

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 02-07-2019

Passed 2-5- 2019

RESOLUTION # 02-07-2019

RESOLUTION CLARIFYING THE TERMS OF THE APPROVAL OF THE CREATION OF A COMMUNITY REVITALIZATION DISTRICT PURSUANT TO SECTION 4301.81 OF THE OHIO REVISED CODE AS SET FORTH IN ORDINANCE NO: 09-62-2018 AND DECLARING AN EMERGENCY.

WHEREAS, Ohio Revised Code §4301.81 allows the City of Circleville to create a Community Revitalization District on application from a property owner; and

WHEREAS, Paul Johnson and Richard Rhoades have applied for the creation of such a district on lands encompassing the City's downtown business district and concerning areas which land consists of approximately 226 acres; and

WHEREAS, Council has previously approved the creation of this Community Revitalization District, but clarification needs to be made to ensure that such application meets all of the requirements as set forth in §4301.81; and

WHEREAS, after review of the Application, Council finds that it meets the requirements of Ohio Revised Code §4301.81; and

WHEREAS, notice of such application to designate a Community Revitalization District was published with proper notice as being given as required by Ohio Revised Code §4301.81 with a public hearing held regarding said application on September 4, 2018 as well as a Committee if the Whole meeting of City Council taking place on September 11, 2018; and

WHEREAS, the Mayor has also reviewed the Application and has formally recommended the approval of the application based upon it meeting the criteria set forth in the Ohio Revised Code §4301.81 at said September 4, 2018 meeting;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CIRCLEVILLE, PICKAWAY COUNTY, OHIO, AS FOLLOWS:

- I. As previously set forth in Ordinance No. 09-62-2018, Council of the City of Circleville hereby accepts the recommendation of the Mayor as required by Ohio Revised Code §4301.81 and further finds that the application of Paul Johnson and Richard Rhoades requesting the creation of a Community Revitalization District does in fact contain those requirements as provided for in said statute.
- II. That City Council hereby specifically finds as follows:
 - A. The map drawing and zoning description incorporated herein by reference is in sufficient detail to identify the boundaries of the district and the property owned by the applicants substantially as set forth in Exhibit "A".
 - B. The application contains a general statement of the nature and types of establishments to be located within the proposed Community Revitalization District.

RECORD OF ORDINANCES

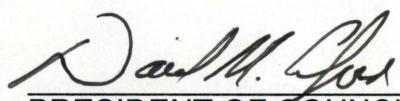
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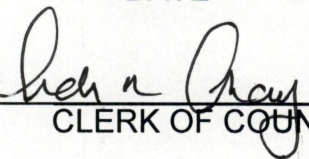
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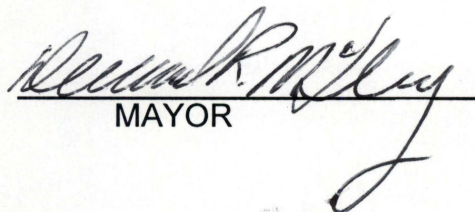
- C. The proposed Community Revitalization District will substantially contribute to entertainment, retail, educational, sporting, social, cultural or arts opportunities for the community.
- D. The proposed time frame for development of the establishments for the Community Revitalization District is in accordance with the City of Circleville's Master Zoning and Development Plans.
- E. The Community Revitalization District is in excess of seventy-five contiguous acres.
- III. After due discussion and deliberation, review of the application and taking into account the recommendation of the Mayor with regarding to this application for the creation of a Community Revitalization District, the Council reaffirms its previous actions approving the creation of this Community Revitalization District as set forth in Ordinance No. 09-62-2018 and specifically finds that the application meets the needs of the City and the requirements of Ohio Revised Code §4301.81 and the staff is authorized to take whatever actions are necessary to implement the application with any affected state agencies, or otherwise.
- IV. The Council finds and determines that all formal actions of this Council concerning and relating to the passage of this Resolution were taken in an open meeting of this Council and all deliberations of this Council and any Committees or Sub-Committees that resulted in those formal actions were in meetings open to the public in compliance with the law.
- V. That this Resolution is hereby declared to be an emergency measure necessary for the preservation of health, safety and welfare of the citizens of the City of Circleville, such emergency arising out of the need to approve the creation of this Community Revitalization District within the time frame required by statute, so that this Resolution shall take effect and be in force immediately from and after the passage and approval by the Mayor.

PASSED: 2-5-2019
DATE


PRESIDENT OF COUNCIL

ATTEST: 
CLERK OF COUNCIL

APPROVED: 2-05-19
DATE


MAYOR

APPROVED AS TO FORM:


GARY D. KENWORTHY
LAW DIRECTOR

REVIEWED BY LAW DIRECTOR
AND APPROVED AS TO FORM

EXHIBIT "A"

Legal Description
Circleville Township, Pickaway County, Ohio
Section 29, Township 11N, Range 21W
Lot Split - 21.224 Acres

Situated in the Township of Circleville, County of Pickaway, and State of Ohio and in the Congress Lands East of the Scioto River Section 29, Township 11N and Range 21W being more particularly bounded and described as follows:

Being a part of a 42.39 acre tract described in Official Record 513, Page 24, in the Pickaway County Recorder's Office;

Beginning for reference at a point at the north west corner of Rhoads Subdivision, Block "A" in Plat Book 5, Page 49, also being in the centerline of Kingston Pike;

Thence with the centerline of Kingston Pike N03°25'06"E 673.27 feet to a point, being the **TRUE POINT OF BEGINNING**;

Thence continuing with the centerline of Kingston Pike N03°25'06"E 670.00 feet to a point at the north west corner of said 42.39 acre tract;

Thence with the north line of said 42.39 acre tract S87°26'38"E (passing a ¾" Pipe Found at 30.00 feet) 1383.78 feet to an Iron Pin Set at the north east corner of said 42.39 acre tract;

Thence with the east line of said 42.39 acre tract S04°03'22"W 670.15 feet to an Iron Pin Set (from which a ½" Rebar Found bears S04°03'22"W 62.86 feet);

Thence on a new line through said 42.39 acre tract N87°26'38"W (passing an Iron Pin Set at 1341.32 feet) 1376.32 feet to the **TRUE POINT OF BEGINNING**;

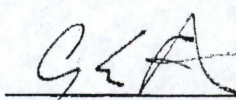
Containing 21.224 Acres, more or less.

Subject to all existing rights-of-way and easements of record.

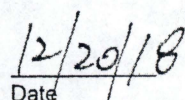
Bearings are based on the centerline of Kingston Pike as determined by GPS observation based on ODOT CORS using VRS on the NAD83(2011) datum, being N03°25'06"E.

Iron Pins Set are 5/8" diameter x 30" long rebar with red plastic cap stamped "H&S 8592"

I hereby certify that the foregoing legal description and the attached plat are a true representation of the conditions as they existed on the date of the survey and that the accuracy of same is consistent with accepted surveying standards.


Craig E. Stevenson P.S. 8592
Harral and Stevenson




Date

SURVEY PLAT and LEGAL DESCRIPTION

MATHEMATICALLY APPROVED

PICKAWAY COUNTY ENGINEER

BY  DATE 12-20-18

City of Circleville - Barthelmas Park expansion request scenarios:

Long Range vults

1/29/18

Scenario 1: (Park District preference)

from Mayor

- 1) The City, with help from the Park District, will prepare and submit a \$350,000, LWCF Fund grant application to Ohio DNR that is due November 15, 2018. If the grant is approved, the city will purchase the property from seller for \$350,000, probably sometime in early 2019. The Park District will agree to reimburse the city \$150,000 (\$30,000/yr. for the next 5 years) to help pay the \$175,000 local match required for the grant.
- 2) Also, the Park District will agree to pay for the additional property appraisal required by ODNR, if the current appraisal does not meet the "Yellow Book" appraisal guidelines as outlined in the ODNR grant requirements. The financials would look something like the following:
City purchase price: \$350,000
ODNR grant: \$175,000
Park District commitment: \$150,000 plus appraisal
City commitment: \$25,000
- 3) The City understands that even though they may apply for annual Park District - Park & Trail grants for the 2019 - 2023 grant cycles, that their applications will only be considered for funding if monies remain in that year's Park & Trail Fund allocation, after all other eligible applicant awards are made.
- 4) The City agrees to allow the Park District to utilize Parcel A0540840002801 for Pickaway Trail East parking and to continue the trail west thru the city to connect to the Pickaway Trail on the west side of the city.
- 5) The City agrees to place a sign at the entrance of the new park, acknowledging the County Park District as the agency that provided the majority of the funds to purchase the park property.

Scenario 2: (If grant is not approved, or for some reason both parties agree it is not reasonable to make an application.)

- 1) The City purchases for \$350,000 in 2018 and Park District reimburses \$250,000 (\$35,714/yr. over next 7 years)
- 2) Also, the Park District will agree to pay for the additional property appraisal required by ODNR, if the current appraisal does not meet the "Yellow Book" appraisal guidelines as outlined in the ODNR grant requirements. The financials would look something like this:
City purchase price: \$350,000
State/fed grant: \$0
City commitment: \$100,000
Park District commitment: \$250,000 plus appraisal
- 3) The City understands that even though they may apply for annual Park District - Park & Trail grants for the 2019 - 2025 grant cycles, that their applications will only be considered for funding if monies remain in that year's Park & Trail Fund allocation, after all other eligible applicant awards are made.
- 4) The City agrees to allow the Park District to utilize Parcel A0540840002801 for Pickaway Trail East parking and to continue the trail west on thru the city to connect to the Pickaway Trail on the west side of the city.
- 5) The City agrees to place a sign at the entrance of the new park, acknowledging the County Park District as the agency that provided the majority of the funds to purchase the park property.