

RESOLUTION NO. 064-19

A RESOLUTION AUTHORIZING A COMMUNITY REINVESTMENT AREA (CRA) AGREEMENT BETWEEN THE CITY OF NAPOLEON, OHIO, AND AMERICAN ROAD HOLDINGS, LLC, DBA PAUL MARTIN & SONS, 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, American Road Holdings, LLC dba Paul Martin & Sons, made application that will involve a total capital investment in real property currently estimated at \$1,100,000.00, plus or minus ten percent (10%), in development of new commercial construction and/or renovations, being approximately 11,200 square feet at the site located on parcel number 27-060014.0200, 755 American Road, Napoleon, Ohio; and,

WHEREAS, it was recommended that American Road Holdings, LLC, dba Paul Martin & Sons, 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 Liberty Center 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 American Road, LLC dba Paul Martin & Sons, in substantially the form as being currently on file with the City Finance Director, Agreement No. 2019-24, 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: September 16, 2019



Joseph D. Bialorucki, Council President

Approved: September 16, 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. 064-19 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the 21st day of September, 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

Sally Heaston, being first duly sworn, states that she is the General Manager 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 21st day of September, 2019.

Sally Heaston

Sally Heaston

Subscribed and sworn to before me this
24th day of September, 2019

Beverly Griteman

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

Printer's Fee: \$306.80
Notary Fee: \$2.00

Summary of Ordinance No.(s) 052-19, 055-19, 065-19, 066-19
and Resolution No.(s) 064-19, 067-19, 068-19

(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. 052-19

AN ORDINANCE APPROVING THE ODOT BRIDGE INSPECTION PROGRAM RENEWAL; AND DECLARING AN EMERGENCY

In this legislation, the City approved the ODOT Bridge Inspection Program renewal.

Ordinance No. 055-19

AN ORDINANCE SUPPLEMENTING THE ANNUAL APPROPRIATION MEASURE (SUPPLEMENT NO. 5) FOR THE YEAR 2019; AND DECLARING AN EMERGENCY

In this legislation, the City authorized supplement No. 5 to the annual appropriation measure for the year 2019.

Ordinance No. 065-19

AN ORDINANCE ALLOWING THE TRANSFER OF APPROPRIATIONS FROM THE PERSONAL LINE ITEMS TO THE OTHER LINE ITEMS, AND FROM THE OTHER LINE ITEMS TO THE PERSONAL LINE ITEMS IN ANY FUND UP TO \$25,000 BETWEEN THE QUARTERLY BUDGET ADJUSTMENTS, BY THE CITY FINANCE DIRECTOR PURSUANT TO O.R.C. SECTION 5705.40 FOR THE FISCAL YEAR ENDING DECEMBER 31, 2019 ON AN AS NEEDED BASIS; AND DECLARING AN EMERGENCY

In this legislation, the City allowed the transfer of appropriations up to \$25,000 from and to personal line items and other line items between quarterly budget adjustments for the fiscal year ending December 31, 2019 on an as needed basis.

Ordinance No. 066-19

AN ORDINANCE ALLOWING SUPPLEMENTALS TO THE ANNUAL APPROPRIATION MEASURE UP TO \$25,000 BETWEEN THE QUARTERLY BUDGET ADJUSTMENTS, BY THE CITY FINANCE DIRECTOR PURSUANT TO O.R.C. SECTION 5705.40 FOR THE FISCAL YEAR ENDING DECEMBER 31, 2019 ON AN AS NEEDED BASIS; AND DECLARING AN EMERGENCY

In this legislation, the City allowed supplementals to the annual appropriation measure up to \$25,000 between quarterly budget adjustments for the fiscal year ending December 31, 2019 on an as needed basis.

Resolution 064-19

A RESOLUTION AUTHORIZING A COMMUNITY REINVESTMENT AREA (CRA) AGREEMENT BETWEEN THE CITY OF NAPOLEON, OHIO, AND AMERICAN ROAD HOLDINGS, LLC, DBA PAUL MARTIN & SONS, WITHIN NAPOLEON CRA #7; AND DECLARING AN EMERGENCY

In this legislation, the City authorized a CRA Agreement with American Road Holdings, LLC dba Paul Martin & Sons, LLC within Napoleon CRA #7.

Resolution 067-19

A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR FOR THE 2019 TAX DUPLICATES PAYABLE IN YEAR 2020; AND DECLARING AN EMERGENCY

In this legislation, the City accepted the amounts and rates determined by the Budget Commission and authorized the necessary tax levies and certifying them to the County Auditor for the 2019 tax duplicates payable in 2020.

Resolution 068-19

A RESOLUTION AUTHORIZING AND DIRECTING THE FINANCE DIRECTOR OF THE CITY OF NAPOLEON TO CERTIFY AND FILE ANNUAL SPECIAL ASSESSMENTS OF THE CITY OF NAPOLEON, OHIO, WITH THE COUNTY AUDITOR OF HENRY COUNTY FOR PLACEMENT AND COLLECTION ON THE 2019 TAX DUPLICATES PAYABLE IN THE YEAR 2020; AND DECLARING AN EMERGENCY

In this legislation, the City authorized the Finance Director to file annual City special assessments with the County Auditor for placement and collection on the 2019 tax duplicates payable in the year 2020.

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