

ORDINANCE NO. 2025-35

AN ORDINANCE AMENDING ORDINANCE NO. 2005-93 TO IDENTIFY ADDITIONAL PUBLIC IMPROVEMENTS AND DECLARING AN EMERGENCY

WHEREAS, on December 28, 2005, this Council approved Ordinance No. 2005-93 (the "Original Ordinance") thereby declaring improvements to parcels of certain real property located in the City (as described and depicted in the Original Ordinance and referred to therein as the "Property") to be a public purpose, exempting those improvements from real property taxation for a period of time, specifying public infrastructure improvements to be made to benefit those parcels, providing for the making of service payments in lieu of taxes by the owner(s) thereof, and establishing a municipal public improvement tax increment equivalent fund into which those service payments were to be deposited; and

WHEREAS, this Council now desires to specify additional public infrastructure improvements that directly benefit or once made will directly benefit the Property; and

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Willowick, County of Lake, Ohio, that:

Section 1. The Public Improvements set forth in Exhibit A of the Original Ordinance are hereby supplemented to include the additional Public Improvements identified in Exhibit A attached hereto, which this Council hereby determines directly benefit, or once made will directly benefit, the Property.

Section 2. Except as provided herein, all other provisions of the Original Ordinance remain in full force and effect.

Section 3. Pursuant to Section 5709.40 of the Ohio Revised Code, the Clerk of Council is hereby directed to deliver a copy of this Ordinance to the Director of the Ohio Department of Development within fifteen days after its passage.

Section 4. This Council hereby authorizes and directs the Mayor, the Director of Law, the Director of Finance, or other appropriate officers of the City to prepare and sign all documents and instruments and to take any other actions as may be appropriate to implement this Ordinance.

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

Section 6. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, welfare and dignity of the residents of the City of Willowick and therefore shall be in full force and take effect immediately upon its passage by Council and its approval by the Mayor, or at the earliest period allowed by law.

WHEREFORE, this Ordinance shall be in full force and effect immediately upon its passage by Council and approval by the Mayor.

PASSED: \_\_\_\_\_, 2025

\_\_\_\_\_  
Monica Koudela, President of Council

SUBMITTED to the Mayor for his approval on \_\_\_\_\_, 2025

APPROVED by the Mayor on \_\_\_\_\_, 2025

\_\_\_\_\_  
Michael J. Vanni, Mayor

ATTEST:

\_\_\_\_\_  
Alyssa Moran, Clerk of Council

## **EXHIBIT A**

### **Public Improvements**

The Public Improvements consist of any “public infrastructure improvement” defined under ORC 5709.40(A)(8) and that directly benefits the Parcels (as more fully described in Ordinance No. 2005-93) and specifically include, but are not limited to, the following improvements that will directly benefit the Parcels and all related costs of those permanent improvements (including, but not limited to, those costs listed in ORC 133.15(B)):

- **Roadways.** Construction, reconstruction, extension, opening, improving, maintaining, widening, grading, draining, curbing or changing of the lines and traffic patterns of roads, highways, streets, intersections, bridges (both roadway and pedestrian), sidewalks, bikeways, medians and viaducts accessible to and serving the public, and providing signage (including traffic signage and informational/promotional signage), lighting systems, signalization, and traffic controls, and all other appurtenances thereto, including but not limited to a roadways known as E. 293<sup>rd</sup> Street, Lakeshore Boulevard (OH-293) bounded between E. 293<sup>rd</sup> Street and Vine Street, and all streets that of which that the noted Parcels front or connect to.
- **Water/Sewer.** Construction, reconstruction or installation of public utility improvements (including any underground municipally owned utilities), storm and sanitary sewers (including necessary site grading therefore), water and fire protection systems, and all appurtenances thereto.
- **Utilities.** Construction, reconstruction, burial or installation of gas, electric and communication service facilities and all appurtenances thereto, including, but not limited to those associated with improvements described in “Roadways” above.
- **Stormwater.** Construction, reconstruction, relocation, modification and installation of stormwater and flood remediation projects and facilities, both for storm water quantity and quality, including the payment and reimbursement for such projects and facilities on private property when determined to be necessary for public health, safety and welfare, including, but not limited to stormwater improvements in conjunction with and along the roadway improvements described in “Roadways” above.
- **Streetscape/Landscape.** Construction or installation of streetscape and landscape improvements including trees, tree grates, signage, curbs, sidewalks, scenic fencing, street and sidewalk lighting, trash receptacles, benches, newspaper racks, burial of overhead utility lines and related improvements, together with all appurtenances thereto, including, but not limited to streetscape improvements in conjunction with and along the roadway improvements described in “Roadways” above.

- **Real Estate.** Acquisition of real estate or interests in real estate (including easements) (a) necessary to accomplish any of the foregoing improvements or (b) in aid of industry, commerce, distribution or research, including acquisition of interests in the Parcels.
- **Professional Services.** Engineering, consulting, legal, administrative, and other professional services associated with the planning, design, acquisition, construction and installation of the foregoing improvements and real estate.