

NEW LEGISLATION

May 9, 2016

Temp. No.	Introduced	Committee	Description
A-38	5/9/16	Fin	An ordinance authorizing the Director of Public Service to enter into a contract, without competitive bidding, with SmartBill Ltd. for utility bill printing and mailing services, and declaring an emergency.
A-39	5/9/16	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.
A-40	5/9/16	CD	An ordinance authorizing the Director of Community Development to enter into a Community Reinvestment Area tax exemption agreement with Decker Fasteners Limited, and declaring an emergency.

CALENDAR

May 9, 2016

The following legislation will be up for passage at the Council Meeting on May 9, 2016.

Temp. No.	Introduced	Committee	Description
A-34	4/25/16	PZ	An ordinance authorizing and approving the Preserve at Salt Creek Final Subdivision Plat on Parcel 37-00484 and Parcel 37-00485, and declaring an emergency.
A-35	4/25/16	Fin	An ordinance authorizing the Director of Public Safety to enter into a contract or contracts, without competitive bidding, with Harris Systems USA, Inc., for the professional services necessary to install, maintain and operate an enterprise software system/cloud, including associated software licensing, and declaring an emergency.
A-36	4/25/16	Fin	An ordinance authorizing the Director of Public Service to enter into a contract and/or contracts without competitive bidding with Best Commercial Energy Services, Inc., for the purchase of an air conditioning system retrofit, and accessories necessary for proper operation of the HVAC system in the City Municipal Building, and declaring an emergency.
A-37	4/25/16	CD	An ordinance approving the Community Development Block Grant Annual Action Plan for fiscal year 2016, and declaring an emergency.

PENDING LEGISLATION

May 9, 2016

Temp. No.	Introduced	Committee	Description
A-34	4/25/16	PZ	An ordinance authorizing and approving the Preserve at Salt Creek Final Subdivision Plat on Parcel 37-00484 and Parcel 37-00485, and declaring an emergency.
A-35	4/25/16	Fin	An ordinance authorizing the Director of Public Safety to enter into a contract or contracts, without competitive bidding, with Harris Systems USA, Inc., for the professional services necessary to install, maintain and operate an enterprise software system/cloud, including associated software licensing, and declaring an emergency.
A-36	4/25/16	Fin	An ordinance authorizing the Director of Public Service to enter into a contract and/or contracts without competitive bidding with Best Commercial Energy Services, Inc., for the purchase of an air conditioning system retrofit, and accessories necessary for proper operation of the HVAC system in the City Municipal Building, and declaring an emergency.
A-37	4/25/16	CD	An ordinance approving the Community Development Block Grant Annual Action Plan for fiscal year 2016, and declaring an emergency.

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3
4 CITY OF CUYAHOGA FALLS, OHIO

5
6 ORDINANCE NO. - 2016

7
8 AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC
9 SERVICE TO ENTER INTO A CONTRACT, WITHOUT COMPETITIVE
10 BIDDING, WITH SMARTBILL LTD. FOR UTILITY BILL PRINTING
11 AND MAILING SERVICES, AND DECLARING AN EMERGENCY.
12

13
14 WHEREAS, the Director of Public Service requested quotes for utility bill printing and mailing
15 services, and

16
17 WHEREAS, three quotes were received and the proposal from SmartBill Ltd. was the lowest and
18 best quote.

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

22
23 Section 1. The Director of Public Service is hereby authorized to enter into a contract or
24 contracts, without competitive bidding, with SmartBill Ltd., on the basis of its final proposal dated
25 March 30, 2016, for the professional services necessary for utility bill printing and mailing.
26

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

30
31 Section 3. Any other ordinances or resolutions or portions of ordinances and resolutions
32 inconsistent herewith are hereby repealed, but any ordinances and resolutions not inconsistent
33 herewith and 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 concerning and
36 relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all
37 deliberations of this Council and of any of its committees that resulted in such formal action, were in
38 meetings open to the public, in compliance with all legal requirements, to the extent applicable,
39 including Chapter 107 of the Codified Ordinances.

40
41 Section 5. This ordinance is hereby declared to be an emergency measure necessary for the
42 preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga Falls,
43 and provided it receives the affirmative vote of two-thirds of the members elected or appointed to
44 Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor;
45 otherwise it shall take effect and be in force at the earliest period allowed by law.
46

47 Passed: _____
48 _____
49 President of Council

50 _____
51 Clerk of Council

52
53 Approved: _____
54 _____
55 Mayor

56 5/9/16

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5 CITY OF CUYAHOGA FALLS, OHIO

6
7 ORDINANCE NO. - 2016

8
9 AN ORDINANCE AUTHORIZING THE PARKS AND RECREATION
10 BOARD TO APPLY FOR AND ACCEPT A GRANT FROM THE
11 DEPARTMENT OF NATURAL RESOURCES, AND DECLARING AN
12 EMERGENCY.

13
14 WHEREAS, the State of Ohio, through the Ohio Department of Natural Resources,
15 administers financial assistance for public recreation purposes through the State of Ohio
16 NatureWorks Program, and

17
18 WHEREAS, the City of Cuyahoga Falls desires financial assistance under the NatureWorks
19 Program.

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

23
24 Section 1. The Parks and Recreation Board is hereby authorized to execute and file an
25 application with the Ohio Department of Natural Resources and to provide all information and
26 documentation required in said application to obtain a grant for the purpose of demolition and
27 replacement of the Kelsey Creek Picnic Shelter in Water Works Park through the NatureWorks
28 Program.

29
30 Section 2. The City does agree to obligate the funds required to satisfactorily complete the
31 project and become eligible for reimbursement under the terms of the NatureWorks Program.

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

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

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

50
51
52 Passed: _____
53 _____
54 President of Council

55 _____
56 Clerk of Council

57
58 Approved: _____
59 _____
60 Mayor

61 5/9/16

2
3 CITY OF CUYAHOGA FALLS, OHIO

4
5 ORDINANCE NO. -2016

6
7 AN ORDINANCE AUTHORIZING THE DIRECTOR OF
8 COMMUNITY DEVELOPMENT TO ENTER INTO A
9 COMMUNITY REINVESTMENT AREA TAX EXEMPTION
10 AGREEMENT WITH DECKER FASTENERS LIMITED,
11 AND DECLARING AN EMERGENCY.
12
13

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

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

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

29 WHEREAS, this Council has determined to provide economic development
30 assistance in the form of tax abatement to Decker Fasteners Limited, in connection
31 with the construction of a new 25,153 SF warehouse, improvements to existing
32 building and of corresponding inventory for parcel number 35-05703, 90 Cuyahoga
33 Falls Industrial Parkway, hereinafter the “Project”.
34

35 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga
36 Falls, County of Summit, and State of Ohio, that:
37

38 Section 1. The Director of Community Development is hereby authorized to
39 enter into a Community Reinvestment Area tax exemption agreement in accordance
40 with Ohio Revised Code §§3735.67 and 3735.671, with Decker Fasteners Limited,
41 consistent with Ordinance No. 69–2006 and the terms set forth in the application for
42 tax exemption attached hereto as Exhibit A, to provide the Project with an exemption
43 from real property tax at (or not exceeding) the percentage and for (or not exceeding)
44 the duration stipulated in said application.
45

46 Section 2. This Council further authorizes the Mayor, Director of Finance,
47 Director of Community Development, Director of Law and any other city officials,
48 individually and/or collectively as may be appropriate, to prepare and execute such

49 other documents and do other things as are necessary or incidental to carrying out
50 the requirements of this legislation consistent with the terms of the attached
51 application.

52
53 Section 3. Any ordinances or resolutions or portions of ordinances and
54 resolutions inconsistent herewith are hereby repealed, but any ordinances and
55 resolutions not inconsistent herewith and which have not previously been repealed
56 are hereby ratified and confirmed.

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

64
65 Section 5. This ordinance is hereby declared to be an emergency measure
66 necessary for the preservation of the public peace, health, safety, convenience and
67 welfare of the City of Cuyahoga Falls and the inhabitants thereof, and provided it
68 receives the affirmative vote of two thirds of the members elected or appointed to
69 Council, it shall take effect and be in force immediately upon its passage and
70 approval by the Mayor; otherwise it shall take effect and be in force at the earliest
71 period allowed by law.

72
73

74 Passed: _____
75 _____
76 President of Council

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78 _____
79 Clerk of Council

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82 Approved: _____
83 _____
84 Mayor

85 5/9/16

86 O:\2016ords\Decker Fasteners Limited - CRA.doc

87

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.

Decker is a distributor and processor of metal fasteners primarily for the automotive industry. Decker provides its customers with customized Engineering, manufacturing and worldwide sourcing capabilities. Decker's facility in Cuyahoga Falls currently houses over \$5,000,000 in inventory serving automotive customers all over the world.

- b. List primary 6 digit North American Industry Classification System (NAICS) #

Business may list other relevant SIC numbers.

3452

- 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.

John C. Hagy, Executive Vice President-Decker

Steve Konkle , CEO-Decker

Bernie Konkle, COO-Decker

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

Full Time: 27 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	27	1
Part Time	2	

(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:

An additional 25,153 square foot warehouse area will be added to the east end of the current building. This structure will include two additional truck docks.

Plans also include adding a 2,664 square foot office addition. This could be done as a second phase of the project.

7. Project will begin on June 1, 2016 and be completed by December 1, 2016 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	10	
Part Time	1	

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

b. State the time frame of this projected 60 months hiring:

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

We plan to hire 10 full time employees and 1 part time employee by December 31st, 2021.

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	\$	285,000	\$	
Part-time	\$	15,000	\$	
TOTAL:	\$	300,000	\$	

(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: \$ 1,700,000.

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

A. Acquisition of Land/Buildings	\$	_____
B. Additions/New Construction	\$	<u>1,500,000</u>
C. Improvements to Existing Buildings	\$	<u>100,000</u>
D. Machinery & Equipment	\$	<u>100,000</u>
E. Furniture & Fixtures	\$	<u>50,000</u>
F. Inventory	\$	<u>1,000,000</u>
Total New Project Investment	\$	<u>2,750,000</u>

11.

a. Business requests the following tax exemption incentives: 75 %
for 15 years covering the real property improvements as described above.

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

Decker Fasteners requires the tax incentive that is available for the sole purpose
of expanding its operation in Cuyahoga Falls to preserve and create more
employment opportunities. The cost of the project is a very large investment for
the company .The project without the requested tax incentive will make it
unfeasible. The company has investigated and has determined the better fiscal
decision would be to move to another existing building outside of Cuyahoga
Falls if the tax incentive is not granted. The project cost on a per square foot
basis vs. an existing building purchase would be much more expensive. The
requested tax abatement will make the total project sensible for the company.
Decker has been in Cuyahoga Falls since 2003. Decker has doubled its revenue
in the last 5 years creating twelve new jobs. The company's business plan
outlines an aggressive growth strategy for the future. Decker prefers to stay in
Cuyahoga Falls but to stay a competitive viable company in the industry it must
always make prudent financial decisions.

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.

John C Hagy
Name of Property Owner

Executive V.P.
Title

Signature

Date