

## **RESOLUTION NO. 050-18**

### **A RESOLUTION ENLARGING ESTABLISHED COMMUNITY REINVESTMENT AREA NO. 6 OF THE CITY OF NAPOLEON, OHIO; AND DECLARING AN EMERGENCY**

**WHEREAS**, City Council of Napoleon, Ohio desires to pursue all reasonable and legitimate incentive measures to assist and encourage development in specific areas of the City of Napoleon that have not enjoyed reinvestment from remodeling or new construction; and,

**WHEREAS**, there currently exists Community Reinvestment Area No. 6 which was established in Resolution No. 106-00, passed September 18, 2000, amended with Resolution No. 119-00, passed October 16, 2000 (amendment merely amending the Housing Officer), amended with Resolution No. 120-00, passed October 16, 2000 (amendment creating a Housing Council as required for Community Reinvestment Areas), amended with Resolution No. 037-08, passed May 5, 2008, and amended with Ordinance No. 014-17, passed May 15, 2017 (amendment merely amending the Housing Officer); and,

**WHEREAS**, a survey of housing as contained in Exhibit "A," and by its reference, incorporated herein, as required by Ohio Revised Code Section 3735.66, has been prepared for the area (including the newly proposed boundaries of CRA No. 6); and,

**WHEREAS**, the total survey area as now described (as now enlarged) is found to contain housing facilities, or structures of historical significance, and wherein new housing construction and repair of existing facilities or structures are discouraged; and,

**WHEREAS**, the maintenance of existing and construction of new structures in such area would serve to encourage economic stability, maintain real property values and generate new employment opportunities; and,

**WHEREAS**, the remodeling of existing structures and the construction of new structures in this Community Reinvestment Area as redefined constitutes a public purpose for which real property exemptions may be granted. **Now Therefore,**

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NAPOLEON, OHIO:**

Section 1. That, the area as redefined designated as "Area No. 6" Community Reinvestment Area constitutes an area in which housing facilities or structures of historical significance are located, and in which new construction or repair of existing facilities has been economically discouraged or difficult.

Section 2. That, pursuant to Ohio Revised Code Section 3735.66, Area No. 6 Community Reinvestment Area as redefined is hereby established in the following described area, as contained in Exhibit "B," and by its reference, incorporated herein, as required by Ohio Revised Code Section 3735.66.

Section 3. The Community Reinvestment area is delineated as CRA No. 6 on the map attached to this Resolution, marked as Exhibit "C," and by its reference, incorporated herein, as required by Ohio Revised Code Section 3735.66.



Section 4. That, residential, commercial and/or industrial properties consistent with the applicable zoning regulations within the designated Area No. 6 Community Reinvestment Area will be eligible for exemptions under this program.

Section 5. That, all properties identified in Exhibits "B" and "C" as being within the designated Community Reinvestment Area are eligible for this incentive. This proposal is a public/private partnership intended to promote and expand conforming uses in the designated area. As part of the project, the City of Napoleon intends to undertake supporting public improvements in the designated area.

Section 6. That, within the Community Reinvestment Area, the percentage of the tax exemption on the increase in the assessed valuation resulting from improvements to commercial and industrial real property and the terms of those exemptions shall be negotiated on a case-by-case basis in advance of the construction or remodeling occurring according to the rules outlined in the Ohio Revised Code Section 3735.67 within the parameters as below stated. The results of the negotiation as approved by City Council will be set in writing in a Community Area Agreement as outlined in Ohio Revised Code Section 3735.67; if such an agreement is subject to approval by the board of education of the school district within the territory of which the property is or will be located, the agreement shall not be formally approved by the legislative authority until the board of education approves the agreement in the manner prescribed by that section. For residential property, a tax exemption on the increase in the assessed valuation resulting from the improvements as described in Ohio Revised Code Section 3735.67 and is in accordance to paragraph (a) below and shall be granted upon proper application by the property owner and certification thereof by the designated Housing Officer for the following period. Residential applications must be filed with the Housing Officer no later than six (6) months after remodeling or construction completion.

(a) Five (5) years for remodeling of every existing residential dwelling containing not more than two (2) housing units (used for residential purposes) and upon which the cost of remodeling is at least two thousand five hundred dollars (\$2,500.00); the percentage of exemption shall be limited to fifty percent (50%). Further, five (5) years for new construction of a residential dwelling containing not more than two (2) housing units (used for residential purposes); the percentage of exemption shall be limited to fifty percent (50%).

(b) Not to exceed ten (10) years for remodeling of every existing dwelling containing more than two (2) family units (construed herein as commercial dwellings) and commercial or industrial properties, located within the same community reinvestment area and upon which the cost of remodeling is at least five thousand dollars (\$5,000.00) (term and percentages to be negotiated on a case-by-case basis in advance of remodeling occurring).

(c) Not to exceed ten (10) years for new construction of every dwelling containing more than two (2) family units (construed herein as commercial dwellings), and commercial or industrial structures located within the same community reinvestment area (term and percentages to be negotiated on a case-by-case basis in advance of the construction occurring).



If remodeling qualifies for an exemption, during the period of the exemption, the dollar amount of the increase in market value of the structure shall be exempt from real property taxation. If new construction qualifies for an exemption, during the period of the exemption of the structure shall not be considered to be an improvement on the land on which it is located for the purpose of real property taxation.

Section 7. That, all commercial and industrial projects are required to comply with the state application fee requirements of Ohio Revised Code Section 3735.672(C) and the local annual monitoring fee of one percent (1%) of the amount of taxes exempted under the agreement, a minimum of five hundred dollars (\$500.00) up to a maximum of two thousand five hundred dollars (\$2,500.00) annually.

Section 8. That, to administer and implement the provisions of this Resolution, and satisfy what is described in Ohio Revised Code Sections 3735.65 through 3735.70, the Housing Officer that is in existence for the City of Napoleon pursuant to Ordinance No. 014-17 and/or as may be amended from time to time, is the Housing Officer for Area No. 6 Community Reinvestment Area.

Section 9. That, the "Community Reinvestment Area Housing Council" that is in existence for the City of Napoleon pursuant to Ordinance No. 120-00 and/or as may be amended from time to time, is the Community Reinvestment Area Housing Council for Area No. 6 Community Reinvestment Area.

Section 10. That, the "Tax Incentive Review Council" as currently established in Henry County pursuant to Ohio Revised Code Section 5709.85 is the Tax Incentive Review Council for Area No. 6 Community Reinvestment Area and shall review annually the compliance of all agreements involving the granting of exemptions for commercial or industrial real property improvements under Ohio Revised Code Section 3735.671 and make written recommendations to City Council as to continuing, modifying or terminating said agreement based upon the performance of the agreement.

Section 11. That, City Council reserves that right to reevaluate the designation of Area No. 6 Community Reinvestment Area after December 31, 2019 at which time the City Council, by motion, may direct the Housing Officer not to accept any new applications for exemptions as described in Ohio Revised Code Section 3735.67.

Section 12. That, the Community Reinvestment Area Housing Council shall make an annual inspection of the properties within the district for which an exemption has been granted under Ohio Revised Code Section 3735.70. The Community Reinvestment Area Housing Council shall also hear appeals under Ohio Revised Code Section 3735.70.

Section 13. That, it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Resolution were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal actions were in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code and the Codified Ordinances of Napoleon Ohio.

Section 14. That, if any other prior Ordinance or Resolution is found to be in conflict with this Resolution, then the provisions of this Resolution shall prevail. Further,

if any portion of this Resolution is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Resolution or any part thereof.

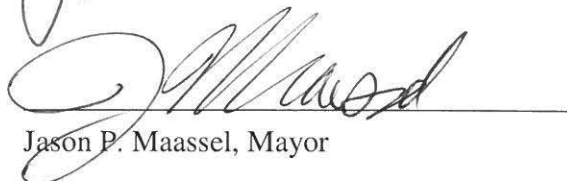
Section 15. That, the Mayor or City Manager is authorized to petition the Director of Development to confirm the findings contained within this Resolution.

Section 16. That, this Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time to expeditiously proceed with this development project for the economic welfare of the inhabitants of the City; therefore, provided it receives the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law. Further, the Emergency Clause is necessary to begin the construction process in a timely manner, and for further reasons as stated in the Preamble hereof

Passed: September 4, 2018

  
Joseph D. Bialorucki, Council, President

Approved: September 4, 2018

  
Jason P. Maassel, Mayor

VOTE ON PASSAGE 6 Yea 0 Nay 0 Abstain

Attest:

  
Gregory J. Heath, Clerk/Finance Director

I, Gregory J. Heath, Clerk/Finance Director of the City of Napoleon, do hereby certify that the foregoing Resolution No. 050-18 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the 8th day of September, 2018; & I further certify the compliance with rules established in Chapter 103 of the Codified Ordinances of Napoleon Ohio and the laws of the State of Ohio pertaining to Public Meetings.

  
Gregory J. Heath, Clerk/Finance Director





# City of NAPOLEON Ohio

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Napoleon, Ohio 44650  
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Web Page: [www.napoleonohio.com](http://www.napoleonohio.com)

DRAFT

## Memorandum

Mayor  
Jason Maassell

### Members of Council

PRESIDENT  
Joseph Bialonicki

PRESIDENT PRO-TEM  
Daniel Baer

Jeff Comadell  
Travis B. Sheaffer  
Kenneth Haase  
Jeff Mires  
Lori Siclan

City Manager  
Joel L. Mazur

Finance Director  
Gregory J. Heath

Law Director  
Billy D. Harmon

Public Works Director  
Chad L. Luffs, P.E., P.S.

To: Mayor & Members of Council  
From: Joel Mazur, City Manager  
CC: Billy Harmon, Law Director  
Chad Luffs, City Engineer  
Date: July 23, 2018  
Subject: Housing survey report proposed CRA #6 Expansion

On July 18, 2018, a Housing Survey was conducted in accordance with the requirements of Ohio Revised Code Section 3755.65 for the proposed Community Reinvestment Area number six (6) expansion. The following are the findings:

In the proposed CRA #6 expansion there are four hundred and nineteen (419) dwelling units and three (3) commercial businesses in four different zoning classifications listed, below by acreage and percentage of land within each zone.

- R-2- Low Density Residential - 148.8 acres or 93.66%
- R-3- Moderate Density Residential- 3.5 acres or 2.22%
- C-3-Local Commercial- 3.9 acres or 2.44%
- R-4- High Density Residential- 2.7 acres or 1.68%

Similar to trends in many Ohio communities, the City of Napoleon realized a disinvestment over the past few decades which resulted in a deteriorated condition of many of its buildings. The area of CRA #6 expansion includes building where the economy and geography of the area discourages investments within. This included a school that has since been demolished. Several structures located in this proposed area are in violation, many which have multiple violations. The enclosed photographs substantiate this finding. By having the area in a CRA will assist the property owners with complying with the Maintenance Code and encourage future investments.

It is my recommendation as the City of Napoleon's Housing Officer to expand Community Reinvestment Area number six (6) in this proposed area based on this report and pictures submitted, per Ohio Revised Code Section 3735.

Exhibit B

ATTACHMENT F

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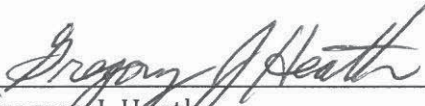
Commencing at the southwest corner of the current C.R.A. #6, also being the intersection of the centerline of Glenwood Ave. and the north property line of northerly properties along N. Harmony Dr., then heading east along the north property lines of the northerly properties along N. Harmony Dr. to the intersection of the centerline of Indiana Ave. Heading south along the centerline of Indiana to the intersection of the north property lines of Richmar Ln., then heading east along the north property lines of Richmar Ln. to the east property line of 1304 Lagrange, Then heading south along the east property line 1304 Lagrange Ave. to the centerline of Lagrange St, then along the centerline of Lagrange St. to the intersection of the centerline of Stevenson St. Then southeast along the centerline of Stevenson St. to the intersection of the centerline Carey St., then southwest along the centerline of Cary St. to the intersection of the centerline of Woodlawn Ave. and Haley Ave. Continuing south along the centerline of Haley Ave to the intersection of Haley Ave. and the Michigan Southern Railroad's right of way. Continuing southwest along the railroad right of way to the intersection of the centerline of Glenwood Ave. Then north along the centerline of Glenwood Ave. to the intersection of the north property line of N. Harmony Ave. also being the point of beginning.

This is a detailed street map of the city of Moline, Illinois, and its surrounding areas. The map shows a grid of streets, including major thoroughfares like U.S. Highway 151 and Illinois State Route 100. Key landmarks such as the Moline River, the Moline River Bridge, and the Moline River Lock are labeled. The map also shows the locations of various schools, churches, and other public buildings. A north arrow is located in the bottom right corner of the map.



Certification

I, Gregory J. Heath, Finance Director/Clerk for the City of Napoleon, Ohio, do hereby certify that this document is a true and correct copy of **Resolution No. 050-18** passed **September 04, 2018**.

  
\_\_\_\_\_  
Gregory J. Heath  
Finance Director/Clerk of Council

09/04/2018  
Date



STATE OF OHIO  
COUNTY OF HENRY

Kimberly Imm, being first duly sworn, states that she is the Assistant Publisher of The Bryan Publishing Company, owner of The Northwest Signal, a daily newspaper, published and of general circulation in the county of Henry aforesaid, and that the annexed notice was published in one issue in said paper, on the 8th day of September, 2018.

Kimberly Imm

Kimberly Imm

Subscribed and sworn to before me this  
12th day of September, 2018

Beverly Griteman

Beverly Griteman  
Notary Public,  
State of Ohio  
My Commission Expires  
February 13, 2021

Printer's Fee: \$137.40  
Notary Fee: \$1.50

Summary of Ordinance No. 044-18, Resolution No. 050-18

(PURSUANT TO ARTICLE II, SECTION 2.15 OF THE CITY CHARTER, CHAPTER 121 OF THE CODE OF ORDINANCES AND COUNCIL RULE 6.2.4.1, AS WELL AS APPLICABLE PROVISIONS OF ORC CHAPTER 731)

NOTICE

A copy of the complete text of the above named Ordinance(s) and Resolution(s) are on file in the office of the City Finance Director and may be viewed or obtained during business hours of 7:30 AM to 4:00 PM, Monday through Friday, at the office of the Finance Director, the location being 255 West Riverview Avenue, Napoleon, Ohio. A copy of all or part of the above named Ordinances and Resolutions, or any item mentioned in this notice, may be obtained from the City Finance Director upon the payment of a reasonable fee therefore.

Ordinance No. 044-18

AN ORDINANCE AUTHORIZING THE EXPENDITURE OF FUNDS OVER TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00) FOR THE PURPOSE OF PURCHASING A YEAR 2019 OR NEWER FORD SUV FOR THE CITY FIRE DEPARTMENT, UTILIZING THE STATE COOPERATIVE PURCHASING PROGRAM, WHICH WAS NOT INCLUDED IN THE 2018 APPROPRIATION BUDGET, ALSO AUTHORIZING SUPPLEMENTING THE ANNUAL APPROPRIATION MEASURE (SUPPLEMENT NO. 4) FOR THE YEAR 2018; AND DECLARING AN EMERGENCY

In this legislation, the City of Napoleon authorized the expenditure of funds for the purchase of a replacement vehicle to the City Fire Department.

Resolution No. 050-18

A RESOLUTION ENLARGING ESTABLISHED COMMUNITY REINVESTMENT AREA NO. 6 OF THE CITY OF NAPOLEON, OHIO; AND DECLARING AN EMERGENCY

In this legislation, the City of Napoleon authorized the enlargement of previously established CRA No. 6.

All of the above summaries are approved as to form and correctness by Billy D. Harmon, City Law Director