

ORDINANCE NO. 62-24

**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN
AGREEMENT WITH THE BOARD OF EDUCATION OF THE AVON LOCAL
SCHOOL DISTRICT REGARDING THE DISTRIBUTION OF PAYMENTS
IN LIEU OF TAXES (PILOTS) IN TIF NO. 3 (ORD. NO. 156-06)
AND TIF NO. 10 (ORD. NO. 171-08)
AND DECLARING AN EMERGENCY**

WHEREAS, Avon City Council determined that the development of industrial properties in the City of Avon will benefit the City and its residents by creating economic opportunities, enlarging the property tax base, enhancing income tax revenues, and stimulating collateral development in the City; and

WHEREAS, by providing Public Infrastructure Improvements (as that term is defined in Section 5709.40(A)(7) of the Ohio Revised Code) including road construction and related improvements, the City will facilitate the future development of the industrial properties which will benefit both parties to this Agreement and the residents of Avon; and

WHEREAS, the City has adopted Ordinance Nos. 156-06 (TIF No. 3) and Ordinance No. 171-08 (TIF No. 10) with the stated purpose being to increase revenue available for construction of Public Improvements and thereby encourage industrial development in the areas described in these ordinances; and

WHEREAS, the City and the Board of Education seek to enter into an agreement to modify the division of the Payments in Lieu of Taxes (Pilots) payable to the Schools on certain industrial projects under very specific sets of circumstances outlined in that agreement that both parties believe will be beneficial to all the tax payers of the City of Avon and promote the health, safety and welfare of all members of the community.

WHEREAS, Council deems it to be in the best interests of the health, safety and welfare of the citizens of Avon to pass this Ordinance and thereby authorize the Mayor to execute and finalize the TIF Distribution Agreement with the Avon Local School District on behalf of the City of Avon.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON, LORAIN COUNTY, OHIO:

Section 1 - That this Council hereby approves the TIF Distribution Agreement in substantially the form as set forth in [Exhibit A](#), which is attached hereto and incorporated herein by this reference. Furthermore, Council authorizes the Mayor to execute the final Agreement on behalf of the City.

Section 2 - That this Council hereby authorizes the Mayor, the Finance Director or other appropriate officer(s) of the City to take such actions as are necessary or appropriate to implement the transactions contemplated by the Agreement adopted by through this Ordinance including the establishment of the Special Revenue Fund referred to therein.

Section 3 - That 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 this Council and that all deliberations of this Council and any decision-making bodies of the City which resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4 - That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of City residents, that purpose being to enter into the TIF Distribution Agreement with the Avon Local School District and to begin sharing the revenues generated by TIF Nos. 3 and 10 for the purpose of financing construction of public improvements that, among other things, will further economic development on certain industrial property and increase the overall prosperity of all citizens of Avon; therefore, this Ordinance is hereby declared to be an emergency and shall take effect and be in full force immediately upon its passage and approval by the Mayor.

PASSED: _____

DATE SIGNED: _____

By: _____
Brian Fischer, Council President

DATE APPROVED BY THE MAYOR _____

Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director

ATTEST:

Barbara J. Brooks
Clerk of Council

POSTED: _____
In Five Places as
Provided by Council

Prepared By:
John A. Gasior, Esq.
Law Director