



ORDINANCE 2024-23

AN ORDINANCE DECLARING THE NECESSITY OF, DETERMINING TO PROCEED WITH, AND LEVYING ASSESSMENTS FOR THE PURPOSE OF IMPROVEMENT, CONSTRUCTION, AND RECONSTRUCTION OF THE PUBLIC SEWER MAIN INFRASTRUCTURE ON THE NORTH SIDE OF POWELL ROAD AND ON PROPERTY OWNED BY VERONA LLC AND KNOWN AS THE VERONA SUBDIVISION, AND PROVIDING A REVISED ASSESSMENT SCHEDULE.

WHEREAS, the owner of properties known as the Verona subdivision located on the north side of Powell Road in the City of Powell (the "Petitioner") have petitioned the City for the construction of certain public sewer main infrastructure on the north side of Powell Road (the "Project"); and

WHEREAS, in the petition of August 2016, the Petitioners waived various procedural steps to expedite the construction of the Project and thereby permit the placement of assessments on the current tax duplicate; and

WHEREAS, the City entered into the Sewer Assessment and Financing Agreement on November 18, 2016 with Verona LLC providing for the construction of the certain public infrastructure improvement constituting the Project and the financing of such public infrastructure improvement; and

WHEREAS, construction of the certain public infrastructure improvement constituting the Project has been substantially completed in accordance with the Petition; and

WHEREAS, Council has been presented a certificate of final costs prepared by the City's Engineer indicating the final cost of the Project and showing the amount of the final assessments to be levied against the benefited properties; and

WHEREAS, pursuant to Ordinance 2016-36, Council previously determined that it was necessary to proceed with the construction of the Project as requested by the Petitioners, in accordance with plans, specifications, and estimates of cost (the "Plans") heretofore approved by the Engineer to the City, which Plans have been placed on file in the office of the City Clerk and are open for public inspection; and

WHEREAS, pursuant to Ordinance 2024-22 (the "Prior Ordinance") and the Petition, the cost of the Project in the amount of \$1,280,102.63, shall be assessed, with interest at a rate of three percent (3%) per annum, on the properties as identified in the Petition; and

City Council

Tom Counts, Mayor

Leif Carlson David Lester Christina Drummond Heather Karr Ferzan Ahmed Tyler Herrmann

WHEREAS, in order to provide for sufficient payments of the cost of the Project and to conform the Prior Ordinance with the Sewer Assessment and Financing Agreement, the City has prepared, a revised Assessment Schedule on the properties as identified in the Petition attached hereto and marked Exhibit B providing for the collection of special assessments over a period of six (6) years in semiannual installments as real estate taxes are paid;

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

SECTION 1: The assessments of the cost and expense of the Project, as set forth on Exhibit A, are hereby **ADOPTED** and **CONFIRMED** and there shall be levied and assessed upon the lots and lands therein identified, the several amounts reported, which assessments are in proportion to the special benefits conferred by the Project, are consistent with the Petition, and are not in excess of any statutory limitation.

SECTION 2: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of Council and that all deliberations of this Council and any of its committees which resulted in such formal actions were in meetings so open to the public in compliance with all legal requirements of the City of Powell, Delaware County, Ohio.

SECTION 3: The City Clerk is hereby directed to deliver a certified copy of this Ordinance to the County Auditor prior to September 9, 2024, being the second Monday in September.



Tom Counts
Mayor

7/16/24

Date

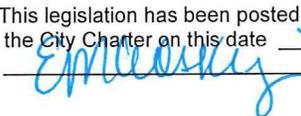


Elaine McCloskey
City Clerk

7/16/2024

Date

EFFECTIVE DATE: August 15, 2024

This legislation has been posted in accordance with the City Charter on this date 7/17/2024


City Clerk

Ord. 2022-22 and Ord. 2023-23 Exhibit C List of properties expected to receive a refund at the end of 2024

VERONA SEWER ASSESSMENT COLLECTION SCHEDULE															
Parcel #	County Special Assessment ID	Address	Phase	Amount	Type	2016	2017	2018	2019	2020	2021	2022	2023 Collected TY 2024	# of Years	Total Collected
31931608025000	31-098	9247 Baytree Dr.	I	\$1,800.00	Single	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	7	\$11,000.00
31931608024000	31-098	9261 Baytree Dr.	I	\$1,800.00	Single	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	7	\$11,000.00
31931608006000	31-098	9377 Wilbrook Dr.	I	\$1,800.00	Single	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	7	\$11,000.00
31931608005000	31-098	9351 Wilbrook Dr.	I	\$1,800.00	Single	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	7	\$11,000.00
31931608004000	31-098	9337 Wilbrook Dr.	I	\$1,800.00	Single	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	7	\$11,000.00
31931608003000	31-098	9327 Wilbrook Dr.	I	\$1,800.00	Single	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	7	\$11,000.00
31931608002000	31-098	9315 Wilbrook Dr.	I	\$1,800.00	Single	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	7	\$11,000.00
31931608001000	31-098	9305 Wilbrook Dr.	I	\$1,800.00	Single	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	7	\$11,000.00
31931607020000	31-098	9256 Baytree Dr.	I	\$1,800.00	Single	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	7	\$11,000.00
31931607019000	31-098	9316 Wilbrook Dr.	I	\$1,800.00	Single	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	7	\$11,000.00
31931607018000	31-098	9324 Wilbrook Dr.	I	\$1,800.00	Single	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	7	\$11,000.00
31931607017000	31-098	9332 Wilbrook Dr.	I	\$1,800.00	Single	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	7	\$11,000.00
31931607016000	31-098	9340 Wilbrook Dr.	I	\$1,800.00	Single	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	7	\$11,000.00
31931607015000	31-098	9348 Wilbrook Dr.	I	\$1,800.00	Single	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	7	\$11,000.00
31931607014000	31-098	9356 Wilbrook Dr.	I	\$1,800.00	Single	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	7	\$11,000.00
31931607013000	31-098	9364 Wilbrook Dr.	I	\$1,800.00	Single	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	7	\$11,000.00
31931607012000	31-098	9372 Wilbrook Dr.	I	\$1,800.00	Single	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	7	\$11,000.00
31931607011000	31-098	9388 Wilbrook Dr.	I	\$1,800.00	Single	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	7	\$11,000.00
31931608008000	31-098	9393 Wilbrook Dr.	I	\$1,800.00	Single	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	7	\$11,000.00
31931608009000	31-098	9440 Baytree Dr.	I	\$1,800.00	Single	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	7	\$11,000.00
31931608017000	31-098	9359 Baytree Dr.	I	\$1,800.00	Single	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800	7	\$11,000.00
31931611002000	31-098	9541 Fair Oaks Dr.	I	\$1,200.00	Patio	\$1,200	\$1,200	\$1,200	\$1,200	\$1,200	\$1,200	\$1,200	\$1,200	7	\$7,400.00
31931611003000	31-098	9547 Fair Oaks Dr.	I	\$1,200.00	Patio	\$1,200	\$1,200	\$1,200	\$1,200	\$1,200	\$1,200	\$1,200	\$1,200	7	\$7,400.00
31931611004000	31-098	9553 Fair Oaks Dr.	I	\$1,200.00	Patio	\$1,200	\$1,200	\$1,200	\$1,200	\$1,200	\$1,200	\$1,200	\$1,200	7	\$7,400.00
31931611005000	31-098	9559 Fair Oaks Dr.	I	\$1,200.00	Patio	\$1,200	\$1,200	\$1,200	\$1,200	\$1,200	\$1,200	\$1,200	\$1,200	7	\$7,400.00
31931611006000	31-098	9565 Fair Oaks Dr.	I	\$1,200.00	Patio	\$1,200	\$1,200	\$1,200	\$1,200	\$1,200	\$1,200	\$1,200	\$1,200	7	\$7,400.00
31931611009000	31-098	9583 Fair Oaks Dr.	I	\$1,200.00	Patio	\$1,200	\$1,200	\$1,200	\$1,200	\$1,200	\$1,200	\$1,200	\$1,200	7	\$7,400.00
31931611011000	31-098	9595 Fair Oaks Dr.	I	\$1,200.00	Patio	\$1,200	\$1,200	\$1,200	\$1,200	\$1,200	\$1,200	\$1,200	\$1,200	7	\$7,400.00
31931611021000	31-098	9661 Fair Oaks Dr.	I	\$1,200.00	Patio	\$1,200	\$1,200	\$1,200	\$1,200	\$1,200	\$1,200	\$1,200	\$1,200	7	\$7,400.00
31931611024000	31-098	9612 Fair Oaks Dr.	I	\$1,200.00	Patio	\$1,200	\$1,200	\$1,200	\$1,200	\$1,200	\$1,200	\$1,200	\$1,200	7	\$7,400.00
31931611025000	31-098	9600 Fair Oaks Dr.	I	\$1,200.00	Patio	\$1,200	\$1,200	\$1,200	\$1,200	\$1,200	\$1,200	\$1,200	\$1,200	7	\$7,400.00
31931611026000	31-098	9596 Fair Oaks Dr.	I	\$1,200.00	Patio	\$1,200	\$1,200	\$1,200	\$1,200	\$1,200	\$1,200	\$1,200	\$1,200	7	\$7,400.00
31931611027000	31-098	9586 Fair Oaks Dr.	I	\$1,200.00	Patio	\$1,200	\$1,200	\$1,200	\$1,200	\$1,200	\$1,200	\$1,200	\$1,200	7	\$7,400.00
31931611028000	31-098	9586 Fair Oaks Dr.	I	\$1,200.00	Patio	\$1,200	\$1,200	\$1,200	\$1,200	\$1,200	\$1,200	\$1,200	\$1,200	7	\$7,400.00
31931611029000	31-098	9558 Fair Oaks Dr.	I	\$1,200.00	Patio	\$1,200	\$1,200	\$1,200	\$1,200	\$1,200	\$1,200	\$1,200	\$1,200	7	\$7,400.00
31931611020000	31-098	9558 Fair Oaks Dr.	I	\$1,200.00	Patio	\$1,200	\$1,200	\$1,200	\$1,200	\$1,200	\$1,200	\$1,200	\$1,200	7	\$7,400.00