

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2017 – 157

BY: Mayor Perciak and All Members of Council

AN ORDINANCE AMENDING ORDINANCE NO. 2007-215, WHICH DECLARED IMPROVEMENTS TO CERTAIN PARCELS OF REAL PROPERTY TO BE A PUBLIC PURPOSE, DESCRIBED THE PUBLIC IMPROVEMENTS TO BE MADE TO DIRECTLY BENEFIT SUCH PARCELS, REQUIRED THE OWNERS OF THE IMPROVEMENTS ON SUCH PARCELS TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES, ESTABLISHED A PEARL ROAD MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SUCH SERVICE PAYMENTS PURSUANT TO OHIO REVISED CODE SECTIONS 5709.40, 5709.42 AND 5709.43, AND DECLARING AN EMERGENCY.

WHEREAS, on November 5, 2007, the Council of the City of Strongsville, Ohio (the "Council") passed Ordinance No. 2007-215 (the "Pearl Road TIF Ordinance"), which declared improvements to certain parcels of real property to be a public purpose, described the public improvements to be made to directly benefit such parcels, required the owners of the improvements on such parcels to make service payments in lieu of taxes, established a Pearl Road municipal public improvement tax increment equivalent fund for the deposit of such service payments pursuant to Ohio Revised Code ("Revised Code") Sections 5709.40, 5709.42 and 5709.43, and declared an emergency; and

WHEREAS, the Pearl Road TIF Ordinance listed Permanent Parcel 396-20-005 in Exhibit A of said Ordinance as a parcel in which improvements are exempted from taxation; and

WHEREAS, on December 22, 2015, Council passed Ordinance No. 2015-234 (the "42/82 TIF Ordinance") which declared improvements to certain parcels of real property to be a public purpose, described the public improvements to be made to directly benefit such parcels, required the owners of the improvements on such parcels to make service payments in lieu of taxes, established the 42/82 Public Improvement Tax Increment Equivalent Fund for the deposit of such service payments pursuant to Ohio Revised Code ("Revised Code") Sections 5709.40, 5709.42 and 5709.43, and declared an emergency; and

WHEREAS, the 42/82 TIF Ordinance also listed Permanent Parcel 396-20-005 in Exhibit A of said Ordinance as a parcel in which improvements are exempted from taxation; and

WHEREAS, Revised Code Section 5709.40(G) permits the property tax exemption under that section to begin in different years for different parcels, and to allow the first year of the exemption for each parcel to be the year on which one or more improvements is completed on that parcel or the year in which the value of the improvements to that parcel exceeds a certain amount; and

WHEREAS, the City wishes to remove Permanent Parcel 396-20-005 from the list of parcels on which improvements are exempted from taxation under the Pearl Road TIF Ordinance so that said Permanent Parcel 396-20-005 shall remain on the list of parcels on which improvements are exempted from taxation under the 42/82 TIF Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, CUYAHOGA COUNTY, STATE OF OHIO:

Section 1. That Exhibit A of the Pearl Road TIF Ordinance is hereby amended by deleting Permanent Parcel 396-20-005 from Exhibit A of said Pearl Road TIF Ordinance.

Section 2. Except as amended in this Ordinance, the Pearl Road TIF Ordinance shall remain in full force and effect.

Section 3. Pursuant to Section 5709.40 of the Ohio Revised Code, the Clerk of Council is hereby directed to deliver a copy of this Ordinance to the Director of the Development Services Agency of the State of Ohio within fifteen days after its passage.

Section 4. This Council finds and determines that all formal actions of this Council concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 5. That this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City, and for the further reason that this Ordinance is required to be immediately effective in order to eliminate existing hazards to vehicular traffic; wherefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor, provided it receives the affirmative vote of at least two-thirds of the members of the Council, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Ronett M. Deane

 President of Council

Approved: Thomas S. Berwick

 Mayor

Adopted: September 5, 2017

Date Approved: September 6, 2017

	<u>Yea</u>	<u>Nay</u>
Carbone	<input checked="" type="checkbox"/>	_____
Daymut	<input checked="" type="checkbox"/>	_____
DeMio	<input checked="" type="checkbox"/>	_____
Dooner	<input checked="" type="checkbox"/>	_____
Short	<input checked="" type="checkbox"/>	_____
Schonhut	<input checked="" type="checkbox"/>	_____
Southworth	<input checked="" type="checkbox"/>	_____

Attest: Alinne Pientka

 Clerk of Council

ORD. No. 2017-157 Amended: _____
 1st Rdg. 09-05-17 Ref: _____
 2nd Rdg. Suspended Ref: _____
 3rd Rdg. Suspended Ref: _____

Pub Hrg. _____
 Adopted: 09-05-17 _____