

**ORDINANCE NO. 130-21**  
**Sponsored by: Rich Hays**

**AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION  
AND DELIVERY OF A COMMUNITY REINVESTMENT AREA  
AGREEMENT, AND DECLARING AN EMERGENCY**

**WHEREAS**, this Council previously designated an area as the City of London Community Reinvestment Area (the “CRA”) as a Community Reinvestment Area pursuant to Ohio Revised Code (“R.C.”) Chapter 3735 in Ordinance 137-19; and

**WHEREAS**, the Director of Development of the State of Ohio previously determined that the CRA contained the characteristics set forth in R.C. Chapter 3735; and

**WHEREAS**, Paul Gross, an individual, or his assigns (collectively, the “Developer”) desires to construct a project (the “Project”) to be located in the CRA at 1150 US 42 SE, London, Ohio, Parcel Number 31-00662.000, (the “Project Site”); and

**WHEREAS**, the City having the appropriate authority for the stated Project, desires to provide the Developer with incentives available for the development of the Project in the CRA; and

**WHEREAS**, the Developer has submitted a proposed agreement application to the City (the “Application”) whose project will bring an investment of at least eighteen million (\$18,000,000) to the City and will create approximately 20 full-time jobs; and

**WHEREAS**, the Developer has submitted the required state application fee of \$750.00 made payable to the Ohio Development Services Agency with the application to be forwarded to said department with a copy of the final agreement; and

**WHEREAS**, the City has investigated the application of the Developer and has recommended the same to this Council on the basis that the Developer is qualified by financial responsibility and business experience to create and preserve employment opportunities in the CRA and improve the economic climate of the City; and

**WHEREAS**, the Project Site is located within the boundaries of the London City School District (the “LCSD”) and the Tolles Career & Technical Center (the “TCTCSD”), and the board of education of each such district has been notified of the proposed approval of this Agreement in accordance with R.C. Sections 3735.671 and 5709.83, or has waived such notice, and has been given a copy of the Application; and

**WHEREAS**, the Board of Education of the LCSD (i) approved the terms of this Agreement, including the 100% real property tax exemption for ten (10) years; (ii) waived its rights to receive the 45-day and 14-day notices under R.C. Sections 3735.67 and 5709.83; and (iii) consented to the approval and execution of this Agreement; and

**WHEREAS**, pursuant to R.C. Section 3735.67(A) and in conformance with the format required under R.C. Section 3735.671, the parties desire to set forth their agreement in writing with respect to matters hereinafter contained; and

**NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY  
OF LONDON, STATE OF OHIO**

**Section I:**

The Council of the City finds that the Developer is qualified by financial responsibility and business experience to create and preserve employment opportunities in the CRA and to improve the economic climate of the City, and that, subject to the City's approval of the CRA Agreement, the Developer intends to make an investment of at least eighteen million (\$18,000,000) to construct the Project between the estimated dates of May 2021 through December 2023, and to create approximately 20 full-time jobs.

**Section II:**

The Council of the City finds that prior to the passage of this Ordinance, the Board of Education of the LCSD (i) approved the terms of this Agreement, including the 100% real property tax exemption for ten (10) years; (ii) waived its rights to receive the forty-five day and fourteen-day notices under R.C. Sections 3735.67 and 5709.83; and (iii) consented to the approval and execution of this Agreement. Council finds that the Board of Education of the TCTCSD waived its statutory 14-day notice required under R.C. 5709.83.

**Section III:**

The Mayor is authorized to enter into a CRA Agreement with the Developer, providing a 100% exemption on the assessed value of the real property improvements made to the Project Site for a period of ten (10) years. The Mayor, for and in the name of the City, is authorized to execute a CRA Agreement substantially in the form now on file with this Council, and in a form not inconsistent with the terms of this Ordinance and with changes that are not substantially adverse to the City, which shall be evidenced conclusively by the Mayor's execution of that CRA Agreement. Further, the Mayor is authorized to sign any other agreements or documents necessary to effectuate this Agreement and provision of the incentive as defined therein.

**Section IV:**

The Clerk of Council shall immediately forward a certified copy of this Ordinance along with all exhibits and attachments to the Ohio Development Services Agency within fifteen days after the Agreement is entered into pursuant to R.C. Section 3735.671(D).

**Section V:**

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, and that all deliberations of this Council and any of its committees that resulted in those formal actions, were taken in meetings open to the public, all in compliance with the law including Section 121.22 of the Revised Code.

**Section VI:**

This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of this City and for the further reason this Ordinance must be authorized immediately to entice the Developer to construct the Project; wherefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED:

ATTEST:

\_\_\_\_\_  
Arlene Duffey  
Clerk of Council

\_\_\_\_\_  
Henry Comer  
President Council

Submitted to Mayor: \_\_\_\_\_

Date of Approval: \_\_\_\_\_

**APPROVED:**

\_\_\_\_\_  
Patrick Closser, Mayor

\_\_\_\_\_  
Jennifer Hitt, Law Director  
Approved as to Form

I, Arlene Duffey, Clerk of Council for the City of London, Ohio, do hereby certify that the foregoing Ordinance No.130-21 was posted in a newspaper of general circulation on the \_\_\_\_\_ day of \_\_\_\_\_, 2021 and on the \_\_\_\_\_ day of \_\_\_\_\_, 2021

\_\_\_\_\_  
Arlene Duffey

# \_\_\_\_\_

Vote	Abstain	Suspe nd	Adopt
Andrew Hitt			
Anthony Smith			
Josh Peters			
Carla Blazier			
Bryan Robinson			
Brenda Russell			
Rich Hays			

