Finance, Director of
35 Community Development, Director of Law and any other City officials, individually and/or
36 collectively as may be appropriate, to prepare and execute such other documents and do
37 other things as are necessary for and incidental to carrying out the requirements of this
38 legislation consistent with the terms of the attached application.

39
40 Section 3. 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 4. 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 including Chapter 107 of the Codified Ordinances.

51 Section 5. This ordinance is hereby declared to be an emergency measure necessary
52 for the preservation of the public peace, health, safety, convenience and welfare of the City
53 of Cuyahoga Falls and the inhabitants thereof, and provided it receives the affirmative vote
54 of two-thirds of the members elected or appointed to Council, it shall take effect and be in
55 force immediately upon its passage and approval by the Mayor; otherwise it shall take
56 effect and be in force at the earliest period allowed by law.
57

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59 Passed: _____
60 _____
61 President of Council

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63 _____
64 Clerk of Council

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67 Approved: _____
68 _____
69 Mayor

70 12/9/19

71 \\cf-file01\ldpublic\2019ords\SGS Enterprise Zone.doc

EXHIBIT 'A'

PROPOSED AGREEMENT for Enterprise Zone Tax Incentives between the City of Cuyahoga Falls located in the County of Summit and:

Kyocera SGS Precision Tools, 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).

Kyocera SGS Precision Tools & Crooked River Realty LLC
Enterprise Name

Jeffrey B. Zaucha

Contact Person

55 South Main Street, Munroe Falls Ohio 44262
Address

330.686.4182

Telephone Number

Zauchaj@kyocera-sgstool.com
Contact Email

Project site:

220 Marc Drive & 238 Marc Drive
Address

#35-00311, #35-04028
Parcel Number

Jeffrey B. Zaucha
Contact Person

330.686.4182

Telephone Number

zauchaj@kyocera-sgstool.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.

Kyocera SGS Precision Tools is a world wide manufacturer of solid round carbide cutting tools.

- b. List primary 6 digit North American Industry Classification System (NAICS) #
Business may list other relevant SIC numbers.
333515

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

We plan to consolidate our manufacturing, coating, distribution and administrative functions all to the Marc Drive campus.

- d. Form of business of enterprise:

Corporation Partnership Proprietorship Other

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

Thomas J Haag, President and officer of Kyocera SGS Precision Tools

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

Full Time: 20 Part Time: 1
(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:

Associates will be relocated from 55 and 103 South Main Street in Munroe Falls, to the 238 and 220 Marc Drive locations.

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	212	
Part Time	10	

(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:

78 full-time and 6 part-time associates from the 55 and 103 South Main Street facilities will relocate to the 220 and 238 Marc Drive locations.

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

84 (78 full and 6 part-time) associates totaling \$5,684,577.31 in payroll and \$11,332,911.62 of machinery and equipment will transfer to the Marc Drive facilities.

7. Project will begin on 12/01/19 and be completed by 05/31/20 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	78	
Part Time	6	

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

b. State the time frame of this projected hiring: 6 months.

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

Kyocera SGS Precision Tools plans to move the 78 full-time and 6 part-time associates from our Munroe Falls facilities to our campus on Marc Drive in Cuyahoga Falls.

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	\$	5,623,251.06	\$	
Part-time	\$	61,326.25	\$	
TOTAL:	\$	5,684,577.31	\$	

(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: \$ 7,548,474.15

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

A. Acquisition of Land/Buildings	\$	_____
B. Additions/New Construction	\$	_____
C. Improvements to Existing Buildings	\$	2,970,021
D. Machinery & Equipment	\$	11,332,911.62 (existing equipment in Munroe Falls)
E. Furniture & Fixtures	\$	_____
F. Inventory	\$	8,100,000
Total New Project Investment	\$	22,402,932.62

11.

a. Business requests the following tax exemption incentives: 75 %
for 10 years covering the real property improvements as described above.

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

Kyocera SGS Precision Tools prides itself on being at the forefront of the cutting tool industry, with a special focus on leadership in innovation, quality, technology, and service. Our commitment to continuous improvement is evidenced by the fact that we are ISO 9001:2015 certified. This commitment, however, requires that we continuously invest large amounts in capital equipment, R&D, new technology, and employee development. At the same time, we face tremendous price pressure from competitors and customers. As a leading manufacturer of rotary carbide cutting tools, our customers demand that we take on more R&D and design responsibilities, while continually forcing us to reduce our prices. If we are to continue to survive in this highly competitive environment, we must continue to look for ways to reduce our operating costs. The Enterprise Zone incentives that we are seeking are a key component of our strategy for maintaining a lean cost structure and are necessary for our continued success in the market. We firmly believe that we would obtain very lucrative economic incentives if this project were to be undertaken at a location outside of Summit County or the State of Ohio resulting in a loss of approximately 184 jobs in Summit County, of which approximately 134 jobs reside in Cuyahoga Falls. Finally, such incentives will allow us to sustain our long-term commitment to Cuyahoga Falls, Summit County, and the State of Ohio.

Submission of this application expressly authorizes the City of Cuyahoga Falls and County of Summit 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.

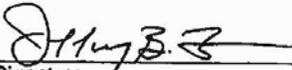
The Applicant agrees to supply additional information upon request. The Applicant affirmatively covenants that the information contained in and submitted with this application is complete and correct and is aware of the ORC Sections 9.66(C)(1) and 2921.13(D)(1) penalties for falsification which could 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.

Kyocera SGS Precision Tools & Crooked
River Realty LLC

Name of Property Owner

Chief Financial Officer

Title


Signature

11/15/19

Date

EXHIBIT 'A'

KSPT's employment levels (by location) as of:

	10/28/19		
	<u>Headcount</u>	<u>F/T</u>	<u>P/T</u>
238 Marc Drive, Cuyahoga Falls, OH [Parcel 35-04028]	0	0	0
220 Marc Drive, Cuyahoga Falls, OH [Parcel 35-00311]	20	20	0
150 Marc Drive, Cuyahoga Falls, OH [35-02034 & 35-06498]	99	96	3
110 Marc Drive, Cuyahoga Falls, OH (Maintenance) [Parcel 35-05526]	6	6	0
Sub-total:	125	122	3
103 S. Main Street, Munroe Falls, OH (Hardcoating Division)	34	30	4
55 S. Main Street, Munroe Falls, OH (World Headquarters)	50	48	2
54 S. Main Street, Munroe Falls, OH (HR/IT/R&D)	15	15	0
TOTAL IN OHIO @ October 28, 2019	224	215	9

KSPT's employment levels (by location) as of:

	6/1/20		
	<u>Headcount</u>	<u>F/T</u>	<u>P/T</u>
238 Marc Drive, Cuyahoga Falls, OH [Parcel 35-04028]	62	60	2
220 Marc Drive, Cuyahoga Falls, OH [Parcel 35-00311]	34	30	4
150 Marc Drive, Cuyahoga Falls, OH [35-02034 & 35-06498]	107	104	3
110 Marc Drive, Cuyahoga Falls, OH (Maintenance) [Parcel 35-05526]	6	6	0
Sub-total:	209	200	9
103 S. Main Street, Munroe Falls, OH (Hardcoating Division)	0	0	0
55 S. Main Street, Munroe Falls, OH (World Headquarters)	0	0	0
54 S. Main Street, Munroe Falls, OH (HR/IT/R&D)	15	15	0
TOTAL IN OHIO @ June 1, 2020	224	215	9

KSPT's Total Additions in Cuyahoga Falls as of:

	6/1/20		
	<u>F/T</u>	<u>P/T</u>	
238 Marc Drive, Cuyahoga Falls, OH [Parcel 35-04028]	62	60	2
220 Marc Drive, Cuyahoga Falls, OH [Parcel 35-00311]	14	10	4
150 Marc Drive, Cuyahoga Falls, OH [Parcel 35-02034 & 35-06498]	8	8	0
TOTAL ADDITIONS IN CUYAHOGA FALLS @ June 1, 2020	84	78	6