

## NEW LEGISLATION

April 10, 2017

<b>Temp. No.</b>	<b>Introduced</b>	<b>Committee</b>	<b>Description</b>
B-30	4/10/17	PA	A resolution expressing support for Ohio House Bill 123 which will close an existing loophole and cap the annual interest rate for payday loan lenders, and urging the Ohio Legislature and Governor Kasich to support the same, and declaring an emergency.
B-31	4/10/17	PA	An ordinance amending the Traffic Control File by providing for installation of various traffic control devices, and declaring an emergency.
B-32	4/10/17	PA	An ordinance amending Section 933.123 of Title Five, Part Nine of the Codified Ordinances, relating to aggregation of demand response of retail electric customers of the City's Electric Department, authorizing the Director of Public Service to approve or disapprove customer requests to enroll with a third-party curtailment service provider and/or PJM Interconnection, LLC ("PJM") for PJM's Capacity Only Option demand response program, and declaring an emergency.
B-33	4/10/17	CD	An ordinance authorizing the Mayor to enter into a Community Reinvestment Area Agreement with 2821 Front Street LLC, and declaring an emergency.

**CALENDAR**  
**\*REVISED\***

April 10, 2017

The following legislation will be up for passage at the Council Meeting on April 10, 2017.

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

**PENDING LEGISLATION**

April 10, 2017

<b>Temp. No.</b>	<b>Introduced</b>	<b>Committee</b>	<b>Description</b>
B-15*	2/13/17	CD	Creating a Tax Increment Financing Incentive District; declaring improvements to the parcels within the Incentive District to be a public purpose and exempt from real property taxation; requiring the owners of those parcels to make service payments in lieu of taxes; establishing a Municipal Public Improvement Tax Increment Equivalent Fund for the deposit of those service payments; and specifying the public infrastructure improvements that benefit or serve parcels in the Incentive District.
B-25	3/27/17	PZ	An ordinance accepting the Planning Commission approval, findings and conditions of the site plan for the construction of a 62-unit senior apartment complex at 320 Pleasant Meadow Boulevard and on Parcel 35-00578, and declaring an emergency.
B-26	3/27/17	PZ	An ordinance accepting the Planning Commission approval, findings and conditions of the site plan for the construction of a 28,437 square foot warehouse and parking lot expansion at 89 Cuyahoga Falls Industrial Parkway and on Parcels 35-06268, 35-06252 and 35-05933, and declaring an emergency.
B-27	3/27/17	PA	An ordinance authorizing the Mayor to enter into a contract or contracts to purchase property in connection with the Dickerson Run Nature Preserve Project, and declaring an emergency.
B-28	3/27/17	PA	An ordinance authorizing the Parks and Recreation Board to apply for and accept a grant from the Department of Natural Resources, and declaring an emergency.

B-29            3/27/17        CD

An ordinance authorizing the City of Cuyahoga Falls to transfer real property to the Community Improvement Corporation of Cuyahoga Falls to facilitate the development of the property, and declaring an emergency.

\*Public Hearing 3-20-17

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5 CITY OF CUYAHOGA FALLS, OHIO

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7 RESOLUTION NO. - 2017

8  
9 A RESOLUTION EXPRESSING SUPPORT FOR OHIO HOUSE  
10 BILL 123 WHICH WILL CLOSE AN EXISTING LOOPHOLE  
11 AND CAP THE ANNUAL INTEREST RATE FOR PAYDAY LOAN  
12 LENDERS, AND URGING THE OHIO LEGISLATURE AND  
13 GOVERNOR KASICH TO SUPPORT THE SAME, AND  
14 DECLARING AN EMERGENCY.

15  
16 WHEREAS, Ohio has the highest payday loan rates in the nation and more than a  
17 million Ohio residents have taken out high cost payday loans; and

18  
19 WHEREAS, Ohio payday loan rates average an annual percentage rate of 591 percent  
20 and a resident who has a \$300 payday loan out for five months must pay back more  
21 than double the amount (\$680) in interest and fees alone; and

22  
23 WHEREAS, the Ohio General Assembly passed legislation in 2008 capping payday  
24 lending rates at 28 percent; and

25  
26 WHEREAS, payday lending companies have utilized a loophole under Ohio's Mortgage  
27 Loan Act for several years enabling them to continue charging extremely high interest rates  
28 despite the legislation passed by the Ohio General Assembly and the results of the  
29 referendum; and

30  
31 WHEREAS, Ohio House Bill 123 (HB 123) was introduced March 9, 2017 in a bipartisan  
32 manner by Representative Michael Ashford (D-44) and Representative Kyle Kochler (R-  
33 79); and

34  
35 WHEREAS, HB 123 would amend the Ohio Mortgage Loan act and set limits on the  
36 annual interest rate payday lenders can charge at 28 percent and also ensures monthly  
37 payments do not exceed five percent of a borrower's gross monthly income; and

38  
39 WHEREAS, this Council finds and determines, after reviewing all pertinent  
40 information, that it is necessary and in the best interest of the City of Cuyahoga Falls to  
41 support Ohio House Bill 123 which closes the existing loophole by setting limits to  
42 payday lending rates, and urges the Ohio Legislature and Governor Kasich to do the  
43 same.

44  
45 NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cuyahoga Falls,  
46 County of Summit and State of Ohio, that:  
47

48 Section 1. This Council hereby expresses support for HB 123 in an effort to  
49 eliminate some of the financial burden faced by many Ohio residents after borrowing  
50 money from payday loan lenders.

51  
52 Section 2. The Clerk of Council is hereby authorized and directed to forward a copy of  
53 this Resolution to all members of the City of Cuyahoga Falls Ohio Legislative Delegation and  
54 Governor Kashich's Office.

55  
56 Section 3. It is found and determined that all formal actions of this Council concerning  
57 and relating to the adoption of this resolution were adopted in an open meeting of this  
58 Council, and that all deliberations of this Council and of any of its committees that resulted  
59 in such formal action, were in meetings open to the public, in compliance with all legal  
60 requirements, to the extent applicable, including Chapter 107 of the Codified Ordinances.

61  
62 Section 4. This resolution is hereby declared to be an emergency measure necessary for  
63 the preservation of the public peace, health, safety, convenience and welfare of the City of  
64 Cuyahoga Falls and the inhabitants thereof, and provided it receives the affirmative vote of  
65 two thirds of the members elected or appointed to Council, it shall take effect and be in  
66 force immediately upon its passage and approval by the Mayor; otherwise it shall take effect  
67 and be in force at the earliest period allowed by law.

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70 Passed: \_\_\_\_\_  
71 \_\_\_\_\_  
72 President of Council

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74 \_\_\_\_\_  
75 Clerk of Council

76 Approved: \_\_\_\_\_  
77 \_\_\_\_\_  
78 Mayor

79 4/10/17  
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4 CITY OF CUYAHOGA FALLS, OHIO

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6 ORDINANCE NO. - 2017

7  
8 AN ORDINANCE AMENDING THE TRAFFIC CONTROL  
9 FILE BY PROVIDING FOR INSTALLATION OF VARIOUS  
10 TRAFFIC CONTROL DEVICES, AND DECLARING AN  
11 EMERGENCY.

12  
13 WHEREAS, site-specific traffic control regulations of the City are established and  
14 maintained in the "Traffic Control File," a document established and maintained by the  
15 Chief of Police pursuant to Chapter 305 of the Codified Ordinances, and

16  
17 WHEREAS, Section 305.02 of said Chapter requires that amendments to the Traffic  
18 Control File be made only through legislation passed by City Council.

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. Upon the recommendation of the Traffic Committee, the Traffic Control  
24 File is hereby amended as follows:

- 25
- 26 1. Prohibit parking on the odd side of Viewpoint Avenue.
- 27 2. Prohibit parking on the north side of Tudor Street from 1933 to 1941 Tudor
- 28 Street (the circle area).
- 29 3. Remove the "No Turn on Red" sign eastbound on Broad Boulevard at
- 30 Newberry Street.
- 31 4. Hidden Lakes Development Traffic File clean-up – signs exist but not in the
- 32 official file:
  - 33 - Hidden Hollow Court is named as Hidden Valley Court in the Traffic.
  - 34 Control File; Update the name of the street to Hidden Hollow Court in the
  - 35 Traffic Control File.
  - 36 - Stop Sign on Hidden Hollow Court at Hidden Lakes Lane.
  - 37 - 2-way Stop Intersection on Lake Forest Drive at Hidden Lakes Lane.
  - 38 - Stop Sign on Lake Forest Drive at Little Brook Drive.
  - 39 - Stop Sign on Lake Forest Drive at Lake View Drive.
  - 40 - 3-way Stop Intersection at Hidden Lakes Lane and Lake View Drive.
  - 41 - Stop Sign on the farthest east end of Lake View Drive at Hidden Lakes
  - 42 Lane.
  - 43 - Stop Sign on Parkview Court at Hidden Hollow Court.
  - 44 - Stop Sign on Hidden Lakes Lane at State Road.
  - 45 - 25 mph Speed Limit Sign posted on State Road at Hidden Lakes Lane for
  - 46 the entire Hidden Lakes Development.
- 47 5. Prohibit parking on both sides of French Mill Run except for those areas
- 48 designated as authorized parking.
- 49 6. Boulder Estates Traffic File clean-up – signs exist but not in the official file:
  - 50 - Stop sign on Boulder Boulevard at State Road.
  - 51 - Stop sign on East end of Quartz Avenue at Boulder Boulevard.
  - 52 - Stop sign on West end of Quartz Avenue at Boulder Boulevard.
  - 53 - Stop sign on East end of Granite Drive at Boulder Boulevard.
  - 54 - Stop sign on Shale Street at Quartz Avenue.
  - 55 - Stop sign on Shale Street at Boulder Blvd.

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- 7. Prohibit parking on either side of Shale Street as it is only 20' wide.
- 8. Prohibit parking on the even side (eastbound) of Roosevelt Avenue within 100' of Oakwood Drive.
- 9. Prohibit parking on the east side of Hunter Parkway from East Bath Road to the stop intersection at Prescott Circle.
- 10. Prohibit parking on Hunter Parkway from East Bath Road to 3350 Hunter Parkway.

Section 2. The Chief of Police is hereby authorized and directed to note in the Traffic Control File the proper legends.

Section 3. The Mayor is hereby authorized and directed to cause the installation or removal of the proper signage reflecting the above amendments.

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

Section 5. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its 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.

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

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

\_\_\_\_\_  
President of Council

\_\_\_\_\_  
Clerk of Council

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

\_\_\_\_\_  
Mayor

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4 CITY OF CUYAHOGA FALLS, OHIO

5  
6 ORDINANCE NO - 2017

7  
8 AN ORDINANCE AMENDING SECTION 933.123 OF TITLE  
9 FIVE, PART NINE OF THE CODIFIED ORDINANCES,  
10 RELATING TO DEMAND RESPONSE OF RETAIL  
11 ELECTRIC CUSTOMERS OF THE CITY'S ELECTRIC  
12 DEPARTMENT, AUTHORIZING THE DIRECTOR OF  
13 PUBLIC SERVICE TO APPROVE OR DISAPPROVE  
14 CUSTOMER REQUESTS TO ENROLL WITH A THIRD-  
15 PARTY CURTAILMENT SERVICE PROVIDER AND/OR  
16 PJM INTERCONNECTION, LLC ("PJM") FOR PJM's  
17 CAPACITY ONLY OPTION DEMAND RESPONSE  
18 PROGRAM, AND DECLARING AN EMERGENCY.  
19

20  
21 WHEREAS, the City of Cuyahoga Falls ("City") owns and operates an electric  
22 utility system for the sale of electric power and associated energy for the benefit of its  
23 citizens and customers; and  
24

25 WHEREAS, currently only American Municipal Power, Inc. ("AMP") and  
26 Comverge, Inc. dba Enerwise Global Technologies Inc. are authorized on the City's  
27 behalf to ~~aggregate retail electric customers' demand response~~ and bid demand  
28 response on behalf of retail electric customers of the City directly into any independent  
29 system operator's or regional transmission organization's organized electric markets, as  
30 approved by the Federal Energy Regulatory Commission ("FERC"); and  
31

32 WHEREAS, due to changing market conditions and to assist local businesses  
33 with making important financial decisions, the City desires to consider other third party  
34 curtailment service providers to participate in the above program; and  
35

36 WHEREAS, the City of Cuyahoga Falls is located within the PJM  
37 Interconnection, LLC's ("PJM") regional transmission organization; and  
38

39 WHEREAS, PJM has an Emergency Load Response Program (inclusive of the  
40 Pre-Emergency Load Response Program), as defined by the PJM tariff, manuals and  
41 other governing documents, designed to provide a method by which end-use customers  
42 may be compensated by PJM for reducing load during a pre-emergency or an emergency  
43 event and this program includes a Capacity Only Option; and  
44

45 WHEREAS, City is the relevant electric retail regulatory authority ("RERRA") over  
46 its own distribution systems and may approve or disapprove customer requests to  
47 enroll with a third-party curtailment service provider and/or PJM for PJM's Capacity  
48 Only Option demand response program to assist the grid during emergency conditions  
49 while receiving capacity payments from the third-party curtailment service provider or  
50 PJM.  
51

52 NOW THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga  
53 Falls, County of Summit and State of Ohio, that:  
54

55 Section 1. Section 933.123 of the Cuyahoga Falls Code of Ordinances is hereby  
56 amended to read in full as follows (new text underlined; deleted text in ~~strike~~through):

57  
58 933.123 RETAIL DEMAND RESPONSE-AGGREGATION  
59

60 (a) The City or its authorized designees shall be ~~the sole entity~~ permitted to  
61 ~~aggregate retail electric customers' demand response and~~ bid demand response on  
62 behalf of retail electric customers of the City directly into any independent system  
63 operator's or regional transmission organization's organized electric markets, as  
64 approved by the Federal Energy Regulatory Commission ("FERC").  
65

66 (b) The Director of Public Service is authorized to approve or disapprove retail  
67 electric customers' request to enroll with a third-party curtailment service provider  
68 and/or PJM Interconnection, LLC's ("PJM") for PJM's Capacity Only Option demand  
69 response program. If approved by the Director of Public Service, the third-party  
70 curtailment service provider and/or PJM would be an authorized designee of the City.  
71

72 (c) Retail electric customers on the City's electric system desiring to bid their  
73 demand response into a FERC-approved independent system operator's or regional  
74 transmission organization's organized electric markets may do so only by participating  
75 in the Demand Response ~~Aggregation~~ program established by the City or its authorized  
76 designees.  
77

78 (d) The City or its authorized designees is ~~the sole entity~~ permitted to bid  
79 demand response on behalf of retail customers of the City directly into any FERC-  
80 approved independent system operator's or regional transmission organization's  
81 organized markets for energy imbalance, spinning reserves, supplemental reserves,  
82 reactive power and voltage control, or regulation and frequency response ancillary  
83 services (or its functional equivalent in the FERC-approved independent system  
84 operator's or regional transmission organization's tariff).  
85

86 (e) Retail customers of the City's electric system desiring to bid their demand  
87 response into a FERC-approved independent system operator's or regional transmission  
88 organization's organized markets for energy imbalance, spinning reserves, supplemental  
89 reserves, reactive power and voltage control, or regulation and frequency response  
90 ancillary services (or its functional equivalent in the FERC-approved independent  
91 system operator's or regional transmission organization's tariff) may do so only by  
92 participating in the program established by the Municipality or its authorized designees.  
93

94 (f) The Director of Public Service is authorized to enter into agreements with  
95 retail electric customers of the City's Electric System for the purpose of bidding such  
96 customers' load into Demand Response markets, either individually or on an aggregate  
97 basis. The Director is also authorized to promulgate any regulations necessary to  
98 implement this Section.  
99

100 Section 2. Any other ordinances or resolutions or portions of ordinances and  
101 resolutions inconsistent herewith are hereby repealed, but any ordinances and  
102 resolutions not inconsistent herewith and which have not previously been repealed are  
103 hereby ratified and confirmed.  
104

105 Section 3. It is found and determined that all formal actions of this Council  
106 concerning and relating to the adoption of this ordinance were adopted in an open  
107 meeting of this Council, and that all deliberations of this Council and of any of its  
108 committees that resulted in such formal action, were in meetings open to the public, in

109 compliance with all legal requirements, to the extent applicable, including Chapter 107  
110 of the Codified Ordinances.

111  
112 Section 4. This ordinance is hereby declared to be an emergency measure  
113 necessary for the preservation of the public peace, health, safety, convenience and  
114 welfare of the City of Cuyahoga Falls and the inhabitants thereof, and provided it  
115 receives the affirmative vote of two thirds of the members elected or appointed to  
116 Council, it shall take effect and be in force immediately upon its passage and approval  
117 by the Mayor; otherwise it shall take effect and be in force at the earliest period allowed  
118 by law.

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121 Passed: \_\_\_\_\_  
122 \_\_\_\_\_  
123 President of Council

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125 \_\_\_\_\_  
126 Clerk of Council

127 Approved: \_\_\_\_\_  
128 \_\_\_\_\_  
129 Mayor

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4 CITY OF CUYAHOGA FALLS, OHIO

5  
6 ORDINANCE NO. -2017

7  
8 AN ORDINANCE AUTHORIZING THE MAYOR TO  
9 ENTER INTO A COMMUNITY REINVESTMENT  
10 AREA AGREEMENT WITH 2821 FRONT STREET  
11 LLC, AND DECLARING AN EMERGENCY.  
12

13 WHEREAS, the City of Cuyahoga Falls designated an O.R.C. Chapter 3735 Community  
14 Reinvestment Area by virtue of Ordinance No. 95-2004 to encourage the development of  
15 real property within the Cuyahoga River Community Reinvestment Area; and  
16

17 WHEREAS, the City of Cuyahoga Falls has designated a certain area within City that  
18 has been certified by the State of Ohio Development Service Agency (FKA Ohio  
19 Department of Development) as a Community Reinvestment Area enabling it to exempt  
20 certain real property taxes imposed on industry provided said industry creates or retains  
21 jobs and makes a significant investment within the certified zone; and  
22

23 WHEREAS, the City Council and the Administration wish to provide assistance to  
24 2821 Front Street LLC for the new construction of the Missing Mountain Brewery  
25 Company manufacturing facility.  
26

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

30 Section 1. The Mayor is hereby authorized to enter into a Community Reinvestment  
31 Area (CRA) Agreement with 2821 Front Street LLC consistent with the terms in the  
32 proposed CRA Application attached hereto as Exhibit A, to provide real property tax relief  
33 at the percentage and length of abatement as stipulated in said Application to benefit the  
34 City and being consistent with the objectives of this ordinance.  
35

36 Section 2. Council further authorizes the Mayor, Director of Finance, Director of  
37 Community Development, Director of Law and any other city officials, individually and/or  
38 collectively as may be appropriate, to prepare and execute such other documents and do  
39 other things as are necessary for and incidental to carrying out the requirements of this  
40 legislation consistent with the terms of the attached Application.  
41

42 Section 3. Any ordinances or resolutions or portions of ordinances and resolutions  
43 inconsistent herewith are hereby repealed, but any ordinances and resolutions not  
44 inconsistent herewith and which have not previously been repealed are hereby ratified  
45 and confirmed.  
46

47 Section 4. It is found and determined that all formal actions of this Council  
48 concerning and relating to the adoption of this ordinance were adopted in an open  
49 meeting of this Council, and that all deliberations of this Council and of any of its

50 committees that resulted in such formal action, were in meetings open to the public, in  
51 compliance with all legal requirements, to the extent applicable, including Chapter 107 of  
52 the Codified Ordinances.

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

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62 Passed: \_\_\_\_\_  
63 \_\_\_\_\_  
64 President of Council

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66 \_\_\_\_\_  
67 Clerk of Council

68 Approved: \_\_\_\_\_  
69 \_\_\_\_\_  
70 Mayor

71 4/10/17  
O:\2017ords\2821 Front St CRA.doc

# EXHIBIT A

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

**2821 Front Street 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).

2821 Front Street LLC  
Enterprise Name

Al Klaben  
Contact Person

1250 West Main Street, Kent, Ohio 44240  
Address

330-808-5333  
Telephone Number

al.klaben@gmail.com  
Contact Email

Project site:

2821 Front St., Cuyahoga Falls, OH 44221  
Address

T.B.D. (Currently 02-20595)  
Parcel Number

Al Klaben  
Contact Person

330-808-5333  
Telephone Number

al.klaben@gmail.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.

New Construction will contain all equipment necessary for a Portland Kettleworks® 10 Barrel Steam Brewery® with 4 to 6 Fermentation Systems, Boiler Room, and 2 to 3 Bright Tanks necessary for the Craft Brewing Process.

New Construction will also house 2 Exterior Facing Water Closets for use by the adjoining Tap Room & Restaurant's 2,000 s.f. patio patrons.

New Construction and New Equipment Installation are anticipated to be completed no later than November 2017 with Manufacturing beginning immediately, followed by retail taproom sales in December 2017.

Initial New **Manufacturing** Staffing will consist of **1** Full-Time Brew Master and **2** Part-Time laborers functioning in a support capacity.

Initial New **Retail Sales** Staffing is estimated at **1** Full-Time and **4** Part-Time Staff Retail Sales of Craft Brew Beers along with a Limited Food Menu.

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

**333241**

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

**Not Applicable**

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- d. Form of business of enterprise:

ZI Corporation  Partnership  Proprietorship  Other

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

**Missing Mountain Brewing Company LLC**

Keith McFarlane, President

Kimberly McFarlane, Treasurer

Danial Kephart, Vice President

David Bertolotti, Vice President

Daniel Yagersz, Vice President

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

Full Time: 0 Part Time: 0  
(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: **Not Applicable**

- d. State the enterprise's current employment level in Ohio (itemized for full and part-time and permanent and temporary employees): **Not Applicable**

	Permanent	Temporary
Full Time	0	0
Part Time	0	0

(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: **Not Applicable**

- f. What is the projected impact of the relocation, detailing the number and type of employees and/or assets to be relocated? **Not Applicable**

5. Does the Property Owner Currently Owe:

**2821 Front Street LLC**

Albert Klaben, Managing Member

- 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.  
**Not Applicable**

6. Project Description. Be as detailed as possible:

New Construction of 1,092 s.f. building to house manufacturing equipment for Missing Mountain Brewery Company (MMBC) to supply the Existing adjoining restaurant and tap room.

Estimated Construction Cost of the new Building is \$412,000.00.

New Construction will also house 2 Exterior Facing Water Closets for use by the adjoining tap Room Restaurant's 2,000 s.f. patio patrons.

New Construction is site specific due to the size and contour of the existing location as well as being a Single-Use Facility specifically for the housing and manufacturing of Craft Beers.

New Construction will contain all equipment necessary for a Portland Kettleworks 10 Barrel Steam Brewhouse with 4 to 6 Fermentation Systems, Boiler Room, and 2 to 3 Bright Tanks necessary for the Craft Brewing Process.

---

7. Project will begin on May 2017 and be completed by November 2017 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	2	0
Part Time	6	0

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

b. State the time frame of this projected hiring:

Early 2018

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

Most Full-Time staff is either ready to start when open or will be hired prior to that time, in late 2017. Part-time staff will also be on hand before opening or will be added over the initial first weeks of operation

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	\$	100,000.00	\$	0.00
Part-time	\$	150,000.00	\$	0.00
TOTAL:	\$	250,000.00	\$	0.00

(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: \$ 0.00

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	\$	10,000.00
B. Additions/New Construction	\$	412,000.00
C. Improvements to Existing Buildings	\$	80,000.00
D. Machinery & Equipment	\$	415,000.00
E. Furniture & Fixtures	\$	65,000.00
F. Inventory	\$	40,000.00
<b>Total New Project Investment</b>	<b>\$</b>	<b>1,022,000.00</b>

11.

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

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

1. 2821 Front Street LLC is making a substantially larger investment than necessary to BUILD and the manufacturing facility in Cuyahoga Falls.
2. Once the investment is made to construct new building and install manufacturing equipment, it will be cost prohibitive to move the manufacturing location to another community.
3. Plus, once equipment is onsite, it would cost twice as much to move it at a later date. Therefore, you can imply that we are "stuck" in Cuyahoga Falls.
4. New Construction is a Single Use Building, making it very difficult to remarket and therefore the failure of this new startup would place an addition hardship on the lessor.
5. Although not a massive investment, this New Construction will create a proportionately higher number of New and Full and Part Time employees compared to much larger building in the community.
6. To keep manufacturing portion of business in Cuyahoga Falls, owner needs to purchase addition land.
7. To keep manufacturing portion of business in Cuyahoga Falls, owner needs remove new (2016) pavement and will lose 5 parking spaces to could be used for another business that does not require new construction.
8. To keep manufacturing portion of business in Cuyahoga Falls, owner needs to remove new landscaping installed in 2015 and 2016.
9. To keep manufacturing portion of business in Cuyahoga Falls, owner needs to remove new hardscape and sidewalks installed in 2016.
10. To keep manufacturing portion of business in Cuyahoga Falls, owner will be delaying occupancy for at least an additional 6 to 8 months.
11. Owner has already invested in property taxes for previous 6 years with NO assistance to make an existing eyesore of the Cuyahoga Falls community into a premier commercial retail destination.
12. Owner is purchasing property for this expansion and simultaneously giving the City of Cuyahoga Falls an Easement, Right of Way and 625 s.f. Garden to build at this location.

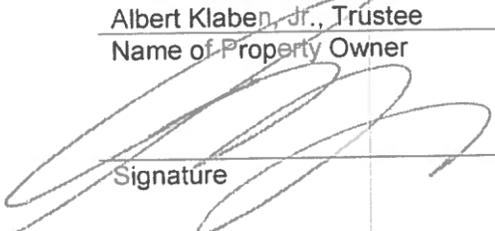
Submission of this application expressly authorizes the City of Cuyahoga Falls to contact the Ohio Environmental Protection Agency to confirm statements contained within this application including item # 5 and to review applicable confidential records. As part of this application, the property owner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

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.

**2821 Front Street LLC**

Albert Klaben, Jr., Trustee  
Name of Property Owner

Managing Member  
Title



Signature

24 March 2017  
Date