

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2022 – 085

By: Mayor Perciak and All Members of Council

AN ORDINANCE AMENDING ORDINANCE NO. 2020-149, WHICH DECLARED IMPROVEMENTS TO A CERTAIN PARCEL OF REAL PROPERTY TO BE A PUBLIC PURPOSE, DESCRIBED THE PUBLIC IMPROVEMENTS TO BE MADE TO DIRECTLY BENEFIT SUCH PARCEL, REQUIRED THE OWNER OF THE IMPROVEMENTS ON SUCH PARCEL TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES, ESTABLISHED A VITALIA 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 7, 2020, this Council passed Ordinance No. 2020-149 (the “Vitalia TIF Ordinance”), which among other things, declared Improvements (as defined in Ohio Revised Code Section 5709.40) with respect to Permanent Parcel No. 392-14-003 (the “Property”) located in the City of Strongsville, Ohio (the “City”) to be a public purpose, authorized the exemption of those Improvements from real property taxation for a period of time, and provided for the making of service payments in lieu of taxes by the owner of that parcel, and established a municipal public improvement tax increment equivalent fund into which such service payments shall be deposited; and

WHEREAS, the Vitalia TIF Ordinance contemplated the potential consolidation or splitting of the Property subject to the Vitalia TIF Ordinance; and

WHEREAS, the City filed Ohio Department of Taxation Form DTE 24—Tax Incentive Program – Application for Real Property Tax Exemption and Remission and related documentation, including the Vitalia TIF Ordinance (collectively, the “Application”), with the Cuyahoga County Fiscal Officer, and the Cuyahoga County Fiscal Officer’s office completed its portion of the Application and forwarded the Application to the Ohio Department of Taxation; and

WHEREAS, after the passage of the Vitalia TIF Ordinance, the Property was sold to Omni SLF Strongsville Villas, LLC; and

WHEREAS, Omni SLF Strongsville Villas, LLC subsequently consolidated Property (Permanent Parcel No. 392-14-003), Permanent Parcel No. 392-14-001, and Permanent Parcel No. 392-14-002 into one parcel, and that consolidated parcel was assigned Permanent Parcel No. 392-14-010; and

WHEREAS, the Ohio Department of Taxation, in reviewing the Application and upon receiving information regarding the parcel consolidation described above, has requested the City to amend the Vitalia TIF Ordinance reflect such parcel consolidation and to file an amended Application.

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

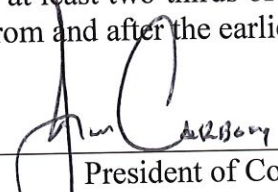
Section 1. Exhibit A of the Vitalia TIF Ordinance is hereby deleted and replaced in its entirety with the attached **Exhibit A**. All references to the “Property” in the Vitalia TIF Ordinance shall include the property described in the attached **Exhibit A**.

Section 2. Except as amended in this Ordinance, the Vitalia 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 Ohio Department of Development and the Cuyahoga County Fiscal Officer within 15 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. 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.



 President of Council

Approved: 

 Mayor

Date Passed: May 16, 2022

Date Approved: May 16, 2022

	<u>Yea</u>	<u>Nay</u>
Carbone	✓	_____
Clark	✓	_____
DeMio	✓	_____
Kaminski	✓	_____
Kosek	✓	_____
Roff	<u>Absent</u>	_____
Short	_____	_____

Attest: 

 Clerk of Council

ORD. No. 2022-085 Amended: _____
 1st Rdg. 05-16-22 Ref: _____
 2nd Rdg. Sho pending Ref: _____
 3rd Rdg. Sho pending Ref: _____

Pub Hrg. _____ Ref: _____
 Adopted: 05-16-22 Defeated: _____

EXHIBIT A
THE PROPERTY

CITY OF STRONGSVILLE
VITALIA TIF Parcel Number

392-14-010

Formerly known as:

392-14-001

392-14-002

392-14-003

See attached map.

