

ORDINANCE NO. 23 – 2015
(Amended on 5-14-15 to correct Ordinance number)

AN ORDINANCE CREATING THE “EDWARDS STREET INCENTIVE DISTRICT” PURSUANT TO § 5709.40(C) OF THE OHIO REVISED CODE AND DECLARING IMPROVEMENTS TO PARCELS WITHIN THE DISTRICT TO BE A PUBLIC PURPOSE AND EXEMPT FROM TAXATION.

WHEREAS, the Village has undertaken review of incentive plans to encourage economic growth in order to, inter alia, (i) address decreasing municipal revenue, (ii) provide for employment opportunities for its citizens and the people of this state, and (iii) to further the public health, safety, and general welfare; and

WHEREAS, the geographic area surrounding Edwards and North Lake Streets directly north of the CSX and Norfolk-Southern railways is zoned for industrial use, however, it is has been an area increasingly marked by abandoned land and structures; and

WHEREAS, in late 2012, the Administration at the request of the Council undertook a review of the area to ascertain the extent of abandonment; to inventory dilapidated, obsolete, and non-conforming structures; identify deficient infrastructure; and to examine other practical impediments to the area’s re-development; which report, dated 12/06/12, was presented to the Council; and

WHEREAS, the Administration’s conclusion that the subject area is a “blighted area” within the legal meaning of said phrase set forth in R.C. § 5709.40(A)(1) was, in the Council’s judgment, supported by the facts presented, as detailed in the Administration’s report, and, it is herein expressly found and determined that at the time of this Ordinance’s enactment, the subject area is hereby found and determined to be a “blighted area” as defined by law; and

WHEREAS, in response thereto, the Council enacted Resolution No. 3 - 2013 expressing its intent to create a tax incentive district in this area once a qualifying project was identified; and

WHEREAS, in the years subsequent the Village has marketed its intent to offer economic development incentives to businesses willing to make permanent investments and offer new job opportunities in the community; and

WHEREAS, Arcadia GlassHouse, LLC has identified the vacant premises at 354 North Lake Street, a former Wonder Bread distribution facility within the proposed incentive

district, as a new location for its operations, which will consist of eight full-time employees in a facility re-adapted for the manufacturing of greenhouses; and

WHEREAS, Arcadia GlassHouse, LLC will be using such incentives as it receives in order to make necessary upgrades to the building's electrical, HVAC, plumbing, and lighting systems as well as structural upgrades, repairs and site enhancements; and

WHEREAS, the Village requires such investment in and expansion to its tax base in order to eventually upgrade deficiencies in the areas's utilities, roadways and streetscape, as detailed in the Administration's 12/06/12 report; and

WHEREAS, not later than thirty days prior to adoption of this ordinance a public hearing was conducted, and, not later than thirty days prior to the public hearing notice of the public hearing was forwarded by first class mail to each owner of real property located within the boundaries of the proposed incentive district.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF MADISON, COUNTY OF LAKE, STATE OF OHIO, THAT:

SECTION 1. There is hereby created the "Edwards Street Incentive District" (the "ESID"), the dimensions of which are delineated in Exhibit "1" attached hereto and incorporated herein by this reference.

SECTION 2. The parcels comprising and included within the ESID are specifically identified in Exhibit "2" attached hereto and incorporated herein by this reference.

SECTION 3. An improvement, as defined by R.C. § 5709.40(A)(4), to any parcel included within the ESID is hereby declared to be a public purpose and exempt from taxation as provided by R.C. § 5709.40(C) for seventy-five (75%) percent of its value for a period of ten (10) years.

SECTION 4. The term of exemption shall commence with the tax year in which an exempted improvement is completed and first appears on the tax list and duplicate of real and public utility property after the effective date of this Ordinance and shall continue for the ten year period specified in Section 3 above.

SECTION 5. No provision is being made herein for any service payments and, therefore, the requirement of R.C. § 5709.43 to establish a public improvement tax equivalent fund is deemed moot.

SECTION 6. The Fiscal Officer / Clerk shall submit a copy of this ordinance to the Director of Development within fifteen days after its adoption. Annual status reports to the Director of Development shall be submitted per the requirements of R.C. § 5709.40(I) on or before March 31.

SECTION 7. The Village's "Non-Discriminatory Hiring Policy" enacted by Resolution No. 23 - 2012 in conformity with R.C. § 5709.832 is of permanent and general applicability to all recipients of economic development assistance within the Village and its applicability to any tax incentives within the ESID pursuant to this Ordinance is hereby re-affirmed.

SECTION 8. The Village's policy titled "Disclosure of Liabilities Owed to Governmental Entities and Authorization for Inspection" enacted by Resolution No. 22 - 2012 in conformity with R.C. § 9.66(B) is of permanent and general applicability to all recipients of economic development assistance within the Village and its applicability to any tax incentives within the ESID pursuant to this Ordinance is hereby re-affirmed.

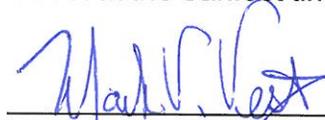
SECTION 9. A tax incentive review council is hereby created pursuant to R.C. § 5709.85(A)(2). The Fiscal Officer / Clerk is directed to inform the governmental agencies required to appoint review council members of the enactment of this Ordinance.

SECTION 10. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including § 121.22 of the Ohio Revised Code.

SECTION 11. This Ordinance shall take effect at the earliest time provided by law.

PASSED:

6-15-15



Kenneth D. Takacs,
~~President of Council~~

Vice President of Council

Attested:



Kristie M. Crockett,
Fiscal Officer / Clerk of Council

Approved:



Sam Britton Jr.,
Mayor

Date: 6/15/15

EXHIBIT "1"
Ordinance 23 - 2015

AREA MAP OF THE EDWARDS STREET INCENTIVE DISTRICT

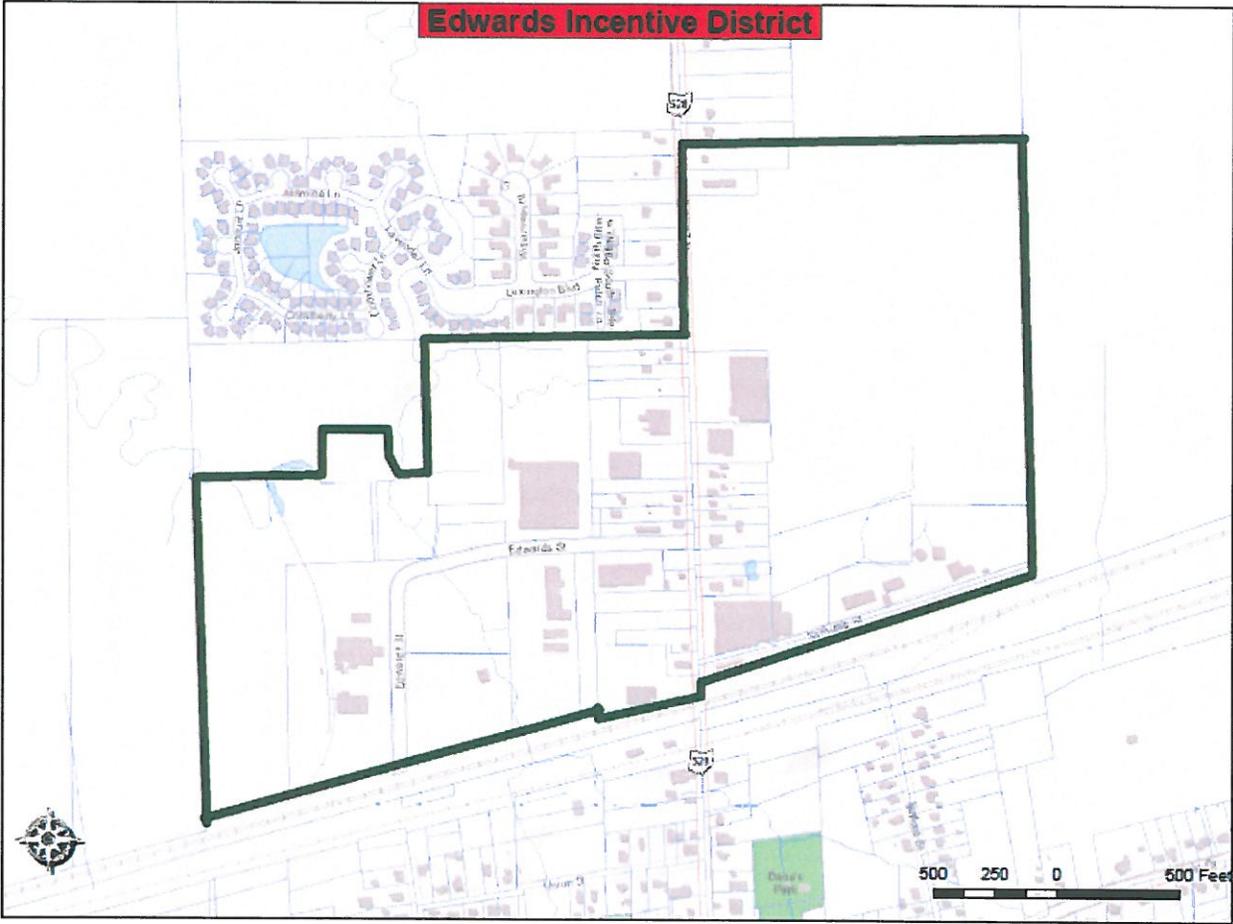


EXHIBIT "2"
Ordinance 23 - 2015

EDWARDS STREET INCENTIVE DISTRICT PROPERTIES LIST

PPN	Address	Acreage	Zoning
(1) 02-A-008-D-00-001-0	205 N. Lake	1.95	M-1
(2) 02-A-008-D-00-002-0	215 N. Lake	0.29	M-1
(3) 02-A-008-D-00-014-0	233 N. Lake	0.12	M-1
(4) 02-A-008-D-00-003-0	241 N. Lake	0.5	M-1
(5) 02-A-008-D-00-004-0	251 N. Lake	0.75	M-1
(6) 02-A-008-D-00-005-0	265 N. Lake	0.78	M-1
(7) 02-A-008-D-00-006-0	279 N. Lake	0.25	M-1
(8) 02-A-008-D-00-011-0	25 Edwards	1.29	M-1
(9) 02-A-008-D-00-007-0	287 N. Lake	0.25	M-1
(10) 02-A-008-0-00-010-0	Edwards	1.05	M-1
(11) 02-A-008-0-00-025-0	45 Edwards	4.54	M-1
(12) 02-A-008-0-00-026-0	Edwards	2.92	M-1
(13) 02-A-008-0-00-034-0	208 Edwards	4.0	M-1
(14) 02-A-008-0-00-027-0	300 Edwards	9.18	M-2
(15) 02-A-008-0-00-028-0	Edwards	13.04	split
(16) 02-A-008-0-00-029-0	Edwards	1.05	M-1
(17) 02-A-008-0-00-018-0	N. Lake	unk	split
(18) 02-A-008-0-00-031-0	Edwards	1.16	M-1
(19) 02-A-008-0-00-032-0	Edwards	6.51	M-1
(20) 02-A-008-0-00-033-0	50 Edwards	5.0	M-1
(21) 02-A-008-D-00-013-0	Edwards	0.06	M-1
(22) 02-A-008-D-00-008-0	309 N. Lake	0.56	M-1
(23) 02-A-008-D-00-012-0	Edwards	0.06	M-1
(24) 02-A-008-D-00-009-0	319 N. Lake	0.49	M-1
(25) 02-A-008-D-00-010-0	327 N. Lake	0.45	M-1
(26) 02-A-008-0-00-040-0	N. Lake	0.483	M-1
(27) 02-A-008-0-00-012-0	331 N. Lake	1.994	M-1
(28) 02-A-008-0-00-035-0	375 N. Lake	1.29	M-1
(29) 02-A-008-0-00-013-0	N. Lake	0.63	M-1
(30) 02-A-008-0-00-014-0	N. Lake	0.63	M-1
(31) 02-A-008-0-00-015-0	417 N. Lake	0.56	M-1
(32) 02-A-008-0-00-016-0	425 N. Lake	0.56	M-1
(33) 02-A-006-0-00-037-0	N. Lake	0.99	M-1
(34) 02-A-006-0-00-038-0	552 N. Lake	0.69	M-1

(35) 02-A-006-0-00-035-0	402 N. Lake	2.182	M-1
(36) 02-A-006-0-00-036-0	354 N. Lake	1.17	M-1
(37) 02-A-006-A-00-009-0	340 N. Lake	0.63	M-1
(38) 02-A-006-A-00-008-0	328 N. Lake	0.37	M-1
(39) 02-A-006-A-00-007-0	324 N. Lake	0.37	M-1
(40) 02-A-006-A-00-006-0	314 N. Lake	0.45	M-1
(41) 02-A-006-A-00-005-0	298 N. Lake	0.67	M-1
(42) 02-A-006-A-00-004-0	N. Lake	0.38	M-1
(43) 02-A-006-A-00-003-0	N. Lake	0.387	M-1
(44) 02-A-006-A-00-002-0	268 N. Lake	0.5	M-1
(45) 02-A-006-A-00-011-0	N. Lake	0.17	M-1
(46) 02-A-006-A-01-005-0	222 N. Lake	1.55	M-1
(47) 02-A-006-A-01-006-0	222 N. Lake	0.51	M-1
(48) 02-A-006-A-01-003-0	N. Lake	1.0	M-1
(49) 02-A-006-A-01-001-0	81 Samuels	4.91	M-1
(50) 02-A-006-A-01-004-0	N. Lake	3.11	M-1
(51) 02-A-006-0-00-025-0	N. Lake	40.12	M-1