

NEW LEGISLATION

December 14, 2020

Temp. No.	Introduced	Committee	Description
A-97	12/14/2020	Fin	An ordinance authorizing the Mayor to enter into a contract with the City of Munroe Falls, Ohio to extend the existing agreement for water services to Munroe Falls, and declaring an emergency.
A-98	12/14/2020	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 2021, and declaring an emergency.
A-99	12/14/2020	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 2021, and declaring an emergency.
A-100	12/14/2020	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 Sanitation Division during 2021, and declaring an emergency.

Temp. No.	Introduced	Committee	Description
A-101	12/14/2020	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 annual requirements of certain services, materials and supplies for use by the Water and Sewer Division during 2021, and declaring an emergency.
A-102	12/14/2020	Fin	An ordinance authorizing the Mayor, as 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.
A-103	12/14/2020	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 2021, and declaring an emergency.
A-104	12/14/2020	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 2021, and declaring an emergency.

Temp. No.	Introduced	Committee	Description
A-105	12/14/2020	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts according to law for disposal of municipal solid waste, and declaring an emergency.
A-106	12/14/2020	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.
A-107	12/14/2020	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.

Temp. No.	Introduced	Committee	Description
A-108	12/14/2020	PI	A resolution creating for the year 2021 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.
A-109	12/14/2020	CD	An ordinance authorizing the Director of Community Development to amend the Community Reinvestment Area Tax Exemption Agreement with Buckeye Sports Center, Inc., to reflect the title of land transfer to Sunsport Properties, LLC., a subsidiary to Buckeye Sports Center, Inc., and declaring an emergency.

CALENDAR

December 14, 2020

The following legislation will be up for passage at the Council Meeting on December 14, 2020.

Temp. No.	Introduced	Committee	Description
A-72	10/12/20	PZ	An ordinance approving a zoning map amendment for parcel 37-00221 from MU-1 Rural Neighborhood Center to R-5 Mixed Density Residential, as more fully described and depicted herein and declaring an emergency.
A-78	10/26/20	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, 2021, and declaring an emergency.
A-87	11/23/20	Fin	An ordinance amending ordinance 56-2018 to include JP Morgan Chase Bank NA, as a depository for the active and interim funds of the City of Cuyahoga Falls, and declaring an emergency.
A-88	11/23/20	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.
A-89	11/23/20	Fin	An ordinance authorizing the Mayor to enter into a contract or contracts, without competitive bidding, with the Vitality Group, LLC for the City's wellness program services to benefits-eligible employees, and declaring an emergency.

Temp. No.	Introduced	Committee	Description
A-90	11/23/20	Fin	An ordinance authorizing the Mayor to enter into a contract or contracts, without competitive bidding, with CVS Health and/or its subsidiary CVS Caremark for the administration of the City's self-insured employee prescription drug plans for a period not to exceed three years, and declaring an emergency.
A-91	11/23/20	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts for the purchase of natural gas, after publicly advertising for bids, and declaring an emergency.
A-96	12/7/20	Fin	An ordinance authorizing the Mayor to enter into a contract, without competitive bidding, with Basic NEO for the administration of the Section 125 Flexible Spending Account Plan, Health Reimbursement Account Plan, Health Savings Account Plan, Retiree Medical Reimbursement Account Plan and COBRA, for a period not to exceed three years, and declaring an emergency.
A-92	11/23/20	PI	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, with a company or companies, according to law, for the roadway improvements to Sourek Trail, from Sand Run Road to the intersection west of Sand Hill Drive, and installation of waterline on Sand Hill Drive, Kubic Drive, and a portion of Sourek Trail, together with necessary appurtenances, and declaring an emergency.

Temp. No.	Introduced	Committee	Description
A-93	11/23/20	PI	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the Towpath Boulevard Storm Improvements, and declaring an emergency.
Sub A-94	12/7/20	PI	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the construction of underground power lines on Pinebrook Trail to replace old direct buried electrical cables with new conduit and cables and to replace transformer pads, and declaring an emergency.
A-95	11/23/20	PA	An ordinance authorizing the Mayor, as Director of Public Safety, to enter into a Mobile Field Force Multi-Jurisdiction Operational Assistance Mutual Aid Agreement with various political subdivisions within Summit County and declaring an emergency.

PENDING LEGISLATION

December 14, 2020

Temp. No.	Introduced	Committee	Description
A-72	10/12/20	PZ	An ordinance approving a zoning map amendment for parcel 37-00221 from MU-1 Rural Neighborhood Center to R-5 Mixed Density Residential, as more fully described and depicted herein and declaring an emergency.
A-78	10/26/20	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, 2021, and declaring an emergency.
A-81	11/9/20	PZ	An ordinance approving a zoning map amendment for parcel 02-00234 (2404 7th Street) from R4 Urban Density Residential to MU4 Sub-Urban Corridor, as more fully described and depicted herein and declaring an emergency.
A-87	11/23/20	Fin	An ordinance amending ordinance 56-2018 to include JP Morgan Chase Bank NA, as a depository for the active and interim funds of the City of Cuyahoga Falls, and declaring an emergency.
A-88	11/23/20	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.

Temp. No.	Introduced	Committee	Description
A-89	11/23/20	Fin	An ordinance authorizing the Mayor to enter into a contract or contracts, without competitive bidding, with the Vitality Group, LLC for the City's wellness program services to benefits-eligible employees, and declaring an emergency.
A-90	11/23/20	Fin	An ordinance authorizing the Mayor to enter into a contract or contracts, without competitive bidding, with CVS Health and/or its subsidiary CVS Caremark for the administration of the City's self-insured employee prescription drug plans for a period not to exceed three years, and declaring an emergency.
A-91	11/23/20	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts for the purchase of natural gas, after publicly advertising for bids, and declaring an emergency.
A-96	12/7/20	Fin	An ordinance authorizing the Mayor to enter into a contract, without competitive bidding, with Basic NEO for the administration of the Section 125 Flexible Spending Account Plan, Health Reimbursement Account Plan, Health Savings Account Plan, Retiree Medical Reimbursement Account Plan and COBRA, for a period not to exceed three years, and declaring an emergency.

Temp. No.	Introduced	Committee	Description
A-92	11/23/20	PI	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, with a company or companies, according to law, for the roadway improvements to Sourek Trail, from Sand Run Road to the intersection west of Sand Hill Drive, and installation of waterline on Sand Hill Drive, Kubic Drive, and a portion of Sourek Trail, together with necessary appurtenances, and declaring an emergency.
A-93	11/23/20	PI	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the Towpath Boulevard Storm Improvements, and declaring an emergency.
Sub A-94	12/7/20	PI	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the construction of underground power lines on Pinebrook Trail to replace old direct buried electrical cables with new conduit and cables and to replace transformer pads, and declaring an emergency.
A-95	11/23/20	PA	An ordinance authorizing the Mayor, as Director of Public Safety, to enter into a Mobile Field Force Multi-Jurisdiction Operational Assistance Mutual Aid Agreement with various political subdivisions within Summit County and declaring an emergency.

2
3 CITY OF CUYAHOGA FALLS, OHIO

4
5 ODINANCE NO. - 2020

6
7 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A
8 CONTRACT WITH THE CITY OF MUNROE FALLS, OHIO TO
9 EXTEND THE EXISTING AGREEMENT FOR WATER SERVICES TO
10 MUNROE FALLS, AND DECLARING AN EMERGENCY.

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

14
15 Section 1. That the Mayor be and is hereby authorized to enter into a contract with the City
16 of Munroe Falls, Ohio, to provide water services to Munroe Falls.

17
18 Section 2. That the contract term shall be for a period of ten (10) years with the option of
19 renewal for an additional ten-year (10-year) period.

20
21 Section 3. That any other ordinances and resolutions or portions of ordinances and
22 resolutions inconsistent herewith be and the same are hereby repealed, but any ordinances and
23 resolutions or portions of ordinances and resolutions not inconsistent herewith and which have
24 not previously been repealed are hereby ratified and confirmed.

25
26 Section 4. It is found and determined that all formal actions of this Council concerning and
27 relating to the adoption of this ordinance were adopted in an open meeting of this Council and
28 that all deliberations of this Council and of any of its committees that resulted in such formal
29 action were in meetings open to the public, in compliance with all legal requirements including
30 Chapter 107 of the Codified Ordinances.

31
32 Section 5. This ordinance is hereby declared to be an emergency measure necessary for the
33 preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga
34 Falls and the inhabitants thereof, and provided it receives the affirmative vote of two thirds of
35 the members elected or appointed to Council, it shall take effect and be in force immediately
36 upon its passage and approval by the Mayor; otherwise it shall take effect and be in force at the
37 earliest period allowed by law.

38
39
40 Passed: _____

President of Council

41
42
43
44
45 _____
Clerk of Council

46
47
48 Approved: _____

Mayor

49
50
51 12/14/20

2
3 CITY OF CUYAHOGA FALLS, OHIO

4
5 ORDINANCE NO. - 2020

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 THE CITY'S
10 REQUIREMENTS FOR CERTAIN MATERIALS, SUPPLIES,
11 AND EQUIPMENT FOR USE BY THE ELECTRIC DIVISION
12 DURING 2021, AND DECLARING AN EMERGENCY.

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

16
17 Section 1. The Director of Public Service is hereby authorized to enter into a contract
18 or contracts, according to law, for the purchase of the City's requirements for the
19 following materials, supplies and equipment for use by the Electric Division during
20 2021:

- | | | |
|----|-----------------------------|----------------------------------|
| 21 | | |
| 22 | Transformers | Watt-hour Meters |
| 23 | Meter Sockets | Instrument Transformers |
| 24 | Lamps | Luminaires |
| 25 | Cable and Wire | Line Material |
| 26 | Underground Material | Switches |
| 27 | Miscellaneous Hardware | Surge Arresters/Fault Indicators |
| 28 | Substation Batteries | Breaker Contacts |
| 29 | Rubber Protection Equipment | Climbing Equipment and Tools |
| 30 | Fuel | |
| 31 | | |

32 Section 2. Notwithstanding and as an exception to Section 181.06 of the Codified
33 Ordinances, expenditures made under the contracts authorized by this ordinance shall
34 not exceed, in the aggregate, \$1,454,000, without further consent of City Council by
35 ordinance.

36
37 Section 3. The Director of Finance is hereby authorized and directed to make
38 payment for same from the Electric Fund, line items Other Operations and Capital
39 Outlay.

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

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

51 Section 6. 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
53 City of Cuyahoga Falls and the inhabitants thereof and provided it receives the
54 affirmative vote of two-thirds of the members elected or appointed to Council, it shall
55 take effect and be in force immediately upon its passage and approval by the Mayor;
56 otherwise it shall take effect and be in force at the earliest period allowed by law.
57

58
59 Passed: _____
60 _____
61 President of Council

62
63 _____
64 Clerk of Council

65
66
67 Approved: _____
68 _____
69 Mayor

70 12/14/20
71 \\cf-file01\ldpublic\Council\2020ords\Electric Annual Requirements 2021.docx

2
3 CITY OF CUYAHOGA FALLS, OHIO

4
5 ORDINANCE NO - 2020

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 STREET DEPARTMENT DURING 2021, AND
12 DECLARING AN EMERGENCY.
13

14 BE IT ORDAINED by the Council of the City of Cuyahoga Falls, County of Summit and State of
15 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 the
19 Street Department during 2021:

- 20
21 Rock Salt
22 Asphaltic Products
23

24 Section 2. The Director of Finance is hereby authorized and directed to make payment for same
25 from the SCMR Fund, line item Other Operations, State Highway Improvement Fund, line item
26 Other Operations, Motor Vehicle License Tax Fund, line item Other Operations and Capital Projects
27 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 repealed
32 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 that
36 all deliberations of this Council and of any of its committees that resulted in such formal action
37 were in meetings open to the public, in compliance with all legal requirements including Chapter
38 107 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.
46

47
48 Passed: _____
49 _____
50 President of Council

51
52 _____
53 Clerk of Council

54
55
56 Approved: _____
57 _____
58 Mayor

59 12/14/20

2
3 CITY OF CUYAHOGA FALLS, OHIO

4
5 ORDINANCE NO - 2020

6
7 AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO
8 ENTER INTO A CONTRACT OR CONTRACTS, ACCORDING TO LAW, FOR
9 THE PURCHASE OF ANNUAL REQUIREMENTS OF CERTAIN MATERIALS
10 AND SUPPLIES FOR USE BY THE SANITATION DIVISION DURING 2021,
11 AND DECLARING AN EMERGENCY.

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

15
16 Section 1. The Director of Public Service is hereby authorized to enter into a contract or contracts,
17 according to law, for the purchase of the following materials and supplies for use in the Sanitation Division
18 during 2021:

19
20 Wheeled Refuse Containers

21
22 Section 2. Notwithstanding and as an exception to Section 181.06 of the Codified Ordinances,
23 expenditures made under the contracts authorized by this ordinance shall not exceed, in the aggregate,
24 \$143,500, without further consent of City Council by ordinance.

25
26 Section 3. The Director of Finance is hereby authorized and directed to make payment for same
27 from the Sanitation Fund, line item Other Operations.

28
29 Section 4. 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 ordinances
31 and resolutions not inconsistent herewith and which have not previously been repealed are hereby ratified
32 and confirmed.

33
34 Section 5. It is found and determined that all formal actions of this Council concerning and relating
35 to the adoption of this ordinance were adopted in an open meeting of this Council and that all deliberations
36 of this Council and of any of its committees that resulted in such formal action were in meetings open to
37 the public, in compliance with all legal requirements including Chapter 107 of the Codified Ordinances.

38
39 Section 6. This ordinance is hereby declared to be an emergency measure necessary for the
40 preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga Falls and
41 the inhabitants thereof and provided it receives the affirmative vote of two-thirds of the members elected or
42 appointed to Council, it shall take effect and be in force immediately upon its passage and approval by the
43 Mayor; otherwise it shall take effect and be in force at the earliest period allowed by law.

44
45
46
47 Passed: _____

President of Council

48
49
50
51
52 _____

Clerk of Council

53
54
55 Approved: _____

Mayor

56
57
58 12/14/20

2
3 CITY OF CUYAHOGA FALLS, OHIO

4
5 ORDINANCE NO - 2020

6
7 AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO
8 ENTER INTO A CONTRACT OR CONTRACTS, ACCORDING TO LAW, FOR
9 THE PURCHASE OF THE CITY'S REQUIREMENTS OF CERTAIN
10 SERVICES, MATERIALS AND SUPPLIES FOR USE BY THE WATER AND
11 SEWER DIVISION DURING 2021, AND DECLARING AN EMERGENCY.
12

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

15
16 Section 1. The Director of Public Service is hereby authorized to enter into a contract or contracts,
17 according to law, for the purchase of the City's requirements for the following services, materials and
18 supplies for use by the Water and Sewer Division during 2021:

- 19 Water Treatment Chemicals
- 20 Utility Patch Program
- 21 Meters and Related Materials
- 22 Miscellaneous Equipment, Repairs, and Repair Parts
- 23 Waterline and Sewer Line Supplies
- 24 Fire Hydrants and Related Materials

25
26
27 Section 2. 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, in the aggregate,
29 \$794,325, without further consent of City Council by ordinance.
30

31 Section 3. The Director of Finance is hereby authorized and directed to make payment for same from
32 the Water Fund and Sewer Fund, line item Other Operations.
33

34 Section 4. Any other ordinances and resolutions or portions of ordinances and resolutions inconsistent
35 herewith are hereby repealed, but any ordinances and resolutions or portions of ordinances and resolutions
36 not inconsistent herewith and which have not previously been repealed are hereby ratified and confirmed.
37

38 Section 5. It is found and determined that all formal actions of this Council concerning and relating to
39 the adoption of this ordinance were adopted in an open meeting of this Council and that all deliberations
40 of this Council and of any of its committees that resulted in such formal action were in meetings open to
41 the public, in compliance with all legal requirements including Chapter 107 of the Codified Ordinances.
42

43 Section 6. This ordinance is hereby declared to be an emergency measure necessary for the preservation
44 of the public peace, health, safety, convenience and welfare of the City of Cuyahoga Falls and the
45 inhabitants thereof and provided it receives the affirmative vote of two-thirds of the members elected or
46 appointed to Council, it shall take effect and be in force immediately upon its passage and approval by the
47 Mayor; otherwise it shall take effect and be in force at the earliest period allowed by law.
48

49
50 Passed: _____

President of Council

51
52
53
54
55 _____
Clerk of Council

56
57
58 Approved: _____

Mayor

59
60
61 12/14/20

2
3 CITY OF CUYAHOGA FALLS, OHIO

4
5 ORDINANCE NO. - 2020

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

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

15
16 Section 1. The Mayor, as Director of Public Safety, or the Director of Public Service is hereby
17 authorized to enter into contracts for the purchase and/or lease of the vehicles and related equipment
18 listed on Exhibit A attached hereto. Notwithstanding and as an exception to Section 181.06 of the
19 Codified Ordinances, expenditures made under the contracts authorized by this ordinance shall not
20 exceed, in the aggregate, \$3,473,000.00, without further consent of City Council by ordinance.

21
22 Section 2. The Director of Finance is hereby directed to make payment for same out of monies
23 lawfully appropriated therefor, from the funds as indicated in Exhibit A, line item Capital Outlay.

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

28
29 Section 4. It is found and determined that all formal actions of this Council concerning and relating
30 to the passage of this ordinance were taken in an open meeting of this Council and that all deliberations
31 of this Council and of any committees that resulted in those formal actions were in meetings open to the
32 public, in compliance with all legal requirements including Chapter 107 of the Codified Ordinances.

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

39
40
41 Passed: _____

President of Council

42
43
44
45 _____

Clerk of Council

46
47
48
49 Approved _____

Mayor

50
51
52 12/14/20

TEMPORARY ORDINANCE A-102

EXHIBIT A

<u>Department</u>	<u>Description</u>	<u>Budget</u>
Parks and Recreation	1/2 Ton Truck replacement	\$ 40,000.00
	1 Ton Truck replacement	\$ 45,000.00
	Stakebody with Liftgate	\$ 60,000.00
	60" Zero Turn Mower	\$ 15,000.00
	Truckster	\$ 35,000.00
	Triplex Mower	\$ 68,000.00
	Practice Tee Mower	\$ 22,000.00
	Recreation Levy Fund - 206	\$ 285,000.00
Engineering	Compact Pickup Truck	\$ 34,000.00
	Capital Project Fund - 400	\$ 34,000.00
Building and Grounds Maintenance	3/4 Ton Truck with Plow	\$ 45,000.00
	1 1/2 Ton Water Truck	\$ 70,000.00
	Zero Turn Mower	\$ 16,000.00
	Capital Project Fund - 400	\$ 131,000.00
Police	(4) Police Vehicles	\$ 220,000.00
	1-Ton Prisoner Transport Van	\$ 60,000.00
	Capital Project Fund - 400	\$ 280,000.00
Fire	EMS Squad	\$ 275,000.00
	Fire Engine	\$ 600,000.00
	Capital Projects Fund - 400	\$ 875,000.00
Street	Single Axle 5 ton Dump Truck with Plow	\$ 200,000.00
	I Ton Crew Cab Truck with Plow	\$ 70,000.00
	(2) 1/2 Ton Pickup Trucks	\$ 70,000.00
	1 1/4 Ton Truck Stakside Platform Body with Liftgate and Arrow Board	\$ 68,000.00
	Brush Chipping Trailer	\$ 25,000.00
	Brine Tank Hook Lift for Single Axle	\$ 20,000.00
	(2) Large Snow Plow	\$ 19,000.00
	Asphalt Milling Machine	\$ 240,000.00
	Single Axle Salt Spreader	\$ 90,000.00
	Tandem Axle Salt Spreader	\$ 115,000.00
	Capital Project Fund - 400	\$ 917,000.00

Sewer	Sewer Jet Truck (1/3 Allocation)	\$ 27,000.00
	Compact Sports Utility Vehicle (1/3 Allocation)	\$ 9,000.00
	Compact Sports Utility Vehicle (1/2 Allocation)	\$ 14,000.00
	Backhoe Accessory - Flip Screen (1/3 Allocation)	\$ 15,000.00
	Sewage and Disposal Fund - 601	\$ 65,000.00
Water	Sewer Jet Truck (1/3 Allocation)	\$ 27,000.00
	Compact Sports Utility Vehicle (1/3 Allocation)	\$ 9,000.00
	Compact Sports Utility Vehicle (1/2 Allocation)	\$ 14,000.00
	Backhoe Accessory - Flip Screen (1/3 Allocation)	\$ 15,000.00
	Water Fund - 602	\$ 65,000.00
Electric	(2) Bucket Truck	\$ 330,000.00
	3/4 Ton Crew Cab Truck 4X4 with Plow	\$ 49,000.00
	Electric Fund - 603	\$ 379,000.00
Sanitation	Automated Side Loader	\$ 336,000.00
		Sanitation Fund - 604
Storm Drainage Utility Fund	Sewer Jet Truck (1/3 Allocation)	\$ 27,000.00
	Compact Sports Utility Vehicle (1/3 Allocation)	\$ 9,000.00
	Backhoe Accessory - Flip Screen (1/3 Allocation)	\$ 15,000.00
	Storm Drainage Utility Fund - 606	\$ 51,000.00
Garage	Electric Pickup Truck	\$ 55,000.00
		Garage Fund - 701
Distribution:	Recreation Levy Fund - 206	\$ 285,000.00
	Capital Project Fund - 400	\$ 2,237,000.00
	Sewage and Disposal Fund - 601	\$ 65,000.00
	Water Fund - 602	\$ 65,000.00
	Electric Fund - 603	\$ 379,000.00
	Sanitation Fund - 604	\$ 336,000.00
	Storm Drainage Utility Fund - 606	\$ 51,000.00
	Garage Fund - 701	\$ 55,000.00
	TOTAL	\$ 3,473,000.00

2
3 CITY OF CUYAHOGA FALLS, OHIO

4
5 ORDINANCE NO. - 2020

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, SUPPLIES AND
11 SERVICES FOR USE BY THE GARAGE DIVISION DURING
12 2021, AND DECLARING AN EMERGENCY.
13

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

16
17 Section 1. The Director of Public Service is hereby authorized to enter into a contract
18 or contracts, according to law, for the purchase of certain materials, supplies and
19 services for use by the Garage Division during 2021:

- 20
- 21 Fuel
- 22 Tires
- 23 Repairs
- 24 Parts
- 25

26 Section 2. Notwithstanding and as an exception to Section 181.06 of the Codified
27 Ordinances, expenditures made under the contracts authorized by this ordinance shall
28 not exceed, in the aggregate, \$1,416,000, without further consent of City Council by
29 ordinance.
30

31 Section 3. 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 4. 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 5. 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 6. This ordinance is hereby declared to be an emergency measure necessary
47 for the preservation of the public peace, health, safety, convenience and welfare of the
48 City of Cuyahoga Falls and the inhabitants thereof for the reason that the supplies and
49 services are necessary for the daily functioning of the Municipal Garage, and provided
50 it receives the affirmative vote of two-thirds of the members elected or appointed to

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

54

55

56

Passed: _____

President of Council

57

58

59

60

61

Clerk of Council

62

63

64

Approved: _____

Mayor

65

66

67

12/14/20

68

\\cf-file01\ldpublic\Council\2020ords\Garage Annual Requirements 2021.docx

2
3 CITY OF CUYAHOGA FALLS, OHIO

4
5 ORDINANCE NO. - 2020

6
7 AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE
8 REPAIR OR REPLACEMENT OF SIDEWALKS AND DRIVE
9 APPROACHES IN THE SIDEWALK AND DRIVE APPROACH REPAIR
10 AND REPLACEMENT DISTRICT, FOR THE YEAR 2020, AND
11 DECLARING AN EMERGENCY.

12
13 WHEREAS, Resolution No. 11-2019, created the Sidewalk and Drive Approach Repair and
14 Replacement District for the year 2020, and determined the necessity of adjusting or replacing
15 certain sidewalks and drive approaches within the district; and

16
17 WHEREAS, such sidewalks and drive approaches within the district have been repaired or
18 replaced.

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

22
23 Section 1. The portion of the total cost and expense of repairing or replacing sidewalks and
24 drive approaches located within the Sidewalk and Drive Approach Repair and Replacement
25 District for the year 2020 to be paid for by special assessments is hereby established at the rate
26 of \$15.00 per linear foot for replacement of sidewalks and \$7.00 per square foot for drive
27 approaches. That portion of the total cost of the improvement to be paid for by special
28 assessments is hereby levied and assessed upon the lots and lands provided for in the schedule
29 of special assessments now on file with the Clerk of Council, which special assessments are in
30 proportion to the special benefits and are not in excess of any statutory limitation and which are
31 hereby adopted and confirmed.

32
33 Section 2. The assessment against each lot or parcel of land shall be payable within thirty
34 (30) days from the levy thereof to the office of the Finance Director with the further provision that
35 all assessments thereof remaining unpaid at the expiration of said thirty days shall be certified
36 by the Clerk of Council to the County Fiscal Officer to be placed on the tax duplicate and collected
37 in two (2) semi-annual installments.

38
39 Section 3. A certified copy of this ordinance shall be provided to the County Fiscal Officer by
40 the Clerk of Council within twenty (20) days after its passage.

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

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

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

57
58
59 Passed: _____
60 _____
61 President of Council

62
63 _____
64 Clerk of Council

65
66
67 Approved: _____
68 _____
69 Mayor

70 12/14/20
71 \\cf-file01\ldpublic\Council\2020ords\2021 Sidewalk Assessment.docx

2
3 CITY OF CUYAHOGA FALLS, OHIO

4
5 ORDINANCE NO. - 2020

6
7 AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC
8 SERVICE TO ENTER INTO A CONTRACT OR CONTRACTS
9 ACCORDING TO LAW FOR DISPOSAL OF MUNICIPAL SOLID
10 WASTE, AND DECLARING AN EMERGENCY.

11
12 WHEREAS, the contract with Waste Management of Ohio, Inc. will expire on
13 December 31, 2020 and may be extended for 2 additional two-year terms by mutual
14 agreement of the parties;

15
16 WHEREAS, the City has determined that such an extension would be in the best
17 interest of the Sanitation Division

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

21
22 Section 1. The Director of Public Service is hereby authorized to enter into a
23 contract or contracts according to law to extend the contract period for the disposal of
24 municipal solid waste for a period not to exceed two (2) years.

25
26 Section 2. The Director of Finance is hereby authorized and directed to make
27 payment for same from the Sanitation Fund, line item Other Operations at the following
28 rates:

29
30 Akron Transfer Station

- 31
32 • January 1, 2021 – December 31, 2021: \$43.69 per ton
33 • January 1, 2022 – December 31, 2022: \$45.00 per ton

34
35 American Landfill:

- 36
37 • January 1, 2021 – December 31, 2021: \$34.97 per ton
38 • January 1, 2022 – December 31, 2022: \$36.02 per ton

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
42 resolutions not inconsistent herewith and which have not previously been repealed are
43 hereby ratified 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
47 meeting of this Council and that all deliberations of this Council and of any of its
48 committees that resulted in such formal action were in meetings open to the public, in
compliance with all legal requirements including Chapter 107 of the Codified
Ordinances.

49 Section 5. 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
51 City of Cuyahoga Falls and the inhabitants thereof, and provided it receives the
52 affirmative vote of two-thirds of the members elected or appointed to Council, it shall
53 take effect and be in force immediately upon its passage and approval by the Mayor;
54 otherwise it shall take effect and be in force at the earliest period allowed by law.
55

56
57 Passed: _____
58 _____
59 President of Council
60

61 _____
62 Clerk of Council
63

64
65 Approved _____
66 _____
67 Mayor

68 12/14/20
69 \\cf-file01\ldpublic\Council\2020ords\Municipal Solid Waste Disposal.docx

2
3 CITY OF CUYAHOGA FALLS, OHIO

4
5 ORDINANCE NO. - 2020

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 TRANSFER
11 OF APPROPRIATIONS WITHIN AND FOR THE VARIOUS FUNDS
12 HEREINAFTER SET FORTH, AND DECLARING AN EMERGENCY.
13

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

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

21 Section 1. In order to provide money to pay employee compensation, other expenses and
22 capital expenditures during the fiscal year 2020, money is hereby appropriated, re-appropriated
23 and transferred from the unexpended appropriations and from the un-appropriated fund balances
24 of the departments or divisions as set forth in Exhibits A and B attached hereto and made a part
25 hereof.
26

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

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

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

45
46 Passed: _____
47 _____
48 President of Council

49
50 _____
51 Clerk of Council

52
53
54 Approved: _____
55 _____
56 Mayor

57 12/14/20

2
3 CITY OF CUYAHOGA FALLS, OHIO

4
5 ORDINANCE NO. - 2020

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. -2020, 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
22 various 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 by mail to 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
28 the 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
35 the adoption of this ordinance were adopted in an open meeting of this Council and that all deliberations
36 of this Council and of any of its committees that resulted in such formal action were in meetings open to
37 the public, in compliance with all legal requirements including, to the extent applicable, Chapter 107 of the
38 Codified 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
42 inhabitants thereof, and provided it receives the affirmative vote of two thirds of the members elected or
43 appointed to Council, it shall take effect and be in force immediately upon its passage and approval by the
44 Mayor, otherwise, it shall take effect and be in force at the earliest period allowed by law.

45
46
47 Passed: _____

President of Council

48
49
50
51 _____
Clerk of Council

52
53 Approved: _____

Mayor

54
55 12/14/20

2
3
4 CITY OF CUYAHOGA FALLS, OHIO

5
6 RESOLUTION NO. - 2020

7
8
9 A RESOLUTION CREATING FOR THE YEAR 2021 A SIDEWALK
10 AND 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
17 METHOD FOR LEVYING SPECIAL ASSESSMENTS, AND
18 DECLARING AN 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
25 of Summit and State of Ohio, that:

26
27 Section 1. A Sidewalk and Drive Approach Repair or Replacement District is hereby created
28 for the year 2021 containing those streets, alleys or public roadways within the corporate limits
29 of the City of Cuyahoga Falls, and declaring the necessity of repairing or replacing the sidewalks
30 and drive approaches abutting on such streets, alleys or public roadways, and to provide the
31 method 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
43 may be assessed by the square foot of drive approach at the rate of one-half of the total cost of
44 installing or adjusting a square foot of drive approach, with the remainder of such cost to be paid
45 by the City.

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

52 Section 5. Notice to the owners thereof shall be given by publishing the resolution
53 establishing a sidewalk and drive approach repair or replacement district and setting forth the
54 portion of the cost to be assessed, once each week for two weeks in a newspaper published and
55 of general circulation to the City.
56

57 Section 6. If an owner objects to an assessment, he shall file his objections in writing with
58 the Clerk of Council within ten (10) days after the last publication of the resolution as provided
59 in Section 915.03 of the Codified Ordinances of the City of Cuyahoga Falls, thereupon, Council
60 shall consider such objections and if they are found to be well taken, may remit such portion of
61 the assessment against the property of the objecting owner as is deemed just or may determine
62 by resolution that a portion or portions of the work described in the ordinance adopted pursuant
63 to Sections 915.01 or 915.02 shall not be done. Any deficiency arising from such remitter may
64 be made up from any fund of the City available for the public improvement of streets or by
65 contributions from the owners desiring that the work be done.
66

67 Section 7. After the expiration of the time within which objections may be filed under Section
68 915.04 of the Codified Ordinances of the City of Cuyahoga Falls and the disposition of objections,
69 the Director of Public Service may proceed with the work mentioned in Sections 915.01 and
70 915.02 of the Codified Ordinances of the City of Cuyahoga Falls or if proceeding by contract, the
71 legislative authority shall authorize the Director of Public Service to advertise and take bids for
72 the awarding of the necessary contracts subject to any determination by the Council that a
73 portion or portions of such work shall not be done pursuant to Section 915.04 of the Codified
74 Ordinances of the City of Cuyahoga Falls.
75

76 Section 8. It is found and determined that all formal actions of this Council concerning and
77 relating to the adoption of this resolution were adopted in an open meeting of this Council and
78 that all deliberations of this Council and of any of its Committees that resulted in such formal
79 action were in meetings open to the public in compliance with all legal requirements including,
80 to the extent applicable, Chapter 107 of the Codified Ordinances.
81

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

89
90 Passed: _____
91 _____
92 President of Council

93
94 _____
95 Clerk of Council

96
97
98 Approved: _____
99 _____
100 Mayor

101 12/14/20

102 \\cf-file01\ldpublic\Council\2020ords\2021 Sidewalk District Resolution.docx

2
3
4 CITY OF CUYAHOGA FALLS, OHIO

5
6 ORDINANCE NO. - 2020

7
8 AN ORDINANCE AUTHORIZING THE DIRECTOR OF
9 COMMUNITY DEVELOPMENT TO AMEND THE
10 COMMUNITY REINVESTMENT AREA TAX EXEMPTION
11 AGREEMENT WITH BUCKEYE SPORTS CENTER, INC., TO
12 REFLECT THE TITLE OF LAND TRANSFER TO SUNSPORT
13 PROPERTIES, LLC., A SUBSIDIARY TO BUCKEYE SPORTS
14 CENTER, INC., AND DECLARING AN EMERGENCY.
15

16 WHEREAS, pursuant to Ordinance No. 69-2006, passed June 26, 2006, this
17 Council established and designated the boundaries of the Cuyahoga Falls Northern
18 Community Reinvestment Area ("CRA") pursuant to Ohio Revised Code §3735.65 et seq.
19 to encourage the development of real property within the CRA; and
20

21 WHEREAS, the State of Ohio Director of Development has made a determination
22 that the findings contained in Ordinance No. 69-2006 are valid, and that the
23 classification of structures and/or remodeling eligible exemption under the Ordinance
24 is consistent with zoning restrictions applicable to the CRA; and
25

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

30 WHEREAS, pursuant to Ordinance No. 67-2015, passed September 28, 2015,
31 this Council approved a Community Reinvestment Area tax exemption on behalf of
32 Buckeye Sports Center, Inc., in connection with its development of a new 7,500 square
33 foot warehouse/auxiliary boat display and the acquisition of corresponding inventory at
34 parcel number 37-00002, mailing address of 4610 State Road; and
35

36 WHEREAS, on April 6, 2020, Buckeye Sports Center, Inc., transferred title to
37 parcel number 37-00002, mailing address of 4610 State Road, to Sunsport Properties,
38 LLC, a subsidiary of Buckeye Sports Center, Inc., and said transfer requires an
39 amendment to the prior CRA Agreement and re-filing with the State of Ohio Development
40 Services Agency.
41

42 NOW THEREFORE, BE IT ORDAINED, by the Council of the City of Cuyahoga
43 Falls, County of Summit, State of Ohio, that:
44

45 Section 1. The Director of Community Development is hereby authorized to amend
46 the Community Reinvestment Area tax exemption agreement in accordance with Ohio
47 Revised Code §§3735.67 and 3735.671, with Buckeye Sports Center, Inc. to reflect the
48 new owner of parcel number 37-00002, mailing address of 4610 State Road, being
49 Sunsport Properties, LLC., a subsidiary of Buckeye Sports Center, Inc., consistent with
50 Ordinance No. 69-2006 and the terms set forth in the amended application attached

51 hereto as Exhibit A, to provide the Project with an exemption from real property tax at
52 the same percentage and for the same duration as previously approved by Ordinance
53 67-2015.

54
55 Section 2. The Mayor, Director of Finance, Director of Community Development,
56 Director of Law, and any other public officials, individually and/or collectively as may
57 be appropriate, to prepare and execute such other documents and do other things as
58 are necessary or incidental to carrying out the requirements of this legislation consistent
59 with the terms of the attached amended application.

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

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

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

79
80
81 Passed: _____
82 _____
83 President of Council

84
85 _____
86 Clerk of Council

87
88
89 Approved: _____
90 _____
91 Mayor

91 12/14/20
92 \\cf-file01\ldpublic\Council\2020ords\Buckeye-Sunspot Amendment.docx



City of Cuyahoga Falls
APPLICATION FOR COMMUNITY REINVESTMENT AREA TAX INCENTIVES

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

SUNSPORT PROPERTIES LLC
(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).

BUCKINGHAM SPORTS CENTER
Enterprise Name

JIM ARMINGTON
Contact Person

319A SILVER LAKE BLVD
Address

330-388-6713
Telephone Number

JIMARMINGTON@YAHOO.COM
Contact Email

Project site:

4610 STATE RD
Address

37-00002
Parcel Number

JIM ARMINGTON
Contact Person

929-3346
Telephone Number

JIMARMINGTON@YAHOO.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.

RETAIL SALES AND SERVICE OF BOATING
AND SNOWSPORTS PRODUCTS.

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

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

N/A

- d. Form of business of enterprise:

Corporation Partnership Proprietorship Other

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

JAMES R. ARMINGTON JR
JAMES R. ARMINGTON III

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

Full Time: 23 Part Time: 2
(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:

N/A

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	<u>23</u>	
Part Time	<u>2</u>	<u>0</u>

(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:

N/A

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

N/A

5. Does the Property Owner Currently Owe:

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

Yes No

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

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

Yes No

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

N/A

6. Project Description (Be as detailed as possible):

PROJECT INCLUDES BUILDING 7500 SF BUILDING
AND 11,000 SF ADDITION TO MAIN BUILDING
ALSO POND AND BOAT RAMP FOR TESTING BOATS
AND EXPANDED PARKING LOT

7. Project will begin on 10/29/15 and be completed by 2/29/20 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	8	
Part Time		

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

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

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

8 NEW FULL TIME HIRES FROM 11/1/19 THROUGH 7/1/20

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	\$	360,000	\$	
Part-time	\$		\$	10,000
TOTAL:	\$	360,000	\$	10,000

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

b. Indicate separately the amount of existing annual payroll relating to any job retention claim resulting from the project: \$1,250,000 AS OF 7/31/2015

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	\$	<u>0</u>
B. Additions/New Construction	\$	<u>350,000</u>
C. Improvements to Existing Buildings	\$	<u>1,225,000</u>
D. Machinery & Equipment	\$	<u>0</u>
E. Furniture & Fixtures	\$	<u>50,000</u>
F. Inventory	\$	<u>500,000</u>
Total New Project Investment	\$	<u>2,325,000</u>

11.

a. Business requests the following tax exemption incentives: 50 %
for 10 years covering the real property improvements as described above.

b. Business' reasons for requesting tax incentives (Be quantitatively specific as possible):

BUCKEYE'S GROWTH IN CUYAHOGA FALLS HAS BEEN
CONSISTENT A SIGNIFICANT OVER THE PAST SEVERAL
YEARS. WE HAVE REMAINED PROFITABLE AND
PAID TAXES TO THE CITY FOR OVER 23 YEARS
IN A ROW. WE CONTINUE TO INVEST SIGNIFICANTLY
IN OUR BUSINESS TO CONTINUE TO GROW OUR SALES,
PROFIT AND PAYROLL.

Submission of this application expressly authorizes the City of Cuyahoga Falls to contact the Ohio Environmental Protection Agency to confirm statements contained within this application, including item # 5, and to review applicable confidential records.

As part of this application, the property owner may also be required to directly request from the Ohio Department of Taxation, or complete a waiver form allowing the Department of Taxation, to release specific tax records to the local jurisdiction considering the request.

Applicant acknowledges an understanding of the following:


- **If approved by City Council, there is a \$750 application fee payable to the Ohio Development Services Agency;**
- **All abatements are only on the improved value of the property;**
- **Property valuations are determined by the County of Summit Fiscal Office; and**
- **The investment amounts noted in item # 10 may not be fully reflected in the final appraised value of the property as determined by the County of Summit Fiscal Office.**

Receipt of an abatement also requires the following:

- **Annual reporting each year of the abatement, including, but not limited to the project investment, payroll and job creation levels identified in this application; copy of W-3 Transmittals; and other items as determined by the State of Ohio Development Services Agency;**
- **Commitment by applicant and/or any commercial tenant to provide a scholarship in the amount of \$1,000.00 per year and three (3) internships to the Cuyahoga Falls School District for the entire period of the abatement, being [10] years;**
- **Commitment by applicant and/or any commercial tenant to provide public art in and/or around the new development pursuant to the newly adopted Master Public Arts Plan for Cuyahoga Falls;**
- **Commitment by applicant AND any commercial tenant to join the Downtown Cuyahoga Falls Partnership.; and**
- **Payment to the City of Cuyahoga Falls of an annual fee in the amount of 1% of the incentives offered, but no less than \$500 and no greater than \$2,500.**

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.



Name of Property Owner



Title

Signature

Date

Please note that copies of this proposal must be included in the finalized Community Reinvestment Area Agreement and be forwarded to the Ohio Department of Development of Taxation and the Ohio Development Services Agency within fifteen (15) days of final approval.