

RESOLUTION NO. 027-19

A RESOLUTION AUTHORIZING A COMMUNITY REINVESTMENT AREA (CRA) AGREEMENT BETWEEN THE CITY OF NAPOLEON, OHIO, AND SHANK PROPERTIES, LLC WITHIN NAPOLEON CRA #7; 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, on October 1, 2001, by Resolution 114-01 designated an area (CRA #7) as a Community Reinvestment Area pursuant to Ohio Revised Code Chapter 3735 and, with the adoption of Resolution No. 65-02 adopted June 17, 2002 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. 069-53550-02 (the "Area"); and,

WHEREAS, Shank Properties, LLC made application that will involve a total capital investment in real property currently estimated at \$2,335,000.00, plus or minus ten percent (10%), in development of new commercial construction being approximately 60,000 square feet at the site located on parcel number 41-010026.0200, 400 Freedom Drive, Napoleon, Ohio; and,

WHEREAS, it was recommended that Shank Properties, LLC receive a one hundred percent (100%) 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 and the Four County 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 Shank Properties, LLC, in substantially the form as being currently on file with the City Finance Director, Agreement No. 2019-15, 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: April 15, 2019

Joseph D. Bialorucki
Joseph D. Bialorucki, Council President

Approved: April 15, 2019

Jason P. Maassel
Jason P. Maassel, Mayor

VOTE ON PASSAGE 7 Yea 0 Nay 0 Abstain

Attest:

Roxanne Dietrich
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. 027-19 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the 20th day of April, 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.

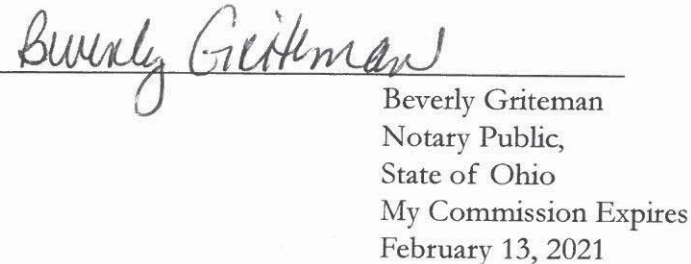
Roxanne Dietrich
Roxanne Dietrich, interim Clerk of Council

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 20th day of April, 2019.


Kimberly Imm

Subscribed and sworn to before me this
29th day of April, 2019


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

Printer's Fee: \$177.00

Notary Fee: \$2.00

**Summary of Ordinance No.(s) 025-19, 028-19 and
Resolution No.(s) 027-19, 029-19**

(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 therefore.

Ordinance No. 025-19

AN ORDINANCE APPROVING A CERTAIN AGRICULTURAL DISTRICT LOCATED IN THE CITY OF NAPOLEON, OHIO AT THE LOCATION OF APPIAN AVENUE AS APPLIED FOR BY H&H FARMS LAND, LLC.; AND DECLARING AN EMERGENCY

In this legislation, the City of Napoleon approved an agricultural district in the City located at Appian Avenue for H&H Farms Land, LLC.

Ordinance No. 028-19

AN ORDINANCE SUPPLEMENTING THE ANNUAL APPROPRIATION MEASURE (SUPPLEMENT NO. 2) FOR THE YEAR 2019; AND DECLARING AN EMERGENCY

In this legislation, the City of Napoleon authorized supplement number 2 to the 2019 annual appropriation measure.

Resolution 027-19

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

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

Resolution 029-19

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR THE PURCHASE OF SODIUM CHLORIDE IN COOPERATION WITH ODOT; AND DECLARING AN EMERGENCY

In this legislation, the City of Napoleon authorized the City Manager to enter into a contract with ODOT for the purchase of road salt.

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