



ORDINANCE 2023-07

AN ORDINANCE AMENDING ORDINANCE 2010-59 TO INCLUDE CERTAIN ADDITIONAL PARCELS OF REAL PROPERTY IN THE TIF AREA SO THAT THOSE PARCELS WILL BE SUBJECT TO THE TAX EXEMPTION GRANTED IN, AND THE RELATED REQUIREMENT TO MAKE SERVICE PAYMENTS SET FORTH IN ORDINANCE 2010-59

WHEREAS, this Council previously passed Ordinance 2010-59 on December 7, 2010 (the "Powell Commercial TIF Ordinance"), declaring improvements to certain parcels of real property to be a public purpose and requiring the owners of such parcels to make service payments in lieu of taxes on the improvements to parcels to fund those public improvements described in the Powell Commercial TIF Ordinance, all as provided in Sections 5709.40, 5709.42 and 5709.43 of the Ohio Revised Code; and

WHEREAS, this Council subsequently passed Ordinance 2012-50 on December 18, 2012, to add a certain parcel to the area included in the Powell Commercial TIF so that improvements to that parcel would be included in the declaration of public purpose for which a tax increment financing district has been established; and

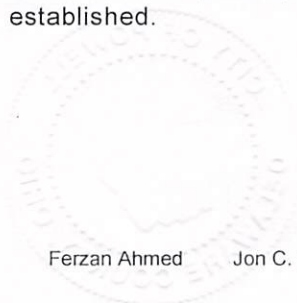
WHEREAS, this Council subsequently passed Ordinance 2014-05 on February 18, 2014, to add certain parcel(s) to the area included in the Powell Commercial TIF so that improvements to that parcel would be included in the declaration of public purpose for which a tax increment financing district has been established; and

WHEREAS, this Council subsequently passed Ordinance 2014-63 on November 18, 2014, to add and delete certain parcel(s) to the area included in the Powell Commercial TIF so that improvements to that parcel would be included in the declaration of public purpose for which a tax increment financing district has been established; and

WHEREAS, this Council subsequently passed Ordinance 2016-69 on December 20, 2016, to add a certain parcel to the area included in the Powell Commercial TIF so that improvements to that parcel would be included in the declaration of public purpose for which a tax increment financing district has been established; and

WHEREAS, notice of this proposed Ordinance has been delivered to the Board of Education of the Olentangy Local School District (the "School District") and the Delaware Area Career Center (the "Joint Vocational School District") in accordance with and within the time period prescribed in R.C. Section 5709.83; and

WHEREAS, this Council desires to add certain additional parcels to the area included in the Powell Commercial TIF so that improvements to those parcels may be included in the declaration of public purpose for which a tax increment financing incentive district has been established.



City Council
Daniel Swartwout, Mayor
Ferzan Ahmed Jon C. Bennehoof Tom Counts Christina Drummond Heather Karr Brian Lorenz

NOW THEREFORE BE IT ORDAINED BY THE CITY OF POWELL, DELAWARE COUNTY, OHIO AS FOLLOWS:

SECTION 1: That Exhibit "A" to the Powell Commercial TIF Ordinance (as previously amended by Ordinances 2012-50, 2014-05, 2014-63 and 2016-69) is hereby deleted in its entirety and replaced with the attached Exhibit A, a copy of which is attached hereto and incorporated herein by reference, which adds two additional parcels to the Powell Commercial TIF, identified as Delaware County Parcel Numbers 31924001004000 and 31924001005000.

SECTION 2: That Section 4 to the Powell Commercial TIF Ordinance is amended and restated in its entirety by the following:

Section 4: Distribution of Funds. Pursuant to the TIF Statutes, the Delaware County Treasurer is requested to distribute the Service Payments and the Property Tax Rollback Payments as follows:

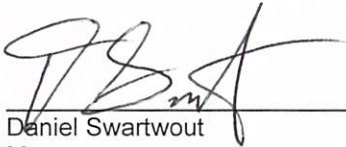
- (i) to the School District and the Joint Vocational School District, an amount equal to the amount the School District and the Joint Vocational School District would otherwise have received as real property tax payments (including the applicable portion of any Property Tax Rollback Payments) derived from the Improvement to the Property located within the School District and the Joint Vocational School District's boundaries if the Improvement had not been exempt from taxation pursuant to this Ordinance; and
- (ii) to the City, all remaining amounts for further deposit into TIF Fund II for payment of costs of the Public Infrastructure Improvements, including debt service on any securities issued to finance those costs.

SECTION 3: This Council hereby finds and determines that notice of this proposed Ordinance has been delivered to the School District and Joint Vocational School District in accordance with R.C. Section 5709.83.

SECTION 4: Pursuant to Section 5709.40(I) of the Ohio Revised Code, the Clerk of this Council is hereby directed to deliver a copy of this Ordinance to the Director of the Department of Development of the State of Ohio within fifteen days after its passage.

SECTION 5: That it is found and determined that all formal actions of this Council concerning and related to the adoption of this Ordinance were taken in an open meeting of said Council, and that all deliberations of this Council that resulted in such formal action were made in meetings open to the public, when required by law, in full compliance with all legal requirements, including without limitation, provisions of the Charter of the City of Powell and Section 121.22 of the Ohio Revised Code.

SECTION 6: This Ordinance shall be in full force and effect at the earliest date allowed by law.



Daniel Swartwout
Mayor

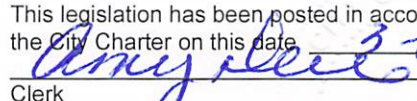
3-7-23
Date



Amy Deere
City Clerk

3-7-23
Date

EFFECTIVE DATE: March 21, 2023

This legislation has been posted in accordance with the City Charter on this date 3-8-23


Amy Deere
City Clerk

City Council
Daniel Swartwout, Mayor

Ferzan Ahmed Jon C. Bennehoof Tom Counts Christina Drummond Heather Karr Brian Lorenz