

COUNCIL AGENDA

June 20, 2023

Committee and Council Meetings can be viewed by accessing YouTube

Council Chambers
7:00 P.M.

ROLL CALL

INVOCATION – Mr. Labutis

PLEDGE OF ALLEGIANCE

CAUCUS

MINUTES of June 5, 2023

APPOINTMENTS

There are none this meeting.

REPORTS OF STANDING COMMITTEES

Finance
Service

REPORTS FROM CITY OFFICIALS

City Auditor, Ryan T. Bubb – Operating report for period ending May 31, 2023

Brenda Cooper, Tax Administrator's Office – Income Tax Revenue Reports for period ending May 31, 2023

COMMUNICATIONS

Ohio Division of Liquor Control - New Liquor Application for Block & Cleaver LLC, 54 W. Main St. Newark, Oh. 43055

Brian Morehead, City Engineer - Newark - 2023 Street Resurfacing Project out for bid

Ohio Department of Agriculture - Aerial treatment of invasive insect Spongy Moth in the area

COMMENTS FROM CITIZENS

ORDINANCES ON SECOND READING

23-16 AN ORDINANCE VACATING A PORTION OF A SIXTEEN (16) FOOT WIDE ALLEY AS SHOWN ON THE AMENDED PLAT OF WOODSIDE ADDITION, AS RECORDED IN PLAT BOOK 3, PAGE 185 OF THE LICKING COUNTY PLAT RECORDS; SAID ALLEY IS LOCATED SOUTH OF MOULL STREET, RUNNING EAST FROM WOODS AVENUE, SOUTH OF LOG POND RUN.

ORDINANCES ON FIRST READING

There are none this meeting

RESOLUTIONS ON SECOND READING

23-50 APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (\$125,000.00 -Request to Supplement Fire Overtime) (\$1,565.79 -Received as reimbursement from Licking County OVI Task Force, request it be put back into the OT budget)

23-51 A RESOLUTION AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY NOW OWNED BY THE CITY OF NEWARK, OHIO TO NEWARK DEWVELOPMENT PARTNERS AS ITS AGENT FOR INDUSTRIAL, COMMERCIAL, DISTRIBUTION AND RESEARCH

RESOLUTIONS ON FIRST READING

23-53 Exp APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (\$127,759.55 -Pymt inadvertently left out of budget)

23-54 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE OF THE CITY OF NEWARK, OHIO TO APPLY FOR, ACCEPT AND ENTER INTO A WATER SUPPLY REVOLVING LOAN ACCOUNT AGREEMENT ON BEHALF OF THE CITY OF NEWARK FOR PLANNING, DESIGN AND/OR CONSTRUCTION OF LEAD SERVICE LINE REPLACEMENT PROJECT #4 AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN

23-56 A RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE FOR THE CITY OF NEWARK, OHIO, TO ENTER INTO A LEASE AGREEMENT WITH STRONG TOWER CHRISTIAN MEDIA

23-57 A RESOLUTION AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY NOW OWNED BY THE CITY OF NEWARK, OHIO TO NEWARK DEVELOPMENT PARTNERS AS ITS AGENT FOR INDUSTRIAL, COMMERCIAL, DISTRIBUTION AND RESEARCH

23-58 APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (\$135,480.62 -Change Order for the 40th St. Tamarack Water Line project)

23-59 A RESOLUTION IMPLEMENTING SECTIONS 3735.65 THROUGH 3735.70 OF THE OHIO REVISED CODE, ESTABLISHING AND DESCRIBING THE BOUNDARIES OF A COMMUNITY REINVESTMENT AREA IN THE CITY OF NEWARK, OHIO; AND RELATED AUTHORIZATIONS

COMMENTS FROM CITIZENS

MISCELLANEOUS

ADJOURNMENT

ORDINANCE NO: 23-16

BY: _____

AN ORDINANCE VACATING A PORTION OF A SIXTEEN (16) FOOT WIDE ALLEY AS SHOWN ON THE AMENDED PLAT OF WOODSIDE ADDITION, AS RECORDED IN PLAT BOOK 3, PAGE 185 OF THE LICKING COUNTY PLAT RECORDS; SAID ALLEY IS LOCATED SOUTH OF MOULL STREET, RUNNING EAST FROM WOODS AVENUE, SOUTH OF LOG POND RUN.

WHEREAS, Newark City Council received a petition from owners of real estate in the City of Newark praying for the herein described alley vacation; and,

WHEREAS, the Street Committee of the City of Newark met on May 15, 2023, and considered the procedure as outlined in Section 723.06 of The Ohio Revised Code whereby notice of the intention to vacate is not required, and approved the preparation and submittal of this legislation for Council consideration, in accordance with Section 723.06 of The Ohio Revised Code; and,

WHEREAS, this Council finds there is good cause for such vacation and that such vacation will not be detrimental to the general interest.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NEWARK, COUNTY OF LICKING, AND STATE OF OHIO; THAT:

Section 1: The following described alley is hereby vacated, reserving, however, unto the City of Newark, Ohio, its successors and assigns, easements for construction, maintenance, and operation of various utilities, publicly owned and otherwise, to wit:

Being in the State of Ohio, County of Licking, City of Newark, and being a portion of a sixteen (16') foot wide alley running east from Woods Avenue and lying south of Moull Street, as shown on the Amended Plat of Woodside Addition as recorded in Plat Book 3 at Page 185 of the Licking County Plat Records, and being more particularly described as follows:

Beginning at a point at the northwest corner of Lot 3303 of said Woodside Addition, said point being on the east line of Woods Avenue and the south line of the subject alley;

Thence east along the north line of Lot 3303 of said Woodside Addition to the northeast corner of Lot 3303, said point being on the south line of the subject alley;

Thence north along the extension of the east line of Lot 3303 to a point on the south line of Lot 18 of the Plat of Moore's Addition of Outlots to the Town of Newark, as recorded in Plat Book 2 at Page 145 of the Licking County Plat Records (also Instrument 200409290035293), said point being on the north line of the subject alley;

Thence, west along the south lines of Lots 18 and 19 of said Moore's Addition to a point on the east line of Woods Avenue, said point being on the east line of Woods Avenue and the north line of the subject alley;

Thence, south along the east line of Woods Avenue, crossing the subject alley, to The Place of Beginning.

Section 2: The Division of Engineering of the City of Newark is hereby instructed to prepare a vacation plat of said vacated alley and the Clerk of Council is instructed to endorse upon such plat the action of this Council, and to cause such plat to be recorded in the Office of the Recorder of Licking County, Ohio.

Section 3: This Ordinance shall become effective at the earliest time permitted by law after passage by Council and signature of the Mayor.

Adopted this _____ day of _____, 2023.

President of Council

Attest: _____

Date Filed with Mayor: _____

Date Approved by Mayor: _____

Mayor

Form Approved by: _____
Law Director

Prepared by the Division of Engineering.

Resolution No.23-50

BY: _____

A RESOLUTION APPROPRIATING MONIES FOR CURRENT EXPENSES OF THE MUNICIPAL CORPORATION

WHEREAS, to properly, efficiently and expeditiously conduct business of the City of Newark in the best interest of its citizens, there is an immediate requirement for a certain financial transaction as indicated.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NEWARK, COUNTY OF LICKING, STATE OF OHIO.

Section 1. There is hereby an appropriation of the unappropriated balance of the 100 General Fund, in the amount of \$125,000.00 (Request to Supplement Fire Overtime)

100.205.5118	Fire, Overtime	125,000.00
--------------	----------------	------------

Section 2. There is hereby an appropriation of the unappropriated balance of the 100 General Fund, in the amount of \$1,565.79 (Received as reimbursement from Licking County OVI Task Force, request it be put back into the OT budget)

100.202.5118	Overtime	1,565.79
--------------	----------	----------

This resolution is a measure providing for an appropriation for current expenses of the municipal corporation; it shall go into effect pursuant to Section 4.07 of the Charter of the City of Newark, Ohio.

Adopted this _____ day of _____, 2023.

President of Council _____

Attest Clerk of Council _____

Date filed with Mayor _____

Date approved by Mayor _____

Mayor _____

Approved as to form Director of Law _____, _____

RESOLUTION NO. 23-51

BY: _____

A RESOLUTION AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY NOW OWNED BY THE CITY OF NEWARK, OHIO TO NEWARK DEVELOPMENT PARTNERS AS ITS AGENT FOR INDUSTRIAL, COMMERCIAL, DISTRIBUTION, AND RESEARCH

WHEREAS, the City of Newark, Ohio currently owns various parcels of real property throughout the city which are of no value in their current state of development; and,

WHEREAS, the subject property, because of its size, location, and zoning restrictions, is not currently suitable for any municipal purpose; and,

WHEREAS, the City desires to convey the subject property to Newark Development Partners, a Community Improvement Corporation serving as the agent of the City of Newark for growth and development; and,

WHEREAS, the City of Newark and Newark Development Partners have entered into an Amended Designated Agency Agreement authorizing the transfer of real property owned by the City and controlling the manner in which such property may then be developed and/or transferred by Newark Development Partners and the manner in which any revenues generated from such development and transfer are to be disbursed; and,

WHEREAS, the conveyance of the subject real property would promote the general welfare and stabilize the neighborhood in question, assist in development, and promote the reclamation, rehabilitation, and reutilization of such real property; and,

WHEREAS, this matter was considered in regular session of the Service Committee who voted to refer the same to full Council for consideration.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NEWARK, COUNTY OF LICKING, STATE OF OHIO, THAT:

SECTION ONE: The Director of Public Service is hereby authorized to convey the following listed parcel of real property located within the City of Newark to Newark Development Partners, a Community Development Corporation, pursuant to the terms and conditions of the Amended Designated Agency Agreement previously approved by this Council at Resolution 16-29:

ADDRESS
464 DANIEL AVENUE
NEWARK, OHIO 43055

PARCEL NO.
054-231078-00.000

SECTION TWO: Council hereby declares the subject real property to no longer be needed by the City of Newark, Ohio for any municipal purpose and that the City's interests are best served by conveyance to Newark Development Partners subject to the agreed upon disbursement of and future revenues generated therefrom.

SECTION THREE: This Resolution shall become effective at the earliest date permitted pursuant to Article 4.07 of the Charter of the City of Newark, Ohio.

Passed this _____ day of _____, 2023.

PRESIDENT OF COUNCIL

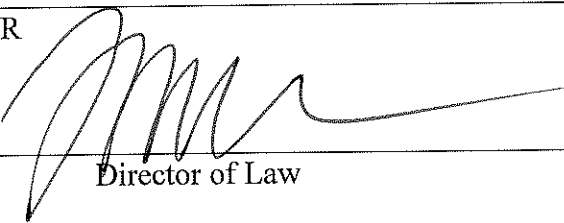
ATTEST: _____
Clerk of Council

DATE FILED WITH MAYOR: _____

DATE APPROVED BY MAYOR: _____

MAYOR

FORM APPROVED: _____



Director of Law

Prepared by the Office of the Director of Law

Resolution No.23-53 Exp

BY: _____

A RESOLUTION APPROPRIATING MONIES FOR CURRENT EXPENSES OF THE MUNICIPAL CORPORATION

WHEREAS, to properly, efficiently and expeditiously conduct business of the City of Newark in the best interest of its citizens, there is an immediate requirement for a certain financial transaction as indicated.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NEWARK, COUNTY OF LICKING, STATE OF OHIO.

Section 1. There is hereby an appropriation of the unappropriated balance of the 442 Debt Fund, in the amount of \$127,759.55 (Pymt inadvertently left out of budget)

422.929.5413762	Principal Hornshill Roundabout	Pymt	40,000.00
422.929.5423762	Interest Hornshill Roundabout	Pymt	87,759.55

This resolution is a measure providing for an appropriation for current expenses of the municipal corporation; it shall go into effect pursuant to Section 4.07 of the Charter of the City of Newark, Ohio.

Adopted this _____ day of _____, 2023.

President of Council _____

Attest Clerk of Council _____

Date filed with Mayor _____

Date approved by Mayor _____

Mayor _____

Approved as to form Director of Law _____, _____

BY: _____

A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE OF THE CITY OF NEWARK, OHIO TO APPLY FOR, ACCEPT AND ENTER INTO A WATER SUPPLY REVOLVING LOAN ACCOUNT AGREEMENT ON BEHALF OF THE CITY OF NEWARK FOR PLANNING, DESIGN AND/OR CONSTRUCTION OF LEAD SERVICE LINE REPLACEMENT PROJECT #4 AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN.

WHEREAS, the City of Newark operates a Water Distribution System throughout the City; and,

WHEREAS, the distribution system has approximately 6,000 lead and/or galvanized water service lines; and,

WHEREAS, replacement of lead and galvanized service lines is a requirement of Ohio EPA in order to eliminate lead material and to maintain efficient and cost-effective operations of the system; and,

WHEREAS, the Ohio Water Supply Loan Fund requires the government authority to pass legislation for application of a loan and the execution of an agreement as well as designating a dedicated repayment source; and,

WHEREAS, the Public Service Committee of the Newark City Council met on June 5, 2023 and approved submission of the legislation for full council consideration.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NEWARK, COUNTY OF LICKING, AND STATE OF OHIO, THAT:

Section 1: The Director of Public Service is hereby authorized and directed to apply for a WSRLA loan, sign all documents for and enter into a Water Supply Revolving Loan Account Agreement with the Ohio Environmental Protection Agency and the Ohio Water Development Authority for planning, design and/or construction of water facilities on behalf of the City of Newark, Ohio.

Section 2: That the dedicated source of repayment will be user charges.

Section 3: This resolution shall become effective at the earliest time permitted in accordance with Article 4.07 of the Charter of the City of Newark, Ohio.

Passed this _____ day of _____, 2023.

PRESIDENT OF COUNCIL

ATTEST:
CLERK OF COUNCIL

DATE FILED WITH MAYOR: _____

DATE APPROVED BY MAYOR: _____

MAYOR

FORM APPROVED: _____
DIRECTOR OF LAW

Prepared by the Division of Water and Wastewater

RESOLUTION NO. 23-56

BY: _____

A RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE FOR THE CITY OF NEWARK, OHIO, TO ENTER INTO A LEASE AGREEMENT WITH STRONG TOWER CHRISTIAN MEDIA

WHEREAS, the City of Newark is the owner of real property located at 1250 Horns Hill Rd., Newark, Ohio, Parcel No. 054-186722-00.000, commonly referred to as Horns Hill Park; and,

WHEREAS, there is a radio communications tower located at Horns Hill Park, currently registered by the Federal Communications Commission as Antenna Structure Registration Number 1233564; and,

WHEREAS, the tower offers the opportunity for the City to earn additional revenue by leasing space for the placement of third-party antennas and communications equipment; and,

WHEREAS, it is the City's desire, in order to best utilize the existing tower, to enter into a lease agreement with Strong Tower Christian Media, and allow this company to place antennas, equipment, and other necessary appurtenances on the City's radio communications tower; and,

WHEREAS, execution of this lease agreement is necessary for this project to move forward.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NEWARK, COUNTY OF LICKING AND STATE OF OHIO, THAT:

SECTION ONE: The Director of Public Service is hereby authorized to enter into a lease agreement with Strong Tower Christian Media for the purpose of placing radio communications equipment and antennas on the City-owned radio communications tower located at Horns Hill Park.

SECTION TWO: This Resolution shall become effective at the earliest time permitted by Article 4.07 of the Charter of the City of Newark, Ohio.

Passed this _____ day of _____, 2023.

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

DATE FILED WITH MAYOR: _____

DATE APPROVED BY MAYOR: _____

MAYOR

FORM APPROVED: _____
DIRECTOR OF LAW

Prepared by the Office of the Director of Law

RESOLUTION NO. 23-57

BY: _____

A RESOLUTION AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY NOW OWNED BY THE CITY OF NEWARK, OHIO TO NEWARK DEVELOPMENT PARTNERS AS ITS AGENT FOR INDUSTRIAL, COMMERCIAL, DISTRIBUTION, AND RESEARCH

WHEREAS, the City of Newark, Ohio currently owns various parcels of real property throughout the city which are of no value in their current state of development; and,

WHEREAS, the subject property, because of its size, location, and zoning restrictions, is not currently suitable for any municipal purpose; and,

WHEREAS, the City desires to convey the subject property to Newark Development Partners, a Community Improvement Corporation serving as the agent of the City of Newark for growth and development; and,

WHEREAS, the City of Newark and Newark Development Partners have entered into an Amended Designated Agency Agreement authorizing the transfer of real property owned by the City and controlling the manner in which such property may then be developed and/or transferred by Newark Development Partners and the manner in which any revenues generated from such development and transfer are to be disbursed; and,

WHEREAS, the conveyance of the subject real property would promote the general welfare and stabilize the neighborhood in question, assist in development, and promote the reclamation, rehabilitation, and reutilization of such real property; and,

WHEREAS, this matter was considered in regular session of the Service Committee who voted to refer the same to full Council for consideration.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NEWARK, COUNTY OF LICKING, STATE OF OHIO, THAT:

SECTION ONE: The Director of Public Service is hereby authorized to convey the following listed parcel of real property located within the City of Newark to Newark Development Partners, a Community Development Corporation, pursuant to the terms and conditions of the Amended Designated Agency Agreement previously approved by this Council at Resolution 16-29:

ADDRESS
105 SOUTH FIFTH STREET
NEWARK, OHIO 43055

PARCEL NO.
054-204018-00.000

SECTION TWO: Council hereby declares the subject real property to no longer be needed by the City of Newark, Ohio for any municipal purpose and that the City's interests are best served by conveyance to Newark Development Partners subject to the agreed upon disbursement of and future revenues generated therefrom.

SECTION THREE: This Resolution shall become effective at the earliest date permitted pursuant to Article 4.07 of the Charter of the City of Newark, Ohio.

Passed this _____ day of _____, 2023.

PRESIDENT OF COUNCIL


ATTEST: _____
Clerk of Council

DATE FILED WITH MAYOR: _____

DATE APPROVED BY MAYOR: _____

MAYOR

FORM APPROVED: _____

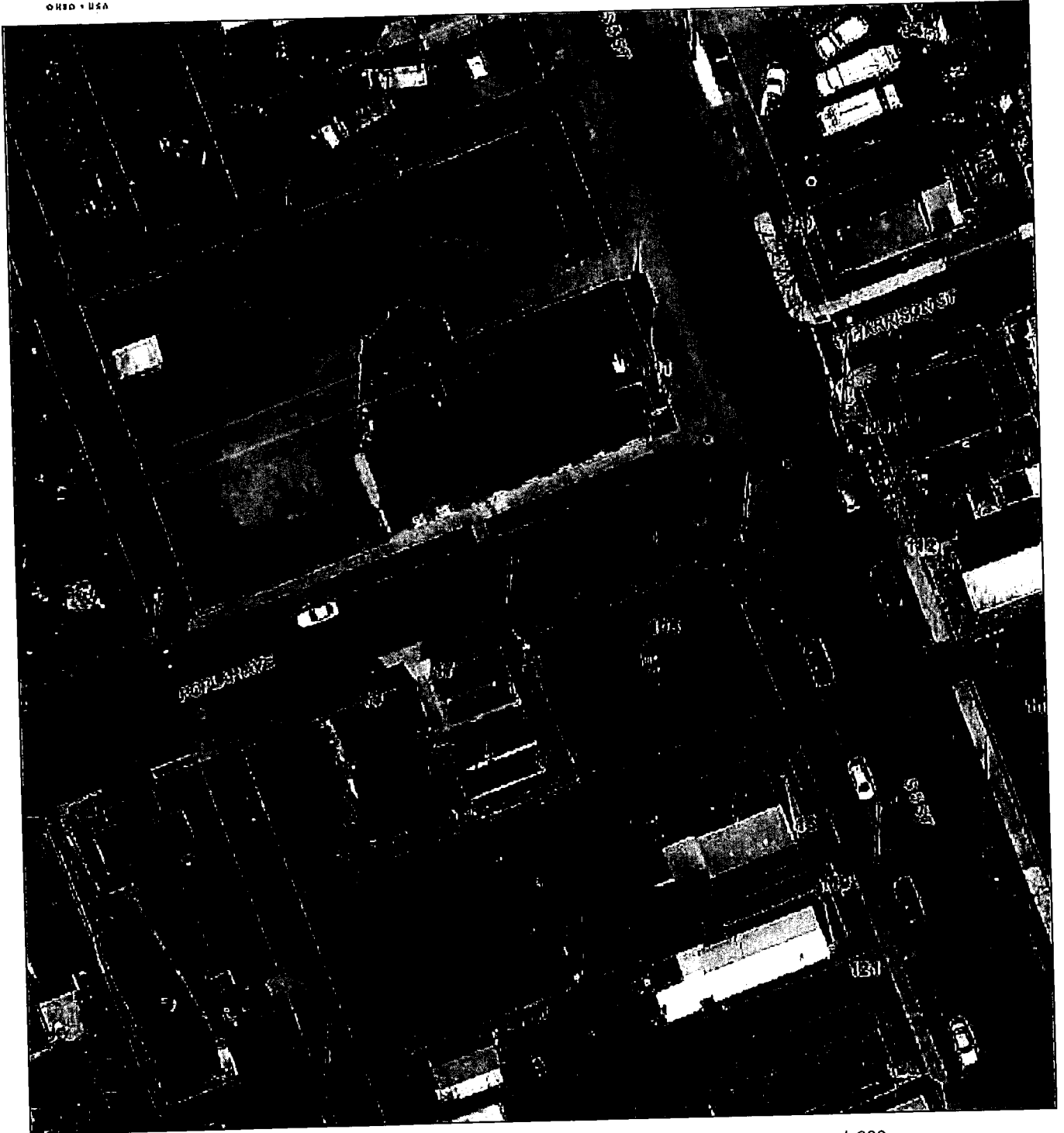

Director of Law

Prepared by the Office of the Director of Law

Star Fed 3:00 May 22, 23

105 So 5th St.

Parcel # 054-204018.00.

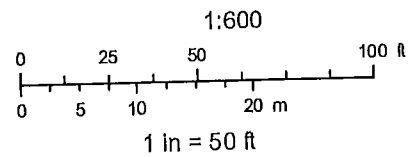


May 22, 2023

Street Labels

Hydrolines

- ArtificialPath; Connector; StreamRiver
- RailRoads
- County Mask
- Parcels
- Building Footprints



Resolution No.23-58

BY: _____

A RESOLUTION APPROPRIATING MONIES FOR CURRENT EXPENSES OF THE MUNICIPAL CORPORATION

WHEREAS, to properly, efficiently and expeditiously conduct business of the City of Newark in the best interest of its citizens, there is an immediate requirement for a certain financial transaction as indicated.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NEWARK, COUNTY OF LICKING, STATE OF OHIO.

Section 1. There is hereby an appropriation of the unappropriated balance of the 623 Water projects Fund, in the amount of \$135,480.62 (Change Order for the 40th St. Tamarack Water Line project)

623.706.5521	Machinery and Equipment	135,480.62
--------------	----------------------------	------------

This resolution is a measure providing for an appropriation for current expenses of the municipal corporation; it shall go into effect pursuant to Section 4.07 of the Charter of the City of Newark, Ohio.

Adopted this _____ day of _____, 2023.

President of Council _____

Attest Clerk of Council _____

Date filed with Mayor _____

Date approved by Mayor _____

Mayor _____

Approved as to form Director of Law _____, _____

RESOLUTION NO. 23-59

A RESOLUTION IMPLEMENTING SECTIONS 3735.65 THROUGH 3735.70 OF THE OHIO REVISED CODE, ESTABLISHING AND DESCRIBING THE BOUNDARIES OF A COMMUNITY REINVESTMENT AREA IN THE CITY OF NEWARK, OHIO; AND RELATED AUTHORIZATIONS

WHEREAS, the Newark City Council adopted Resolution No. 92-109 establishing and designating a fifth community reinvestment area (“CRA #5”) in the City of Newark (the “City”); Resolution No. 95-46 amending the description of CRA #5; Resolution No. 01-11a amending and modifying the real property tax exemptions available within CRA #5; and Resolution No. 21-88 further modifying the real property tax exemptions available within CRA #5; and

WHEREAS, after the passage of Resolution No. 21-88, which was the third substantive amount of CRA #5 as described in Ohio Revised Code (“R.C.”) Section 3735.661, CRA #5 has no longer governed by the terms of Section 3 of Am. Sub. S.B. 19 of the 120th General Assembly; and

WHEREAS, as a result, it is necessary for this Council to reestablish CRA #5 under the current version of R.C. Sections 3735.65 through 3735.70 (the “Act”); and

WHEREAS, a survey of housing (the “Housing Survey”) of the area described and depicted in Exhibit A attached hereto and incorporated herein by this reference (the “Area”) has been prepared as required by R.C. Section 3735.66, a copy of which Housing Survey is on file with the City; and

WHEREAS, as noted in the Housing Survey, the Area is one in which housing facilities or structures of historical significance are located and new housing construction and repair of existing facilities or structures are discouraged; and

WHEREAS, this Council has determined that the construction of new structures and the remodeling of existing structures in the Area is a public purpose, and would encourage the creation and retention of employment opportunities and would benefit the overall economic health of the City; and

WHEREAS, the City desires to reestablish CRA #5 pursuant to the Act to encourage such development;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NEWARK, COUNTY OF LICKING AND STATE OF OHIO, THAT:

Section 1. Resolution Nos. 92-109, 95-46, 01-11a, and 21-88 are hereby repealed in their entirety and replaced with the terms of this Resolution.

Section 2. CRA #5 constitutes an area in which housing facilities or structures of historical significance are located, and in which new construction or repair of existing facilities has been discouraged.

Section 3. This Council hereby establishes CRA #5 pursuant to the Act, with boundaries as described and depicted in Exhibit A.

Section 4. Within CRA #5, the percentage of the tax exemption on the increase in the assessed valuation resulting from improvements to **commercial and industrial** real property and **the term of those exemptions shall be negotiated on a case-by-case basis in advance of construction or remodeling occurring pursuant to R.C. Section 3735.67. The results of the negotiation as approved by this Council will be set in writing in a CRA Agreement as outlined in R.C. Section 3735.671. The maximum term and exemption percentage for commercial and/or industrial projects is as follows:**

- a. Up to, and including, fifteen (15) years, and up to, and including, one hundred percent (100%) for the remodeling of existing commercial and industrial facilities and upon which the **cost of remodeling is at least \$5,000**, as described in R.C. Section 3735.67, the term and percentage of which shall be **negotiated on a case-by-case basis in advance of remodeling occurring.**
- b. Up to, and including, fifteen (15) years, and up to, and including, one hundred percent (100%) for the **construction of new commercial or industrial facilities, the term and percentage of which shall be negotiated on a case-by-case basis in advance of construction occurring.**

For residential property located within CRA #5, a tax exemption on the increase in the assessed value resulting from the improvements as described in R.C. Section 3735.67 shall be granted upon application by the property owner and certification thereof by the designated Housing Officer (as defined herein) for the following periods:

- a. fifteen (15) years, for **residential remodeling containing 2 units or less** and upon which the cost of remodeling is **at least \$2,500**, as described in R.C. Section 3735.67, and with such exemption being one hundred percent (100%) for each of the fifteen (15) years.
- b. fifteen (15) years, for the construction of **new residential dwellings** within the community reinvestment area, as described in R.C. Section 3735.67, with such exemption being one hundred percent (100%) for each of the fifteen (15) years.

For the purposes of the above described eligible areas within the CRA, **structures exclusively used for residential purposes shall be classified as residential structures.**

If remodeling qualifies for an exemption, during the period of the exemption, the exempted percentage of the dollar amount of the increase in market value of the structure shall be exempt from real property taxation. If new construction qualifies for an exemption, during

the period of the exemption, the exempted percentage of the structure shall not be considered to be an improvement on the land on which it is located for the purpose of real property taxation.

Section 5. All commercial and industrial projects are required to comply with the state application fee requirements of R.C. Section 3735.672(C) and the local annual monitoring fee of one percent of the amount of taxes exempted under the agreement – a minimum of \$500 up to a maximum of \$2500 annually unless waived.

Section 6. To administer and implement the provisions of this Ordinance, the Director of Economic and Community Development (the “Director”) is designated as the Housing Officer as described in the Act.

Section 7. This Council has heretofore established a “Community Reinvestment Area Housing Council” (the “Housing Council”), which shall be the Housing Council responsible for making an annual inspection of the properties within CRA #5 for which an exemption has been granted under R.C. Section 3735.67. The Housing Council shall also hear appeals under R.C. Section 3735.70.

This Council has heretofore established a Tax Incentive Review Council (the “TIRC”), which TIRC shall review annually the compliance of all agreements involving the granting of exemptions for commercial or industrial real property improvements under R.C. Section 3735.671 and make written recommendations to the Council as to continuing, modifying or terminating said agreement based upon the performance of the agreement.

Section 8. The Director is hereby directed and authorized to send, by certified mail, one copy of this Resolution and the map attached hereto as Exhibit A upon adoption of this Resolution, as required by R.C. Section 3735.66. The Director is also hereby authorized to take any and all actions required by the Act for the establishment of CRA #5 consistent with the requirements of the Act and this Resolution. This Council hereby adopts the Housing Survey in the form currently on file with the Director.

Section 9. The Council hereby finds and determines that all formal actions relative to the passage of this Resolution were taken in an open meeting of this Council, that all deliberations of this Council and of its committees, if any, which resulted in formal action were taken in meetings open to the public, in full compliance with the applicable legal requirements, including R.C. Section 121.22.

Section 10. This Resolution shall take force and effect at the earliest time allowable under law.

Adopted this ____ day of _____, 2023

President of Council

Attest: _____
Clerk of Council

Date filed with the Mayor: _____

Date approved by the Mayor: _____

Mayor

Form Approved: _____
Director of Law

EXHIBIT A

MAP OF CRA #5

(attached hereto)

COMMUNITY REINVESTMENT AREA # 5

