

ORDINANCE NO. 2021-19

Introduced by Joe Dike

AN ORDINANCE TO AMEND ORDINANCE 2012-4 IMPLEMENTING SECTIONS 5709.40 THROUGH 5709.43 OF THE OHIO REVISED CODE, TO AMEND AND CLARIFY THE CITY OF HURON'S DECLARATION OF IMPROVEMENTS TO SPECIFICALLY IDENTIFIED PARCELS OF REAL PROPERTY IS FOR A PUBLIC PURPOSE, AND DECLARING AN EMERGENCY.

WHEREAS, this Council of the City of Huron (the "City") adopted Ordinance 2012-4 pursuant to Ohio Revised Code ("R.C.") Sections 5709.40, 5709.42 and 5709.43 (the "TIF Act") and under which the City determined one hundred percent (100%) of the increase in true value of certain parcels of real property to be a public purpose (the "Original TIF Ordinance"); and,

WHEREAS, the Original TIF Ordinance specifically identified 79 parcels of real property comprising 375.78 acres within the City, the improvements to which were a public purpose and therefore to be exempt from taxation (with said real property enumerated in Exhibit A of the Original TIF Ordinance and henceforth referred to herein as the "Initial TIF'ed Property"); and,

WHEREAS, pursuant to R.C. 5709.40(I), the City duly filed notice of its Original TIF Ordinance with the Director of the Ohio Development Services Agency, the latter of whom assigned it Development Services Agency TIF-designation ID 1374; and,

WHEREAS, in the ensuing period and upon review of its records, as well as those records kept and maintained by the Erie County Auditor and the State of Ohio Department of Taxation ("OTAX"), the City determined that neither the required DTE form nor any other applicable or required forms evidencing an application for exemption from real property taxation with respect to the Initial TIF'ed Property ever was filed by the City or by one or more owners of the Initial TIF'ed Property in accordance with R.C. 5709.911; and,

WHEREAS, there is no Ohio Tax Commissioner's Final Determination in place as to the Initial TIF'ed Property or in reference to the Original TIF Ordinance; and,

WHEREAS, in the concurrence of views held among the City, the Erie County Auditor, and OTAX, therefore, the Original TIF Ordinance granting an exemption from real property taxation neither was effectuated nor otherwise implemented and no such exemption has yet been put in place; and,

WHEREAS, the Initial TIF'ed Property, intended by this Council to be exempt from real property taxation, further included parcels that have since been determined by the City to be inapplicable under R.C. 5713.041 or otherwise not appropriate for the exemption contemplated under the Original TIF Ordinance; and,

WHEREAS, this Council desires to grant such exemption from real property taxation as was initially contemplated under the Original TIF Ordinance, and seeks to exempt only those

parcels of real property specifically enumerated in this Ordinance, which such list of parcels is intended by the Council to supersede and replace the Initial TIF'ed Property; and,

WHEREAS, this Council therefore desires to amend and clarify the language of the Original TIF Ordinance to, among other things, declare the improvement to certain parcels of real property located within the City to be a public purpose and exempt from taxation, require the owner of each parcel to make service payments in lieu of taxes, provide for the distribution of the applicable portion of such service payments to the City, local or exempted village school districts, establish a municipal public improvement tax increment equivalent fund for the deposit of the remainder of such service payments and specify public infrastructure improvements made, to be made or in the process of being made that directly benefit, or that once made will directly benefit, those parcels for which improvements are declared to be a public purpose; and,

WHEREAS, notice of this Ordinance has been delivered to the Board of Education of the Huron City School District and the EHOVE Career Technical Planning Districts (the "**School Districts**") in accordance with the requirements of R.C. Section 5709.83; and,

WHEREAS, in order to grant such an exemption as contemplated and desired by this Council under the Original TIF Ordinance to those parcels of real property located in the City that are applicable to and best-suited for such an exemption, as determined by the City, this Council desires to substantively amend the Original TIF Ordinance as set forth herein; and,

WHEREAS, it is necessary that this Ordinance take effect immediately upon its passage in order to facilitate development in a timely manner and for the immediate preservation of the public peace, property, health, and safety.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Huron, Ohio that:

Section 1. Ordinance 2012-4 declaring improvements to certain parcels of real property located in the City to be a public purpose is hereby amended by this Ordinance.

Section 2. Section 1 of Ordinance 2012-4 is hereby amended and restated in whole, and is **REPLACED** by the following:

Authorization of TIF Exemption. Pursuant to and in accordance with the provisions of R.C. Section 5709.40(B), this Council hereby finds and determines that one hundred percent (100%) of the increase in assessed value of the parcels of real property located in the City and as specifically identified in **EXHIBIT A**, attached hereto and incorporated herein (collectively, the "**Property**"), subsequent to the effective date of this Ordinance (each of which increase in assessed value is an "**Improvement**" as defined in R.C. Section 5709.40(A)(4)) is a public purpose and is exempt from real property taxation, with respect to each parcel, for a period commencing on the first day of the tax year beginning after the effective date of this Ordinance in which there is an Improvement with respect to each such parcel and ending on the earlier of (a) thirty (30) years after such commencement, or (b)

the date on which the City can no longer require service payments in lieu of taxes, all in accordance with the requirements of the TIF Act and this Ordinance.

Section 3. That Section 7 of Ordinance 2012-4 is hereby amended and restated in whole, and is REPLACED by the following:

Filings with Ohio Development Services Agency. Pursuant to R.C. Section 5709.40(1), the Clerk of Council is hereby directed to deliver a copy of this Ordinance to the Director of Ohio Development Services within fifteen (15) days after its adoption. Further, on or before March 31 of each year that the TIF exemption set forth in Section 1 hereof remains in effect, the City Manager or other authorized officer of the City shall prepare and submit to the Development Services Agency the annual status report required thereunder.

Section 4. This Council hereby finds and determines that all formal actions taken relative to the passage of this Ordinance were taken in an open meeting of this Council, and all deliberations thereby of this Council, and any of its committees, that resulted in such formal action were in meetings open to the public, with certain of such meetings as may have been conducted by teleconference, videoconference, or similar electronic technological means, as permitted by Amended Substitute House Bill 197 of the 133rd General Assembly of the State of Ohio, as amended, all in compliance with legal requirements including R.C. Section 121.22.

Section 5. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and general welfare and for the further reason that the policy adopted herein is needed for the protection and preservation of public funds; WHEREFORE, this Ordinance shall be in full force and effect from and immediately after its adoption and due authentication.

ADOPTED: 25 MAY 2021

ATTEST: Terri S. Welkener
Terri S. Welkener, Clerk of Council

Monty Tapp
Monty Tapp, Vice-Mayor



EXHIBIT A
PARCEL LIST

Table: Rye Beach TIF parcels (2021)

No.:	Parcel No.:	Owner:	Address:	Land Use*	Acres	Valuation 2012	Current Valuation	+/-	Improvements	Abatement Status
1	42-00093.000	Rolland Schlessman Trustee		110	18.75	\$ 54,880	\$ 50,960	\$ (3,920)	N/A	N/A
2	42-00309.000	AMERICAN FREIGHTWAYS CORPORATION	1801 Sawmill Pkwy	482	6.86	\$ 556,940	\$ 522,370	\$ (34,570)	N/A	N/A
3	42-00475.000	SARATOGA OF OHIO LTD	1901 Sawmill Pkwy	482	3	\$ 285,560	\$ 278,160	\$ (7,400)	N/A	N/A
4	42-00476.000	Stankic Enterprises LLC	1808 Sawmill Pkwy	455	0.76	\$ 142,070	\$ 144,650	\$ 2,580	N/A	N/A
5	42-00477.000	Stankic Enterprises LLC		400	0.23	\$ 24,040	\$ 17,250	\$ (6,790)	N/A	N/A
6	42-00684.001	Humanetic Innovative Solutions Inc	900 University Dr	340	8.3579	\$ 4,045,019	\$ 4,121,450	\$ 76,431	N/A	2010 - 15 year
7	42-00826.000	J Conrad LTD	N/A	110	54.96	\$ 169,870	\$ 349,900	\$ 180,030	N/A	N/A
8	42-00918.000	Sawmill Realty Investors, LLC	1710 Sawmill Pkwy	350	4.9043	\$ 900,000	\$ 880,860	\$ (19,140)	N/A	N/A
9	42-01029.000	Huron Outdoor	1803 Sawmill Pkwy	499	2.86	\$ 540,980	\$ 690,490	\$ 149,510	2018 - Addition	N/A
10	42-01048.000	DOM AND NATE LTD	1813 Sawmill Pkwy	310	0	\$ 273,650	\$ 239,870	\$ (33,780)	N/A	N/A
11	42-01049.000	DOM AND NATE LTD	N/A	400	1.88	\$ 114,680	\$ 141,000	\$ 26,320	N/A	N/A
12	42-01416.000	ZEIGER SANDRA R TRUSTEE		499	1.06	\$ 290,920	\$ 278,440	\$ (12,480)	N/A	N/A
13	42-01416.001	LAW BROTHERS AUTO BODY INC	1809 Sawmill Pkwy	455	1.16	\$ 288,620	\$ 303,740	\$ 15,120	N/A	N/A
14	42-01417.000	ZEIGER SANDRA R TRUSTEE		480	0	\$ 173,090	\$ 170,500	\$ (2,590)	N/A	N/A
15	42-01799.000	Mihalek Daniel and Lori		480	0	\$ 126,600	\$ 150,030	\$ 23,430	N/A	N/A
16	42-01894.000	Curtis and Carolyn Boger	N/A	110	28.67	\$ 17,850	\$ 68,040	\$ 50,190	N/A	N/A
17	42-01895.000	[blank]					\$ -			
18	42-01896.000	Rolland Schlessman Trustee		110	51.3	\$ 154,280	\$ 133,280	\$ (21,000)	N/A	N/A
19	42-01928.000	FAIR PROPERTIES OF THE NORTH COAST LLC	1705 Sawmill Pkwy	499	2.084	\$ 387,750	\$ 376,860	\$ (10,890)	N/A	N/A
20	42-01952.000	[blank]								
21	42-01952.001	NICE BARN LLC	1529 Sawmill Pkwy	499	2.318	\$ 182,440	\$ 200,020	\$ 17,580	N/A	N/A
22	42-01952.002	THREE SEASONS PARTNERS LLC	1611 Sawmill Pkwy	499	0.877	\$ 480,030	\$ 495,400	\$ 15,370		
23	42-01952.003	SENTZEL ALBERT A & CHRISTINE M JACHYM	1535 Sawmill Pkwy	499	2.55	\$ 258,300	\$ 309,390	\$ 51,090	N/A	N/A
24	42-01952.004	THREE SEASONS PARTNERS LLC	1605 Sawmill Pkwy	499	0.6841	\$ 223,200	\$ 268,770	\$ 45,570		
25	42-01952.005	THREE SEASONS PARTNERS LLC	1611 Sawmill Pkwy	499	0.8012	\$ 210,860	\$ 220,300	\$ 9,440		
26	42-01952.006	THREE SEASONS PARTNERS LLC	1611 Sawmill Pkwy	456	0.5538	\$ 5,790	\$ 38,290	\$ 32,500		
27	42-01952.007	THREE SEASONS PARTNERS LLC	1611 Sawmill Pkwy	400	1.104	\$ 168,090	\$ 1,728,160	\$ 1,560,070	2018 - Addition	2018 - 15 year (75%)
28	42-01972.000	Helen Knupke	1003 Rye Beach	110	24.65	\$ 71,980	\$ 72,960	\$ 980	N/A	N/A
29	42-01972.002	GDM Properties LLC	912 University Dr	340	2.0519	\$ 332,680	\$ 427,120	\$ 94,440	N/A	N/A
30	42-01972.004	Vacationland Federal Credit Union	2402 University Dr.	445	2.25	\$ 157,580	\$ 350,690	\$ 193,110	???	N/A
31	42-01972.005	Huron Corporate Park LLC	2316 E University Dr	400	2.4	\$ 38,300	\$ 72,000	\$ 33,700	N/A	N/A
32	42-01972.006	Angtin LLC	2320 University Dr	442	2.228	\$ 35,480	\$ 456,960	\$ 421,480	2015 - New Construction	2015 - 15-year (75%)
33	42-01972.007	DJ CLARK LLC	909 University Dr.	447	2	\$ 403,200	\$ 2,072,890	\$ 1,669,690	2015 - New Construction	2015 - 15-year (75%)
34	42-01972.008	Horvath Realty Group LLC	911 University Dr S	447	2.11	\$ 33,790	\$ 220,470	\$ 186,680	2012 - New Construction	
35	42-01972.010	Central Ohio Paper and Packaging	2350 University Dr	480	5.88	\$ -	\$ 2,765,250	\$ 2,765,250	2015 - New Construction	2015 - 15-year (75%)
36	42-01972.011	Huron Corporate Park LLC	2300 University Dr E	499	18.68	\$ 0	\$ 501,4510	\$ 5,014,510	2019 - New Construction	N/A
37	42-01973.000	Helen Knupke	1002 Rye Beach	111	6.85	\$ 180,470	\$ 187,140	\$ 6,670	N/A	N/A
38	42-01997.000	STANKIC ENTERPRISES LLC		482	3.47	\$ 327,280	\$ 347,200	\$ 19,920	N/A	N/A
39	42-02021.000	Ardagh Metal Beverage USA Inc	1608 Sawmill Pkwy	330	69.771	\$ 5,105,850	\$ 5,312,620	\$ 206,770	N/A	N/A
40	42-02021.001	Robert Herbst Jr.		455	1	\$ 114,670	\$ 111,010	\$ (3,660)	N/A	N/A
41	42-02021.002	Ardagh Metal Beverage USA Inc	Sawmill Pkwy	300	1	\$ 71,250	\$ 75,000	\$ 3,750	N/A	N/A
42	42-02023.000	Aldridge Boutique LLC	1708 Sawmill Pkwy	499	6	\$ 434,020	\$ 425,160	\$ (8,860)	N/A	2021 - 15 year (75 / 50 / 25)
43	42-02043.000	S Crooks LLC	2501 Sawmill Pkwy	430	2.24	\$ 258,870	\$ 135,000	\$ (123,870)	N/A	N/A
44	42-02043.001	2401 SAWMILL PROPERTIES LTD	2401 Sawmill Pkwy	425	2.8	\$ 790,700	\$ 501,800	\$ (288,900)	N/A	N/A
45	42-02043.002	Yellow Dog LTD	2455 Sawmill Pkwy	425	3.1994	\$ 172,460	\$ 172,460	\$ -	New Construction - 2021	2020 - 15-year (75 / 50 / 25)
46	42-02043.005	S Crooks LLC	Sawmill Pkwy	499	2	\$ 123,590	\$ 67,200	\$ (56,390)	N/A	N/A
47	42-02069.000	Francis Bradley J	618 Rye Beach	482	5.4644	\$ 261,260	\$ 279,580	\$ 18,320		
48	42-02070.000	Stankic Enterprises LLC		100	5.2309	\$ 16,320	\$ 34,920	\$ 18,600	N/A	N/A
49	42-02070.001	Kevin Fahey		455	3.7972	\$ 11,930	\$ 178,440	\$ 166,510	2014 - New Construction	N/A
50	42-04054.000	Neilson Property LTD	660 Rye Beach Road	435	2.765	\$ 452,560	\$ 482,850	\$ 30,290	N/A	N/A
51	42-04054.001	S Crooks LLC	608 Rye Beach Road	499	2.346	\$ 721,740	\$ 1,555,170	\$ 833,430	Addition - 2017	2017 - 15 Year (75%)
52	42-0684.000	[blank]					\$ -			

* R.C. Section 5713.041 requires county auditors classify real property according to principal use. Read in conjunction with O.A.C. Rule 5703-25-10, which provides the respective land use 3-digit codes. Rye Beach TIF to exempt those parcels with TIF-eligible land use codes.

RECEIPT OF THE DIRECTOR OF DEVELOPMENT SERVICES FOR THE STATE OF OHIO FOR LEGISLATION DECLARING CERTAIN IMPROVEMENTS TO REAL PROPERTY TO BE EXEMPT FROM REAL PROPERTY TAXATION PURSUANT TO OHIO REVISED CODE SECTION 5709.40

I, _____, the Director of the Ohio Development Services Agency, hereby certify that a certified copy of Ordinance No. 2021-[__], which was duly adopted by the City Council of the City of Huron, Ohio (the "City") on _____, 2021, and which declared the improvement of certain real property located within the City to be a public purpose and declaring a portion of such property to be exempt from real property taxation pursuant to Ohio Revised Code Section 5709.40, was filed in this office on _____, 2021.

WITNESS my hand and official seal at Columbus, Ohio on _____, 2021.

Director,
Ohio Development Services
Agency