

RESOLUTION NO. 032-23

**A RESOLUTION AUTHORIZING A COMMUNITY
REINVESTMENT AREA (CRA) AGREEMENT WITH
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 by Resolution 114-01 adopted on October 1, 2001 that 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 \$1,227,000.00, plus or minus ten percent (10%), in construction of a new building, approximate size being approximately 20,352 square feet (total), and appurtenances at the site located on parcel number 41-0100260300, 450 Freedom Drive, Napoleon, Ohio; and,

WHEREAS, it was recommended by the Director of the County Community Improvement Corporation of Henry County, Ohio, contracted administrator of the CRA's for the City, that Shank Properties, LLC. receive a seventy-five percent (75%) abatement for ten (10) years on the 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 Shank Properties, LLC., in substantially the form as being currently on file with the City Finance Director, Agreement No. 2021-17, 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. 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 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: August 7, 2023



Joseph D. Bialorucki, Council President

Approved: August 7, 2023


Jason P. Maassel, Mayor

VOTE ON PASSAGE 7 Yea 0 Nay 0 Abstain

Attest:


Roxanne Dietrich, acting Clerk of Council

I, Roxanne Dietrich, acting Clerk of Council for the City of Napoleon, do hereby certify that the foregoing Resolution No. 032-23 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the _____ day of _____, 2023; 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, acting Clerk of Council

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Passed: August 7, 2023

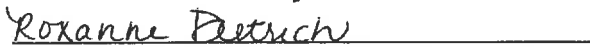

Joseph D. Bialorucki, Council President

Approved: August 7, 2023



Jason P. Maassel, Mayor

VOTE ON PASSAGE 7 Yea 0 Nay 0 Abstain

Attest:

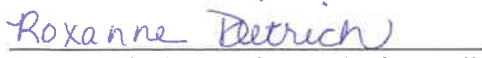

Roxanne Dietrich, acting Clerk of Council

I, Roxanne Dietrich, acting Clerk of Council for the City of Napoleon, do hereby certify that the foregoing Resolution No. 032-23 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the 12 day of August, 2023; 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, acting Clerk of Council~~
Marissa Plogas

Certification


I, Roxanne Dietrich, acting Clerk of Council for the City of Napoleon, Ohio, do hereby certify that this document is a true and correct copy of Resolution No. 032-23 passed by City Council on August 7, 2023.


Roxanne Dietrich ~ acting Clerk of Council

August 7, 2023
Date


STATE OF OHIO
COUNTY OF HENRY

Sally Heaston, being first duly sworn, says that she is the Publisher 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, publishing on the 12th day of August, 2023.



Sally Heaston

Subscribed and sworn to before me this 13th day of August, 2023.

 Notary Public

Caroline Ellen Betts

Caroline Ellen Betts
Notary Public, State of Ohio
My Commission Expires:
June 25, 2028

PUBLISHERS FEE: \$92.75
NOTARY FEE: \$4.00

Summary of Resolution No.032-23

(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 River-view 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.

Resolution No. 032-23

A RESOLUTION AUTHORIZING A COMMUNITY REINVESTMENT AREA (CRA) AGREEMENT WITH 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.