

**ORDINANCE NO. 43-2023**

**AN ORDINANCE AMENDING ORDINANCE NO. 51-1999 TO EXTEND THE EXEMPTION FROM TAXATION FOR CERTAIN PARCELS IN THE CITY PURSUANT TO ORC 5709.51; AND DECLARING AN EMERGENCY**

WHEREAS, Ohio Revised Code (“ORC”) 5709.40, 5709.42, and 5709.43 (collectively, the “**TIF Act**”) authorizes this Council, by ordinance, to declare the improvement to 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, establish a municipal public improvement tax increment equivalent fund for the deposit of those service payments, and specify the purposes for which money in that fund will be expended; and,

WHEREAS, Ordinance No. 51-1999, passed by this Council on November 3, 1999 (the “**TIF Ordinance**”), declared improvements to certain parcels of real property in the City (as identified on Exhibit A to the TIF Ordinance and shown on Exhibit A attached hereto, the “**Parcels**”) to be a public purpose, exempted the improvements to those Parcels from real property taxes for a period of 30 years, required the owners of such parcels to make service payments in lieu of taxes and otherwise established a tax increment financing program for those parcels; and

WHEREAS, pursuant to ORC 5709.51 this Council may amend the TIF Ordinance to extend, for up to 30 additional year’s, the exemption from taxation of improvements to the Parcels granted pursuant to the TIF Ordinance if certain conditions are met; and

WHEREAS, the City desires to extend the exemption from taxation of improvements to the Parcels pursuant to the ORC 5709.51 to enable the City to make public infrastructure improvements that will directly benefit the Parcels; and

WHEREAS, notices have been provided to the Board of Education of the Princeton City School District (the “**School District**”) and the Board of Education of the Great Oaks Institute for Technology and Career Development (“**Great Oaks**”) of the City’s intent to pass this Ordinance;

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

SECTION 1. This Council finds and determines that service payments made by owners of the Parcels pursuant to the TIF Ordinance exceeded one million five hundred thousand dollars in calendar year 2022.

SECTION 2. The TIF Ordinance is hereby amended to extend the exemption from taxation of improvements to each Parcel for a period of thirty (30) years from the end of the exemption for that Parcel as determined by Section 4 of the TIF Ordinance (the “**Extension Period**”). The limitation in Section 4 related to termination of the exemption created by the TIF Ordinance upon retirement of increment debt is superseded by the extension effected by this Ordinance.

SECTION 3. Pursuant to ORC 5709.51(A)(3), the TIF Ordinance is hereby amended to provide that, for each year of the Extension Period for a Parcel, the School District and Great Oaks shall receive compensation equal in value to the amount of taxes that would be payable to the School District or Great Oaks, respectively, if the improvements to the Parcel had not been exempted from taxation for the Extension Period.

SECTION 4. Except as provided herein, all other provisions of the TIF Ordinance shall remain in full force and effect. City officials are further authorized to provide such information and to execute, certify or furnish such other documents, and to do all of the things as are necessary for and incidental to carrying out the provisions of this Ordinance. The Mayor is hereby authorized to enter into one or more revenue sharing agreements with the School District or Great Oaks to implement the foregoing compensation agreements if the Mayor deems such agreement or agreements necessary or advisable.

SECTION 5. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this ordinance were taken in an open meeting of this Council or any of its committees, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including ORC 121.22.

SECTION 6. This ordinance is declared to be an emergency measure necessary for the immediate preservation of the public's health, safety and welfare of the inhabitants of the City of Springdale. This ordinance is declared to be an emergency measure for the further reason that it is necessary to be effective immediately to enable the City of Springdale to obtain funding for economic growth and development of real property located within the City of Springdale; wherefore, this ordinance shall be effective immediately upon its passage.

Passed this \_\_\_\_ day of October, 2023.

\_\_\_\_\_  
President of Council

Attest:

\_\_\_\_\_  
Clerk of Council/Finance Director

Approved:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

**CERTIFICATE**

The undersigned, Clerk of Council/Finance Director, City of Springdale, Ohio, hereby certifies the foregoing to be a true and correct copy of Ordinance No. 43-2023, adopted \_\_\_\_\_, 2023.

\_\_\_\_\_  
Clerk of Council/Finance Director

**EXTRACT FROM MINUTES OF MEETING**

The Council of the City of Springdale, County of Hamilton, Ohio, met in regular session, at 7:00 pm., on the \_\_\_\_\_ day of October, 2023, at the Springdale Municipal Building, 11700 Springfield Pike, Springdale, Ohio, with the following members present:

Jeff Anderson	_____
Carolyn Ghantous	_____
Lawrence Hawkins	_____
Dan Jacobs	_____
Joe Ramirez	_____
Meghan Sullivan-Wisecup	_____
Tom Vanover	_____

There was presented and read to Council Ordinance No. 43-2023, entitled:

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PARCELS IN THE CITY PURSUANT TO ORC 5709.51; AND  
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M\_\_\_\_. \_\_\_\_\_ then moved that Ordinance No. 43-2023 be adopted.

M\_\_\_\_. \_\_\_\_\_ seconded the motion and, the roll being called upon the question, the vote resulted as follows:

Jeff Anderson	_____
Carolyn Ghantous	_____
Lawrence Hawkins	_____
Dan Jacobs	_____
Joe Ramirez	_____
Meghan Sullivan-Wisecup	_____
Tom Vanover	_____

The ordinance was declared adopted \_\_\_\_\_, 2023.

**CERTIFICATE**

The undersigned, Clerk of Council/Finance Director of said municipality, hereby certifies that the foregoing is a true and correct extract from the minutes of a meeting of the council of said municipality, held on the \_\_\_\_ day of \_\_\_\_\_, 2023, to the extent pertinent to consideration and adoption of the above-entitled legislation.

\_\_\_\_\_  
Clerk of Council/Finance Director