

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2017 – 189

BY: Mayor Perciak and All Members of Council

AN ORDINANCE REPEALING ORDINANCE NO. 2015-235, 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 **BREW KETTLE** 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 December 21, 2015, the Council of the City of Strongsville, Ohio (the “Council”) passed Ordinance No. 2015-235 (the “Brew Kettle 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 Brew Kettle 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 Brew Kettle TIF Ordinance listed Permanent Parcel 395-10-003 in Exhibit A of said Ordinance as a parcel in which improvements are exempted from taxation; and

WHEREAS, no construction of the commercial project nor the Public Improvements described in Exhibit B to the Brew Kettle TIF Ordinance have commenced, and there is no future plan to commence construction of the commercial project nor such Public Improvements; and

WHEREAS, the City wishes to repeal the Brew Kettle TIF Ordinance and remove Permanent Parcel 395-10-003 from the list of parcels on which improvements are exempted from taxation.

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

Section 1. That Ordinance No. 2015-235 previously establishing the Brew Kettle municipal public improvement tax increment equivalent fund is hereby repealed in its entirety.

Section 2. That 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 (15) days after its passage.

Section 3. That 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 4. 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

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Ordinance is required to be immediately effective in order to confirm that the Brew Kettle municipal public improvement tax increment equivalent fund is terminated; 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.

Kenneth M. Deamer
President of Council

Approved: James S. Bursick
Mayor

Date Passed: November 6, 2017

Date Approved: November 7, 2017

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

Attest: Aimee Pientka
Clerk of Council

ORD. No. 2017-189 Amended: _____
1st Rdg. 11-6-17 Ref: _____
2nd Rdg. Suspended Ref: _____
3rd Rdg. Suspended Ref: _____

Pub Hrg. _____ Ref: _____
Adopted: 11-6-17 Defeated: _____