

RESOLUTION NO. 005-19

**A RESOLUTION AUTHORIZING A COMMUNITY
REINVESTMENT AREA (CRA) AGREEMENT BETWEEN
THE CITY OF NAPOLEON, OHIO, AND MSG
INVESTMENTS, LTD. WITHIN NAPOLEON CRA #6; AND
DECLARING AN EMERGENCY**

WHEREAS, the Ohio Reinvestment Area Program, pursuant to Ohio Revised Code Chapter 3735, authorizes the City to grant real property tax exemptions on eligible new investments; and,

WHEREAS, the City by Resolution 106-00 adopted on September 18, 2000 that designated an area (CRA 6) as a Community Reinvestment Area pursuant to Ohio Revised Code Chapter 3735 and, with the adoption of Resolution No. 050-18 adopted September 4, 2018, enlarged the area; and,

WHEREAS, the Director of Development determined that the area so designated by the City contained the characteristics set forth in Ohio Revised Code Section 3735.66; and,

WHEREAS, the Director of Development certified the area as a community reinvestment area known as Zone No. 069-53550-01 (the "Area"); and,

WHEREAS, MSG Investments, LTD. made application that will involve a total capital investment in real property currently estimated at \$1,650,000.00, plus or minus ten percent (10%), in development of new construction of twenty-four (24) residential units being 16,980 square feet, and appurtenances at the site located on parcel number 41-119045.0180, Trail Drive, Napoleon, Ohio; and,

WHEREAS, it was recommended that MSG Investments, LTD. receive a fifty percent (50%) exemption for a period of ten (10) years on the eligible property for proposed real property improvements; and,

WHEREAS, the appropriate school(s) were provided with all legally-required notices; and,

WHEREAS, the Napoleon Area City School District Board of Education, either waived the timeliness of the notice requirement(s) and approved the proposed agreement or, timely received the notice(s) and made approval; **Now Therefore**,

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

Section 1. That, the City approves and consents to a certain Community Reinvestment Area Agreement with MSG Investments, LTD., in substantially the form as being currently on file with the City Finance Director, Agreement No. 03-19, subject to any changes deemed appropriate by the City Manager and approved as to form and correctness by the City Law Director; said agreement having been reviewed by this Council.

Section 2. That, the City Manager is both authorized and directed to execute the Community Reinvestment Area Agreement as referred to in Section 1 of this Resolution in the name of and on behalf of the City.

Section 3. 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 Ohio Revised Code Section 121.22 and the Codified Ordinances of the City of Napoleon, Ohio.


Section 4. That, if any 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 5. 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: 2/19/19 
Daniel L. Baer, Council President Pro-tem

Approved: Feb. 18, 2019 
Jason P. Maassel, Mayor

VOTE ON PASSAGE 6 Yea 0 Nay 0 Abstain

Attest:

Roxanne Dietrich, interim Clerk of Council

I, Roxanne Dietrich, interim Clerk of Council for the City of Napoleon, do hereby certify that the foregoing Resolution No. 005-19 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the 23rd day of February, 2019; and I further certify the compliance with the rules established in Chapter 103 of the Codified Ordinances of Napoleon, Ohio and the laws of the State of Ohio pertaining to Public Meetings.


Roxanne Dietrich, interim Clerk of Council

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 23rd day of February, 2019.

Kimberly Imm
Kimberly Imm

Subscribed and sworn to before me this
26th day of February, 2019

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

Printer's Fee: \$295.00
Notary Fee: \$2.00

Summary of Ordinance No.(s) 013-19, 014-19, 015-19 and
Resolution No.(s) 002-19, 003-19, 004-19, 005-19, 006-19

(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
therefor.

Ordinance No. 013-19

AN ORDINANCE AMENDING ORDINANCE NO.(S) 057-
18 AND 075-18 REGARDING EMPLOYMENT STATUS OF
THE NAPOLEON MUNICIPAL COURT CHIEF PROBATION
OFFICER IN AND FOR THE YEAR 2019; AND DECLARING
AN EMERGENCY

In this legislation, the City of Napoleon amended the previous
legislation regarding the employment status of the Municipal
Court Chief Probation Officer in and for the year 2019.

Ordinance No. 014-19

AN ORDINANCE AUTHORIZING A PAY INCREASE FOR
THE CITY OF NAPOLEON, OHIO LAW DIRECTOR; AND
DECLARING AN EMERGENCY

In this legislation, the City of Napoleon authorized a pay increase
for the City Law Director.

Ordinance No. 015-19

AN ORDINANCE AUTHORIZING A PAY INCREASE FOR
THE CITY OF NAPOLEON, OHIO CITY MANAGER; AND
DECLARING AN EMERGENCY

In this legislation, the City of Napoleon authorized a pay increase
for the City Manager.

Resolution 002-19

A RESOLUTION AUTHORIZING THE APPROVAL AND
EXECUTION OF AN OPERATIONS AND MAINTENANCE
SERVICES AGREEMENT BETWEEN THE CITY OF
NAPOLEON, OHIO AND AMERICAN MUNICIPAL POWER,
INC.

In this legislation, the City of Napoleon authorized an operations
and maintenance services agreement with American Municipal
Power, Inc.

Resolution 003-19

A RESOLUTION AUTHORIZING THE CITY MANAGER FOR
THE CITY OF NAPOLEON, OHIO TO COMPLETE ALL ACTS
NECESSARY FOR THE SALE OF CERTAIN PROPERTY
OWNED BY THE CITY OF NAPOLEON, OHIO, TO THE
NAPOLEON AREA CITY SCHOOLS, TO WIT: RECORDING
EQUIPMENT PREVIOUSLY USED TO FULFILL THE NCTV
CONTRACT BETWEEN THE CITY AND NAPOLEON AREA
SCHOOLS; AND DECLARING AN EMERGENCY

In this legislation, the City of Napoleon authorized the City
Manager to sell recording equipment previously used for NCTV
obligations to Napoleon Area Schools.

Resolution 004-19

A RESOLUTION AUTHORIZING A COMMUNITY
REINVESTMENT AREA (CRA) AGREEMENT BETWEEN THE
CITY OF NAPOLEON, OHIO, AND JANMAR PROPERTIES,
LLC WITHIN NAPOLEON CRA #6; AND DECLARING AN
EMERGENCY

In this legislation, the City of Napoleon authorized a CRA
agreement with JanMar Properties, LLC within Napoleon CRA
#6.

Resolution 005-19

A RESOLUTION AUTHORIZING A COMMUNITY
REINVESTMENT AREA (CRA) AGREEMENT BETWEEN
THE CITY OF NAPOLEON, OHIO, AND MSG INVESTMENTS,
LTD. WITHIN NAPOLEON CRA #6; AND DECLARING AN
EMERGENCY

In this legislation, the City of Napoleon authorized a CRA
agreement with MSG Investments, LTD. within Napoleon CRA
#6.

Resolution 006-19

A RESOLUTION AUTHORIZING A COMMUNITY
REINVESTMENT AREA (CRA) AGREEMENT BETWEEN THE
CITY OF NAPOLEON, OHIO, AND RIDI REIO LLC WITHIN
NAPOLEON CRA #7; AND DECLARING AN EMERGENCY

In this legislation, the City of Napoleon authorized a CRA
agreement with Ridi Reio LLC within Napoleon CRA #7.

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