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3 CITY OF CUYAHOGA FALLS, OHIO

4  
5 ORDINANCE NO. 4 - 2023

6  
7 AN ORDINANCE AUTHORIZING THE TERMINATION  
8 OF THE 2020 ENTERPRISE ZONE AGREEMENT  
9 WITH KYOCERA SGS PRECISION TOOLS, INC., AND  
10 DECLARING AN EMERGENCY.  
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12 WHEREAS, the City of Cuyahoga Falls passed Ordinance Nos. 129-1995 and 26-1996 to  
13 authorize the City’s participation in the County’s Enterprise Zone Program; and  
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15 WHEREAS, the City of Cuyahoga Falls has been certified by the State of Ohio, Department  
16 of Development, as an Enterprise Zone establishing it to exempt certain taxes imposed on  
17 industry provided said industry creates or retains jobs and makes a significant investment within  
18 the certified zone; and  
19

20 WHEREAS, the City passed Ordinance 7-2020, authorizing the Mayor to enter into an  
21 Enterprise Zone Agreement with the County of Summit and Kyocera SGS Precision Tools, Inc.  
22 for the renovation of the real property located at 238 Marc Drive, Cuyahoga Falls, Ohio 44223  
23 (Parcel Numbers 35-00311 and 35-04028); and  
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25 WHEREAS, County Council passed Resolution 2020-035, authorizing the County  
26 Executive to enter into an Enterprise Zone Agreement with the City of Cuyahoga Falls and  
27 Kyocera SGS Precision Tools, Inc. for the renovation of the real property located at 238 Marc  
28 Drive, Cuyahoga Falls, Ohio 44223 (Parcel Numbers 35-00311 and 35-04028); and  
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30 WHEREAS, the County Fiscal Office determined during the reappraisal of the real  
31 property located at 238 Marc Drive, Cuyahoga Falls, Ohio 44223 (Parcel Numbers 35-00311 and  
32 35-04028) that the improvements did not increase the overall appraised and taxable value to  
33 warrant a tax abatement pursuant to the Enterprise Zone Agreement; and  
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35 WHEREAS, for the reason set forth above, Kyocera SGS Precision Tools, Inc., has not met  
36 the investment terms outlined in the Enterprise Zone Agreement; and  
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38 WHEREAS, the County’s Tax Incentive Review Council met in 2021, and based on all of  
39 the above, voted to recommend the termination of the Enterprise Zone Agreement; and  
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41 WHEREAS, this Council passed Ordinance 84-2021 recommending the termination of  
42 the 2020 Enterprise Zone Agreement with Kyocera SGS Precision Tools, Inc; and  
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44 WHEREAS, County Council passed Resolution 2022-359 authorizing the County  
45 Executive to terminate the 2020 Enterprise Zone Agreement with Kyocera SGS Precision Tools,  
46 Inc.; and  
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48 WHEREAS, the City authorizes the County Executive to terminate the 2020 Enterprise  
49 Zone with Kyocera SGS Precision Tools, Inc.

50 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls, County  
51 of Summit, and State of Ohio:

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53 Section 1. That the Mayor is hereby given permission to authorize the County Executive to  
54 terminate the 2020 Enterprise Zone Agreement with Kyocera SGS Precision Tools, Inc., as the  
55 improvements made to the real property located at 238 Marc Drive, Cuyahoga Falls, Ohio 44223  
56 (Parcel Numbers 35-00311 and 35-04028) did not increase the overall appraised and taxable  
57 value to warrant a tax abatement pursuant to the Enterprise Zone Agreement.  
58

59 Section 2. That Council further authorizes the Mayor, Director of Finance, Director of  
60 Community Development, Director of Law and any other city officials, individually and/or  
61 collectively as may be appropriate, to prepare and execute such other documents and do other  
62 things as are necessary for and incidental to carrying out the requirements of this legislation.  
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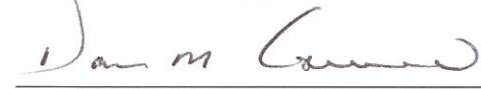
64 Section 3. That any ordinances or resolutions or portions of ordinances and resolutions  
65 inconsistent herewith be and the same are hereby repealed, but any ordinances and resolutions  
66 not inconsistent herewith and which have not previously been repealed are hereby ratified and  
67 confirmed.  
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69 Section 4. That it is found and determined that all formal actions of this Council concerning  
70 and relating to the adoption of this ordinance were adopted in an open meeting of this Council,  
71 and that all deliberations of this Council and of any of its committees that resulted in such formal  
72 action, were in meetings open to the public, in compliance with all legal requirements, to the  
73 extent applicable, including Chapter 107 of the Codified Ordinances.  
74

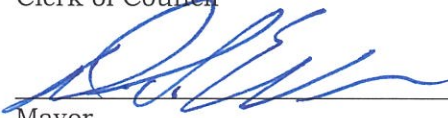
75 Section 5. That this ordinance is hereby declared to be an emergency measure necessary for  
76 the preservation of the public peace, health, safety, convenience and welfare of the City of  
77 Cuyahoga Falls and the inhabitants thereof, and provided it receives the affirmative vote of two  
78 thirds of the members elected or appointed to Council, it shall take effect and be in force  
79 immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in  
80 force at the earliest period allowed by law.  
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83 Passed: 1-9-2023

  
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President of Council

  
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Clerk of Council

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89 Approved: 1-9-2023

  
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Mayor

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91  
92 12/27/22