

## NEW LEGISLATION

March 27, 2023

<b>Temp. No.</b>	<b>Introduced</b>	<b>Committee</b>	<b>Description</b>
B-29	3/27/23	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, without competitive bidding, with Bell Equipment Company to purchase a used rear load sanitation truck, and declaring an emergency.
B-30	3/27/23	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, without competitive bidding, with Sherman and Reilly Inc. for the purchase of braking reel trailer equipment, appurtenances, and services and declaring an emergency.
B-31	3/27/23	PA	An ordinance authorizing the Mayor to enter into a NOPEC Energized Community Grant Agreement with Northeast Ohio Public Energy Council, Inc. for energy efficiency or energy infrastructure projects, and declaring an emergency.
B-32	3/27/23	PA	An ordinance authorizing the Mayor to execute the participation forms for settlement with Teva, Allergan, CVS, Walgreens, and Walmart pursuant to the OneOhio Memorandum of Understanding and consistent with the material terms of the proposed settlement agreements, and declaring an emergency.

<b>Temp. No.</b>	<b>Introduced</b>	<b>Committee</b>	<b>Description</b>
B-33	3/27/23	PA	A resolution authorizing the Mayor to apply for the Ohio Department of Natural Resources Clean Ohio Trails Fund Grant to construct Phase II of the Mud Brook Greenway, and declaring an emergency.

**CALENDAR**  
March 27, 2023

The following legislation will be up for passage at the Council Meeting on March 27, 2023.

<b>Temp. No.</b>	<b>Introduced</b>	<b>Committee</b>	<b>Description</b>
B-24	3/13/23	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, without competitive bidding, with D&S Landscape, Inc. for the construction of a maintenance garage at City Hall, and declaring an emergency.
B-25	3/13/23	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, without competitive bidding, with Siemens Industry for the purchase of a refurbished Siemens breaker, and declaring an emergency.
B-26	3/13/23	Fin	An ordinance authorizing the Mayor or his designee to enter into a contract or contracts, without competitive bidding, with Stryker Medical for the preventative maintenance of life-saving equipment used by the Fire Department, and declaring an emergency.
B-27	3/13/23	Fin	An ordinance authorizing the Parks and Recreation Board to enter into a contract or contracts, without competitive bidding, with Amilia Enterprises, Inc. for software that coordinates recreation staff management, credit card and Automated Clearing House Network processing and reservations for programs and facilities all from the same platform, and declaring an emergency.

<b>Temp. No.</b>	<b>Introduced</b>	<b>Committee</b>	<b>Description</b>
B-28	3/13/23	CD	An ordinance approving and authorizing the Mayor to execute Community Development Block Grant agreements with Bruno Investments, LLC. for an economic development project at the Blue Door Café & Bakery, and declaring an emergency.

**PENDING LEGISLATION**

March 27, 2023

<b>Temp. No.</b>	<b>Introduced</b>	<b>Committee</b>	<b>Description</b>
B-24	3/13/23	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, without competitive bidding, with D&S Landscape, Inc. for the construction of a maintenance garage at City Hall, and declaring an emergency.
B-25	3/13/23	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, without competitive bidding, with Siemens Industry for the purchase of a refurbished Siemens breaker, and declaring an emergency.
B-26	3/13/23	Fin	An ordinance authorizing the Mayor or his designee to enter into a contract or contracts, without competitive bidding, with Stryker Medical for the preventative maintenance of life-saving equipment used by the Fire Department, and declaring an emergency.
B-27	3/13/23	Fin	An ordinance authorizing the Parks and Recreation Board to enter into a contract or contracts, without competitive bidding, with Amilia Enterprises, Inc. for software that coordinates recreation staff management, credit card and Automated Clearing House Network processing and reservations for programs and facilities all from the same platform, and declaring an emergency.

<b>Temp. No.</b>	<b>Introduced</b>	<b>Committee</b>	<b>Description</b>
B-16 <sup>^</sup>	2/27/23	PA	An ordinance creating a Designated Outdoor Refreshment Area known as the Downtown Cuyahoga Falls Designated Outdoor Refreshment Area, enacting regulations, and declaring an emergency.
B-28	3/13/23	CD	An ordinance approving and authorizing the Mayor to execute Community Development Block Grant agreements with Bruno Investments, LLC. for an economic development project at the Blue Door Café & Bakery, and declaring an emergency.

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<sup>^</sup> A public hearing regarding this temporary ordinance will be held on April 17, 2023 at 6:30 p.m.

2  
3 CITY OF CUYAHOGA FALLS, OHIO

4  
5 ORDINANCE NO. - 2023

6  
7 AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC  
8 SERVICE TO ENTER INTO A CONTRACT OR CONTRACTS,  
9 WITHOUT COMPETITIVE BIDDING, WITH BELL  
10 EQUIPMENT COMPANY TO PURCHASE A USED REAR  
11 LOAD SANITATION TRUCK, AND DECLARING AN  
12 EMERGENCY.

13  
14 WHEREAS, the Street Division is in need of an additional rear load sanitation truck;  
15 and

16  
17 WHEREAS, Bell Equipment Company is able to deliver the equipment in a timely  
18 manner.

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

22  
23 Section 1. The Director of Public Service is authorized to enter into a contract or  
24 contracts, without competitive bidding, with Bell Equipment Company to purchase a  
25 used rear load sanitation truck.

26  
27 Section 2. The Director of Finance is authorized to make payment for same out of  
28 the Sanitation Fund, line item Capital Outlay.

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

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

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

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Passed: \_\_\_\_\_

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President of Council

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Clerk of Council

Approved: \_\_\_\_\_

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Mayor

3/27/23

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3 CITY OF CUYAHOGA FALLS, OHIO

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5 ORDINANCE NO. - 2023

6  
7 AN ORDINANCE AUTHORIZING THE DIRECTOR OF  
8 PUBLIC SERVICE TO ENTER INTO A CONTRACT OR  
9 CONTRACTS, WITHOUT COMPETITIVE BIDDING,  
10 WITH SHERMAN AND REILLY INC. FOR THE  
11 PURCHASE OF BRAKING REEL TRAILER  
12 EQUIPMENT FOR USE BY THE ELECTRICAL  
13 DIVISION, APPURTENANCES, AND SERVICES AND  
14 DECLARING AN EMERGENCY.

15  
16 WHEREAS, the City of Cuyahoga Falls Electrical Division currently has three  
17 Sherman and Reilly Inc. braking reel trailers; and

18  
19 WHEREAS, one of these trailers needs to be replaced; and

20  
21 WHEREAS, Sherman and Reilly Inc. is the sole source provider of this  
22 equipment, related appurtenances and services.

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

26  
27 Section 1. The Director Public Service is hereby authorized to enter into a  
28 contract or contracts with Sherman and Reilly Inc. for the purchase of braking  
29 reel trailer equipment, appurtenances and services for use by the Electrical  
30 Division.

31  
32 Section 2. The Director of Finance is hereby authorized to make payment for  
33 same out of the Electric Fund, line item Capital Outlay.

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

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

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

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55 Passed: \_\_\_\_\_

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President of Council

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Clerk of Council

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63 Approved \_\_\_\_\_

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Mayor

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65 3/27/23

66 \\cf-file04\LDPublic\Council\2023ords\03-27-23\S&R Braking Reel

67 Trailer.docx

2  
3 CITY OF CUYAHOGA FALLS, OHIO

4  
5 ORDINANCE NO. -2023

6  
7 AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE  
8 THE PARTICIPATION FORMS FOR SETTLEMENT WITH  
9 TEVA, ALLERGAN, CVS, WALGREENS AND WALMART  
10 PURSUANT TO THE ONEOHIO MEMORANDUM OF  
11 UNDERSTANDING AND CONSISTENT WITH THE MATERIAL  
12 TERMS OF THE PROPOSED SETTLEMENT AGREEMENTS,  
13 AND DECLARING AN EMERGENCY.

14  
15 WHEREAS, the City of Cuyahoga Falls, Ohio is a municipal corporation formed and  
16 organized pursuant to the Constitution and laws of the State of Ohio; and

17  
18 WHEREAS, the people of the State of Ohio and its communities have been harmed  
19 by misfeasance, nonfeasance and malfeasance committed by certain entities within the  
20 Opioid Pharmaceutical Supply Chain; and

21  
22 WHEREAS, the state and its local governments drafted and the City has adopted,  
23 and hereby reaffirms its adoption of, the OneOhio Memorandum of Understanding  
24 (MOU) relating to the allocation and the use of the proceeds of any potential settlements;  
25 and

26  
27 WHEREAS, settlement proposals are being presented to the State of Ohio and local  
28 governments concerning claims against Teva, Allergan, CVS, Walgreens and Walmart to  
29 resolve governmental entity claims in the State of Ohio using the structure of the  
30 OneOhio MOU; and

31  
32 WHEREAS, Council wishes to agree to the material terms of the proposed Settlement  
33 Agreement.

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

37  
38 Section 1. The Mayor is authorized to execute the Participation Forms on behalf of  
39 the City of Cuyahoga Falls, pursuant to the terms of the OneOhio Memorandum of  
40 Understanding and consistent with the material terms of the Proposed Settlements with  
41 Teva, Allergan, CVS, Walgreens and Walmart.

42  
43 Section 2. The Mayor, Director of Law, Director of Finance, and any other necessary  
44 City official are hereby authorized to provide such information and to execute such other  
45 documents and do all other actions as are necessary for and incidental to carrying out  
46 the requirements of this ordinance, together with such revisions, additions or  
47 amendments as are approved by the Director of Law as being consistent with the  
48 objectives and requirements of this ordinance.

49 Section 3. Any other ordinances or resolutions or portions of ordinances and  
50 resolutions inconsistent herewith are hereby repealed, but any ordinances and  
51 resolutions not inconsistent herewith and which have not previously been repealed are  
52 hereby ratified and confirmed.

53  
54 Section 4. It is found and determined that all formal actions of this Council  
55 concerning and relating to the adoption of this ordinance were adopted in an open  
56 meeting of this Council, and that all deliberations of this Council and of any of its  
57 committees that resulted in such formal action, were in meetings open to the public, in  
58 compliance with all legal requirements, to the extent applicable, including Chapter 107  
59 of the Codified Ordinances.

60  
61 Section 5. This ordinance is hereby declared to be an emergency measure necessary  
62 for the preservation of the public peace, health, safety, convenience and welfare of the  
63 residents of the City of Cuyahoga Falls and for the further reason that the Participation  
64 Forms must be signed by April 18, 2023 to ensure prompt pursuit of funds to assist in  
65 abating the opioid epidemic throughout Ohio. It shall therefore become effective  
66 immediately upon its passage by an affirmative vote of two-thirds of the members elected  
67 or appointed to Council and approval by the Mayor; otherwise, it shall take effect and  
68 be in force at the earliest period allowed by law.

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71 Passed: \_\_\_\_\_  
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73 President of Council

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75 \_\_\_\_\_  
76 Clerk of Council

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79 Approved: \_\_\_\_\_  
80 \_\_\_\_\_  
81 Mayor

81 3/27/23  
82 \\cf-file04\LDPublic\Council\2023ords\03-27-23\Opioid Settlement Participation  
83 Agreement.docx

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3 CITY OF CUYAHOGA FALLS, OHIO

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5 ORDINANCE NO. - 2023

6  
7 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER  
8 INTO A NOPEC ENERGIZED COMMUNITY GRANT  
9 AGREEMENT WITH NORTHEAST OHIO PUBLIC ENERGY  
10 COUNCIL, INC. FOR ENERGY EFFICIENCY OR ENERGY  
11 INFRASTRUCTURE PROJECTS, AND DECLARING AN  
12 EMERGENCY.

13  
14 WHEREAS, the City of Cuyahoga Falls is a member of the Northeast Ohio Public  
15 Energy Council (“NOPEC”) and is eligible for the NOPEC Energized Community Grant  
16 for 2023 as provided for in the NOPEC grant program guidelines; and

17  
18 WHEREAS, this grant will facilitate energy efficiency or energy infrastructure  
19 projects within the City of Cuyahoga Falls.

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 Mayor is hereby authorized to enter into a NOPEC Energized  
25 Community Grant Agreement with NOPEC, Inc. for energy efficiency or energy  
26 infrastructure projects. The Mayor, Director of Public Service, Director of Law and other  
27 necessary City officials are authorized to provide such other information and to execute  
28 such other documents and do all other actions as are necessary for and incidental to  
29 carrying out the requirements of this ordinance and the terms of the Grant Agreement.

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

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

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

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Passed: \_\_\_\_\_

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President of Council

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Clerk of Council

Approved: \_\_\_\_\_

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Mayor

3/27/23  
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2023.docx

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3 CITY OF CUYAHOGA FALLS, OHIO

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5 RESOLUTION NO. - 2023

6  
7 A RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR  
8 THE OHIO DEPARTMENT OF NATURAL RESOURCES  
9 CLEAN OHIO TRAILS FUND GRANT TO CONSTRUCT PHASE  
10 II OF THE MUD BROOK GREENWAY, AND DECLARING AN  
11 EMERGENCY.

12  
13 WHEREAS, the Ohio Department of Natural Resources administers financial  
14 assistance for public recreation purposes through the Clean Ohio Trails Fund (COTF);  
15 and

16  
17 WHEREAS, a grant is available from the Ohio Department of Natural Resources  
18 in an amount of up to \$500,000; and

19  
20 WHEREAS, the grant requires an estimated local cost share match of 25% of the  
21 total project cost; and

22  
23 WHEREAS, the City of Cuyahoga Falls desires financial assistance through the  
24 COTF Program to construct Phase II of the Mud Brook Greenway. This phase will design  
25 and construct a trail from Bath Road, through the Mill Pond area, to Graham Road and  
26 State Road.

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

30  
31 Section 1. The Mayor is authorized to apply for a grant from the Ohio Department of  
32 Natural Resources Clean Ohio Trails Fund (COTF) to construct a trail and trailhead in  
33 the Mud Brook Greenway.

34  
35 Section 2. The Mayor, Director of Community Development Department, Director of  
36 Law, and other city officials, as appropriate, are hereby authorized and directed to  
37 execute and file an application with the Ohio Department of Natural Resources and to  
38 provide all information and to execute, certify or furnish such other documents and do  
39 all other things, as are necessary for and incidental to carrying out the grant application  
40 and this ordinance.

41  
42 Section 3. The City of Cuyahoga Falls does agree to obligate the funds required to  
43 satisfactorily complete the proposed project and become eligible for reimbursement  
44 under the terms and conditions of the COTF Program, including the local cost share  
45 match of 25% of the total project cost.

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

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

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

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66 Passed: \_\_\_\_\_  
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68 President of Council

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71 \_\_\_\_\_  
72 Clerk of Council

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74 Approved: \_\_\_\_\_  
75 \_\_\_\_\_  
76 Mayor

77 3/23/23  
78 \\cf-file04\LDPublic\Council\2023ords\03-27-23\Mud Brook Phase II CleanOhio  
Resolution.docx