

NEW LEGISLATION

July 25, 2016

Temp. No.	Introduced	Committee	Description
A-61	7/25/16	PA	An ordinance amending Section 107.07 of the Codified Ordinances, Meetings Open to the Public, and declaring an emergency.
A-62	7/25/16	CD	A resolution accepting the recommendations of the Tax Incentive Review Council and the Community Reinvestment Area Housing Council concerning Enterprise Zone and Community Reinvestment Area Tax Exemption Agreements within the City of Cuyahoga Falls, and declaring an emergency.

CALENDAR

July 25, 2016

The following legislation will be up for passage at the Council Meeting on July 25, 2016.

Temp. No.	Introduced	Committee	Description
A-57	7/11/16	Fin	An ordinance re-assigning the non-bargaining position of Juvenile Diversion Caseworker to the appropriate pay grade within the classification and compensation plan, amending Exhibit "A" of Ordinance 117-2015, and declaring an emergency.
A-58	7/11/16	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-59 Sub	7/11/16	PI	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the design and engineering of the Downtown Circulation Project relative to the reconstruction of the downtown pedestrian mall and adjacent streets, and declaring an emergency.
A-60	7/11/16	Special	A resolution supporting the recommendations of Council's Special Committee on Transparency and Best Practices, and declaring an emergency.

PENDING LEGISLATION

July 25, 2016

Temp. No.	Introduced	Committee	Description
A-56*	7/11/16	PZ	An ordinance approving regulatory text amendments for Section 1133.04(A)(6) Beekeeping and Section 1114.03(I)(3)(c) Beekeeping in the Cuyahoga Falls General Development Code, and declaring an emergency.
A-57	7/11/16	Fin	An ordinance re-assigning the non-bargaining position of Juvenile Diversion Caseworker to the appropriate pay grade within the classification and compensation plan, amending Exhibit "A" of Ordinance 117-2015, and declaring an emergency.
A-58	7/11/16	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-59 Sub	7/11/16	PI	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the design and engineering of the Downtown Circulation Project relative to the reconstruction of the downtown pedestrian mall and adjacent streets, and declaring an emergency.
A-60	7/11/16	Special	A resolution supporting the recommendations of Council's Special Committee on Transparency and Best Practices, and declaring an emergency.

*Public Hearing 9/6/16

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4 CITY OF CUYAHOGA FALLS, OHIO

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6 ORDINANCE NO. - 2016

7
8 AN ORDINANCE AMENDING SECTION 107.07 OF THE
9 CODIFIED ORDINANCES, MEETINGS OPEN TO THE
10 PUBLIC, AND DECLARING AN EMERGENCY.

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13 WHEREAS, the Ohio Open Meetings Act requires public bodies to take official action
14 and to conduct all deliberations upon official business only in open meetings, unless a
15 specific exception enumerated in Ohio Revised Code Section 121.22(D) applies; and

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17 WHEREAS, based upon the plain language of the Ohio Revised Code, any meeting
18 about public business involving the majority of City Council or any of its committees or
19 sub-committees must be an open meeting; and

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21 WHEREAS, the Ohio Supreme Court has long blocked attempts to circumvent the
22 Open Meetings Act and has enforced laws strictly upon governing bodies, including the
23 recent case *White v. King* 2016-Ohio-2770 (May 3, 2016); and

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25 WHEREAS, one of the strengths of American government is the right of the public to
26 know and understand the actions of their elected officials, including the means by
27 which decisions are reached; and

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29 WHEREAS, Council finds that the change to Section 107.07 of the Codified
30 Ordinances of the City of Cuyahoga Falls promotes accessibility, accountability and
31 transparency in local government.

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

35
36 Section 1. Section 107.07 of the Codified Ordinances of the City of Cuyahoga Falls
37 is hereby amended to read in full as follows (deleted text in ~~striketrough~~):

38
39 107.07 MEETINGS OPEN TO THE PUBLIC.

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41 With the exception of ~~political caucuses and~~ executive sessions of Municipal bodies
42 as defined in Section 107.01, all meetings and deliberations of any Municipal body
43 upon any official business or leading to official action shall be conducted in meetings
44 open to the public.

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

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51 Section 3. It is found and determined that all formal actions of this Council
52 concerning and relating to the passage of this ordinance were taken in an open meeting
53 of this Council and that all deliberations of this Council and of any committees that
54 resulted in those formal actions were in meetings open to the public, in compliance with
55 all requirements including Chapter 107 of the Codified Ordinances.

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Section 4. 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

7/25/16
O:\2016ords\Amend 107.07.doc

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4 CITY OF CUYAHOGA FALLS, OHIO

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6 RESOLUTION NO. - 2016

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8 A RESOLUTION ACCEPTING THE RECOMMENDATIONS OF
9 THE TAX INCENTIVE REVIEW COUNCIL AND THE
10 COMMUNITY REINVESTMENT AREA HOUSING COUNCIL
11 CONCERNING ENTERPRISE ZONE AND COMMUNITY
12 REINVESTMENT AREA TAX EXEMPTION AGREEMENTS
13 WITHIN THE CITY OF CUYAHOGA FALLS, AND DECLARING
14 AN EMERGENCY.
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17 WHEREAS, the City of Cuyahoga Falls has designated certain areas within the city as
18 Enterprise Zones pursuant to Ohio Revised Code (“R.C.”) §§5709.61-69, and as Community
19 Reinvestment Areas, pursuant to R.C. §3735.65 *et seq.*; and
20

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

28 WHEREAS, the City has established a Tax Incentive Review Council pursuant to R.C.
29 §5709.85, and a Community Reinvestment Area Housing Council pursuant to Ord. No. 95-
30 2004, for the purpose of annually assessing whether each owner of property exempted from
31 taxation pursuant to a tax exemption agreement has complied with the agreement; and
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33 WHEREAS, the Tax Incentive Review Council is required to annually submit written
34 recommendations to this Council concerning whether each tax exemption agreement subject
35 to its review should be continued, modified or cancelled; and
36

37 WHEREAS, this Council has received the recommendations of the Tax Incentive Review
38 Council and the Community Reinvestment Area Housing Council relative to tax exemption
39 agreements in effect in calendar year 2015; and
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41 WHEREAS, R.C. §5709.85 requires the legislative authority of a local government
42 granting Enterprise Zone or Community Reinvestment Area tax exemptions to accept, reject
43 or modify all or any portion of the recommendations of its Tax Incentive Review Council.
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45 NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cuyahoga Falls,
46 County of Summit, and State of Ohio, that:
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48 Section 1. This Council hereby accepts the recommendations of the Tax Incentive
49 Review Council and the Community Reinvestment Area Housing Council for tax exemption
50 agreements in effect during 2015, as follows:
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<u>Tax Exemption Agreement with:</u>	<u>Recommendation</u>
ACME Twelve LLC	Continue
Arkay Properties	Continue
Albrecht Inc.	Continue

57 Alro Steel Corporation (EZ & CRA) Continue
58 Buckeye Sports Center Continue
59 Cascade Auto Group Continue
60 Harbor Castings, Inc. Continue
61 GOJO Industries (EZ and CRA) Continue
62 JUZO Investments, Ltd. Continue
63 River Falls, LLC Continue
64 S. Lee & Judith Ann Combs & GS Steel Continue
65 SGS Tool Company Continue
66 Technicote Continue
67 Testa Enterprises & Falls River, LLC Continue
68 Village at Watermark, LLC Continue
69 Sustainability Funding of Alliance Ohio LLC (1846 Front – Unit 3) Continue
70 Harris, Marcia (1846 Front – Unit 4) Continue
71 Martz, Gary & Cathy (1846 Front – Unit 5) Continue
72 Charboneau, Denise(1846 Front – Unit 6) Continue
73 Hardwick, Patricia(1846 Front – Unit 7) Continue
74 Soldes, Oliver & Kathleen (1846 Front – Unit 8) Continue
75 Somers, Jenette (1846 Front – Unit 9) Continue
76 Salaheddine, Robby (1846 Front – Unit 10) Continue
77 Tuttle, Cory & Karoline (1846 Front – Unit 11) Continue
78 Bolf, James & Sheila(1846 Front – Unit 12) Continue
79 Hands, David L, Trustee(1846 Front – Unit 13) Continue
80 Murray, Leigh (1846 Front – Unit 14) Continue

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

86

87 Section 3. It is found and determined that all formal actions of this Council concerning
88 and relating to the acceptance of this resolution were adopted in an open meeting of this
89 Council, and that all deliberations of this Council and of any of its committees that resulted
90 in such formal action, were in meetings open to the public, in compliance with all legal
91 requirements, to the extent applicable, including Chapter 107 of the Codified Ordinances.

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

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100 Passed: _____
101 _____
102 President of Council

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104 _____
105 Clerk of Council
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108 Approved: _____
109 _____
110 Mayor

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7/25/16

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