

ORDINANCE NO.: 2022-18
SPONSOR: MAYOR NEUGEBAUER
INTRODUCED: SEPTEMBER 27, 2022 **ASSIGNED TO:** _____

AN ORDINANCE AMENDING ORDINANCE NO. 2018-22 TO REMOVE A CERTAIN PARCEL FROM AN EXISTING TAX INCREMENT FINANCING EXEMPTION PROVIDED FOR IN SAID ORDINANCE; AND DECLARING AN EMERGENCY.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GREEN, COUNTY OF SUMMIT, AND STATE OF OHIO, THAT:

SECTION ONE:

City Council makes the following findings and determinations:

(a) The City adopted Ordinance No. 2018-22 on August 28, 2018 (the “Original TIF Ordinance”), whereby the City declared certain improvements to certain defined real property within the City (the “TIF Property”) to be a public purpose, exempted 100% of the value of such improvements from real property taxation in accordance with Section 5709.40 of the Ohio Revised Code for a period of 30 years, and provided for the owner(s) of the TIF Property to make certain service payments in lieu of taxes to be used to fund certain public infrastructure improvements as set forth in the Original TIF Ordinance that benefit the TIF Property; and

(b) A portion of the real property currently identified as Parcel No. 2815461 in the records of the Summit County Fiscal Officer (“Removal Parcel”) comprised a portion of the TIF Property at the time that the Original TIF Ordinance was adopted by this Council; and

(c) As of the date of adoption of this Ordinance, no improvements have been made to the Removal Parcel that have been exempted from real property taxation in accordance with Section 5709.40 of the Ohio Revised Code, and neither the City nor the owner of the Removal Parcel have applied for such an exemption to the County or State of Ohio; and

(d) This Council desires to remove the Removal Parcel from the exemption provided for in the Original TIF Ordinance; and

(e) The City provided notice to the Board of Education of the Green Local School District in conformance with Section 5709.83 of the Ohio Revised Code prior to the adoption of the Ordinance on August 28, 2018.

(f) The Board of Education of the Portage Lakes Career Center, the vocational school serving the Green Local School District, passed a resolution on October 16, 2003 waiving any notice under Section 5709.83 of the Ohio Revised Code.

(g) This Council finds and determines, after reviewing all pertinent information, that it is necessary and in the best interest of the City to amend the Original TIF Ordinance to remove the Removal Parcel from the TIF Property exempted under the Original TIF Ordinance.

SECTION TWO:

This Council hereby amends Ordinance No. 2018-22 (the “Original TIF Ordinance”) to remove the real property currently identified as Parcel No. 2815461 in the records of the Summit County Fiscal Officer (“Removal Parcel”) from the exemption provided for in the Original TIF Ordinance. A map depicting the Removal Parcel to be removed from the Original TIF Ordinance is attached hereto as Exhibit A.

SECTION THREE:

Furthermore, the real property exemption previously granted for the Removal Parcel by this Council in the Original TIF Ordinance is hereby rescinded in full, and shall be void and of no effect whatsoever. The action of this Council in amending the Original TIF Ordinance and rescinding and nullifying the exemption in the Original TIF Ordinance shall not prevent this Council from granting a subsequent exemption from real property concerning the Removal Parcel in the future.

SECTION FOUR:

The Clerk of Council is hereby directed to deliver or cause to be delivered a copy of this Ordinance to the Director of the Ohio Development Services Agency (the “Director”) within 15 days after its passage.

SECTION FIVE:

This Council finds and determines that all formal actions of this Council and of any of its committees concerning and relating to the passage of this Ordinance were taken, and that all deliberations of this Council and of any committees that resulted in those formal actions were held, in meetings open to the public in compliance with the law.

SECTION SIX:

This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

ADOPTED: _____, 2022

Nichole Messner, Clerk of Council

Dave France, Council President

APPROVED: _____, 2022

Gerard M. Neugebauer, Mayor

ENACTED EFFECTIVE: _____, 2022

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ON ROLL CALL: Babbitt _____ Brandenburg _____ DeVitis _____ France _____
 Noble _____ Meager _____ Yeargin _____

Southside Leader publication on _____ and _____

Nichole Messner, Clerk of Council

9/22/2022 Approved as to form and content by Lisa Dean, Director of Law _____